

DATE: November 24, 2009

TO: School Food Authority Administrators and Food Service Managers

FROM: Christine Emerson, Director  
School Nutrition Programs

SUBJECT: Licensure Requirement for Public School Food Service Establishments

Section 50-50-202 (1) MCA of the retail food service law requires that public school food service establishments need to be licensed unless they employ their own full-time sanitarian independent of the local health authority's sanitarian.

The definition of a food service establishment is "a fixed or mobile restaurant, coffee shop, cafeteria ... or similar place where food or drink is prepared, served, or provided to the public with or without charge." **A school that prepares food in one location and serves food in another location must obtain two separate licenses.**

Prior to operating the programs, School Food Authorities applying for participation in the School Nutrition Programs should first:

1. Contact the local county sanitarian to determine compliance with food service establishment rules.
2. Assure that the establishment is approved by the local county sanitarian and that the sanitarian signs the license application.
3. Submit the completed license application along with the appropriate license fee(s) to the Montana Department of Public Health & Human Services, Food and Consumer Safety Section, PO Box 202951, Helena, MT 59620.

Before December 31 of each year, the Department of Public Health & Human Services asks each school that operates a food service to renew its license.

If you have questions, please contact your local county sanitarian.