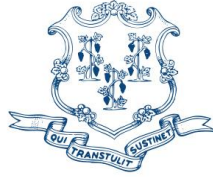


STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



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Environmental Health Section

EHS Circular Letter 2016-25

DATE: June 24, 2016

TO: Directors of Health
Certified Food Inspectors
Interested Parties

FROM: Tracey Weeks, MS, RS
Food Protection Program Coordinator

RE: Prohibition of Latex Gloves in Retail Food Establishments

Background

This notice updates the EHS Circular Letter #2015-28, which provided information and guidance on legislation passed in the 2015 legislative session.

The 2015 Circular Letter included P.A. 15-242 section 31, which included language prohibiting the use of or requiring the use of natural latex rubber gloves in retail food establishments. The intent of the language was to reduce the risk of allergic reactions for food workers who wear latex gloves while preparing food and for customers with latex allergies as it is believed that the latex proteins may be transmitted from the gloves to the food. Such reactions can be severe and although rare, sometimes life threatening.

Because the language was included in the Department of Public Health (DPH) implementer bill, it was unclear at that time where in the statutes the actual language would be inserted and who would have authority for issuing violation notices and collecting the fines. As a result, the advice provided was that there was no clear role for local health departments at that time. The statute was also discussed at the Food Inspector Recertification Training provided in the fall of 2015.

This letter provides updated guidance for application and enforcement of the natural latex rubber glove prohibition.



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Public Act 15-242 (Section 31)

In 2015, Public Act 15-242 was passed. Section 31 of said act includes language prohibiting the use of or requiring the use of natural rubber disposable latex gloves in retail food establishments. Section 31 states:

Sec. 31. (NEW) (Effective July 1, 2016) (a) No person shall use or require the use of disposable, nonsterile or sterile natural rubber latex gloves at a retail food establishment, including, but not limited to, a food service establishment, catering food service establishment or itinerant food vending establishment.

(b) Any person who violates subsection (a) of this section shall be fined not less than two hundred fifty dollars nor more than five hundred dollars.

P.A. 15-242 § 31 has been codified as Connecticut General Statutes § 19a-36f.

Guidance for Local Health Departments

Local health departments will enforce this new statute. During routine inspections, local health inspectors should note violations of this statute on the continuation page of the inspection report form if they observe natural rubber latex gloves being worn or stored in the establishment. The statute does not require Local health inspectors to conduct separate site visits to determine compliance with the new statute; however, if local health receives a complaint regarding a violation of this statute, local health can conduct a separate site visit to determine compliance just as is current practice for other food related complaints.

Local health departments rather than the State of Connecticut issue and collect fines for violations of this statute. Thus, local inspectors should note observed violations of the statute on the continuation form of inspection reports, review violations with food operators and issue fines in accordance with local health department policies and practices regarding the issuance of fines. Alternatives to natural latex rubber gloves may be used including those made of polyvinyl chloride, neoprene, styrene, or synthetic material that are intended to be used with food.

Local health departments should inform retail food establishments that Conn. Gen. Stat. § 19a-36f will be enforced beginning July 1, 2016.

Summary

Conn. Gen. Stat. 19a-36f, which prohibits the use of natural rubber latex gloves in food establishments and permits the imposition of fines for violations thereof will become effective on July 1, 2016. Local health departments should enforce this new statute and collect any resulting fines for their respective district or municipality.

Questions regarding this letter should be directed to the Food Protection Program at 860-509-7297.

C: Suzanne Blancaflor, M.S., M.P.H., Chief, Environmental Health Section, DPH