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SHARON PRIEST  
SECRETARY OF STATE  
STATE OF ARKANSAS  
BY

# ARKANSAS REGISTER

Transmittal Sheet

*Sharon Priest*  
~~PAUL RIVIERE~~, SECRETARY OF STATE  
STATE CAPITOL  
LITTLE ROCK, AR 72201

For Office  
Use Only:

Effective Date 3/16/96 Code Number 007.04.96--001

Name of Agency Arkansas Department of Health

Department Division of Environmental Health Protection

Contact Person Sandra Lancaster Telephone 501-661-2171

Statutory Authority for Promulgating Rules Act 96 of 1913 (A.C.A. 20-7-109)  
and Act 415 of 1953 (A.C.A. 20-56-201 thru 20-56-223)

Intended  
Effective Date

Date

Legal Notice Published

6-25-95

☐ Emergency

Final Date for Public Comment

7-28-95

☐ 20 Days  
After Filing

Filed With Legislative Council

6-23-95

☐ Other

Reviewed by Legislative Council

8-3-95

Adopted by State Agency

10-26-95

## CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance With Act 434 of 1967 As Amended.

*Sandra Lancaster*  
SIGNATURE

Program Administrator-Food Protection Services

TITLE

March 7, 1996

DATE

#### 10-104 Water System

Seasonal operations requiring a water system shall have a potable water system, under pressure permanently affixed to the unit.

The system shall be of sufficient capacity to furnish enough hot and cold water for product preparation, utensil cleaning, sanitizing and handwashing. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil or grease and it shall be kept capped unless being filled.

The water inlet shall be provided with a transition connection of a size or type that will prevent its use for any other service. All waste distribution pipes or tubing shall be constructed and installed in accordance with these regulations.

The direct connection of a common garden hose to be used as a water supply is prohibited.

#### 10-105 Waste Retention

All liquid waste resulting from seasonal operations shall be stored in a retention tank that is of at least 15 percent larger capacity than the water supply tank. Liquid waste retention tanks shall be drained on a daily basis. Liquid waste retention tanks shall be drained into an approved sewage disposal facility. All connections for servicing shall be of a different size or type than those used for supplying water to the unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.

#### 10-106 Block Ice

Any block ice used for snow cone and/or shaved ice product purposes must be from an approved source and handled in a sanitary manner.

Amend Chapter 10 to read Chapter 11

Amend Section 10-101 to read 11-101

Amend Section 10-102 to read 11-102

Amend Section 10-103 to read 11-103

Amend Section 10-201 to read 11-201

Amend Section 10-202 to read 11-202

Amend Section 10-203 to read 11-203

Amend Section 10-204 to read 11-204

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SHARON J. BRYANT  
SECRETARY OF STATE  
STATE OF ARKANSAS

AMENDMENT OF RULES AND REGULATIONS PERTAINING TO FOOD SERVICE ESTABLISHMENTS

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SHARON PRIEST  
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STATE OF ARKANSAS  
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Section I. AUTHORITY

The following amendments are proposed pursuant to the Authority expressly conferred by the Laws of the State of Arkansas including, without limitation, Act 96 of 1913 (A.C.A.20-7-109) and Act 415 of 1953 (A.C.A. 20-56-201 thru 20-56-223).

Section II. PURPOSE

To amend the Rules and Regulations Pertaining to Food Service Establishments as follows: by adding a definition and corresponding regulation for seasonal operations.

Section III. DEFINITIONS

Amend Section 1-101 by the addition of a definition of a seasonal operation which shall read as follows: (ac) "Seasonal Operation" means an establishment operating on a seasonal basis not to exceed a 150 day period of time per calendar year, limited to the serving of dispensed drinks, coffee, snow cones, shaved ice, and other similar ice based products.

Section IV. GENERAL REQUIREMENTS

Amend Chapter 10 to read; CHAPTER 10- SEASONAL OPERATIONS.

Amend Section 10-101, General, to read as follows:

Seasonal operations, as defined in Section 1-101 of this regulation shall comply with the requirements of this chapter as well as all other applicable Sections of this regulation. The Health Authority may impose additional requirements to protect against health hazards related to the conduct of the operation.

10-102 Assessment Frequency

All seasonal operations must be inspected at least once during their period of operation, and may be inspected more often if deemed necessary by the Health Authority.

10-103 Single Service Articles

Seasonal operations shall provide only single service articles for use by the consumer.

Amend Section 10-301 to read 11-301

Amend Section 10-302 to read 11-302

Amend Section 10-401 to read 11-401

Amend Section 10-501 to read 11-501

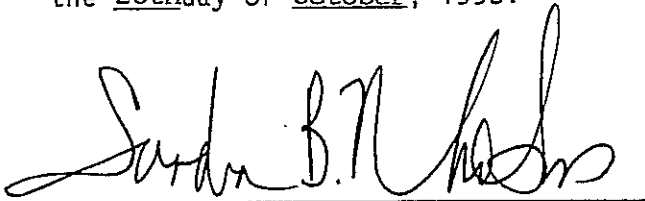
Amend Section 10-502 to read 11-502

Section V. REPEAL

All Regulations and parts of Regulations in conflict herewith are hereby repealed.

Section VI. CERTIFICATION

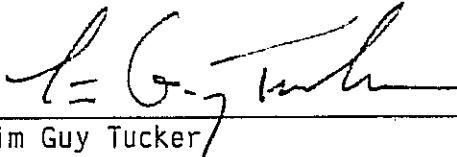
This will certify that the foregoing Amendment to the Rules and Regulations Pertaining to Food Service Establishments was adopted by the Arkansas Board of Health at a regular session of said Board held in Little Rock, Arkansas on the 26th day of October, 1995.



Sandra B. Nichols, M.D., Director  
Arkansas Department of Health

Dated at Little Rock, Arkansas, on the 30th day of January, 1996.

The foregoing Amendment to the Rules and Regulations, copy having been filed in my office, is hereby approved this 29 day of Feb, 1996.



Jim Guy Tucker  
Governor