

10 GCA HEALTH AND SAFETY  
CH. 24 FOOD ESTABLISHMENT

CHAPTER 24  
FOOD ESTABLISHMENT

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**§ 24101. Definitions.**

As used in this Chapter:

Food establishment means and includes every establishment or place which is used or occupied as a baker, confectionery, cannery, dairy, creamery, packing house, grocery, supermarket, meat or poultry market, fruit or vegetable market, delicatessen, beverage plant, slaughter house, poultry processing plant, fish processing plant, frozen food processing plant, bottling plant, food refrigeration locker plant, ice plant, ice cream or frozen dessert plant, public market, food warehouse or for the production, processing, manufacture, preparation for sale, canning, bottling, packing, packaging, storage, sale or distribution of any food.

**SOURCE:** GC § 9540.

**CROSS-REFERENCE:** See 10 GCA § 23101(b).

**2014 NOTE:** Subsection designation was removed to adhere to the Compiler's general codification scheme pursuant to the authority granted by 1 GCA § 1606.

**§ 24102. Exclusions.**

Food establishment does not include:

(a) An eating and drinking establishment as defined in Chapter 23 of this Part;

(b) Any establishment for the killing of livestock for private consumption of the products and not for sale to others; and

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(c) Any establishment, including any market, wayside stand or roadside stand, used exclusively for the sale of fresh, unprocessed fruits, vegetables, nuts, eggs, live poultry, live pigs or other live animals except dogs and cats, by the original producer thereof in his own property; or liquor, canned and bottled soft drinks.

**SOURCE:** GC § 9540.1.

**§ 24103. Examination and Condemnation of Unwholesome or Adulterated Food or Drink.**

Samples of food, drink and other substances may be taken and examined by the Director which may be necessary for the detection of unwholesomeness or adulteration. The Director may condemn and forbid the sale of, or cause to be seized, removed or destroyed any food or drink which is unwholesome or adulterated, except that cannabis infused products or cannabis products which are processed, manufactured, labeled, and/or sold by an establishment shall not be considered adulterated solely on the basis of its cannabis content.

**SOURCE:** GC § 9540.2. Amended by P.L. 36-110:4 (Oct. 12, 2022).

**CROSS-REFERENCE:** See 10 GCA § 24102.

**§ 24104. Disease Control.**

(a) No employer, owner, manager or person in charge or control shall permit any person to work in a food establishment knowing such person to have or having reason to believe that he has a disease in communicable form or is a carrier of such disease; and no person shall work in a food establishment, whether in his own or another's employ, knowing himself to have or having reason to believe that he has any such disease or is a carrier of any such disease. If an employer, owner, manager or person in charge or control suspects that an employee has any such disease in a communicable form or is a carrier of such disease, he shall notify the Director immediately. Persons with cuts or sores shall not be allowed to handle food that may be contaminated by such handling.

(b) No person who is afflicted with any communicable disease shall lodge, sleep or remain in a food establishment, nor

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shall any person permit another who is afflicted to so lodge, sleep or remain in such place.

**SOURCE:** GC § 9540.3.

**CROSS-REFERENCE:** *See* 10 GCA § 24103.

**§ 24105. Posting.**

A placard containing the provisions of § 24104 shall be posted in all toilet rooms used by employees.

**SOURCE:** GC § 9540.4.

**§ 24106. Rules and Regulations.**

The Director is authorized to adopt rules and regulations establishing sanitation requirements of food establishments and food standards for frozen desserts, meat, poultry, ice, milk and milk products, soft drinks and other food or drinks.

**SOURCE:** GC § 9540.5.

**§ 24107. Plans and Specifications.**

When any food establishment is constructed or extensively remodeled or when an existing structure is converted for use as a food establishment, then the owner or person in charge or control shall comply with the provisions of § 21102 of this Division and the regulations promulgated thereunder.

**SOURCE:** GC § 9540.6.

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