

# STATE OF COLORADO

Bill Ritter, Jr., Governor  
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

May 13, 2009

**SUBJECT:** Retail Food Service Requirements for Colorado Adult Day Care Facilities

Dear Administrator:

This letter is being sent to you to address an issue that has recently been brought to our attention regarding the meals provided to the participants of Adult Day Care Centers in Colorado. The Department's Health Facilities and Emergency Medical Services Division provides a certification but does not license Adult Day Care Centers. Since this certification does not require compliance with the Health Facilities regulations, the food service operations that provide meals to the participants at these locations must meet the requirements of the *Colorado Retail Food Establishment Rules and Regulations*, which shifts the regulatory responsibility to the local health department.

The purpose of this letter is to clarify the roles and responsibilities of both the Adult Day Care Center that provides meals to participants and the local health agency.

If a center is **preparing meals on site** for the participants,

- All preparations shall be done in a kitchen that meets the requirements of the *Colorado Retail Food Establishment Rules and Regulations*. A copy of the regulations can be found online at [www.cdphe.state.co.us/regulations/consumer/101002RetailFood.pdf](http://www.cdphe.state.co.us/regulations/consumer/101002RetailFood.pdf).
- Plans shall be submitted for review and approval to the local health department of jurisdiction prior to construction.
- The facility will be required to obtain a License to Operate a Retail Food Establishment and the fee associated with this license will be dependent upon the nature of the operation.
- The facility will be subject to routine inspection by the local health department of jurisdiction for compliance with the regulations.

If a center is **providing, but not preparing meals on site** for the participants,

- The meals must be prepared in a licensed retail food operation such as a caterer, another licensed restaurant facility or by staff of the center using an approved kitchen.
- If the meals are not prepared but provided and served on site by outside catering staff or staff of the off site retail food establishment, the center may be required to obtain retail food establishment license depending on the extent of on site preparation, hot holding, dishwashing, etc. The center must also be equipped to provide an easily accessible handsink for use by staff serving the food.

If a center is **providing only prepackaged ready-to-eat foods** to participants,

- May be required to have the minimal facilities needed to store and maintain product that is purchased in advance or held over to be served at a later time.

If you have any questions regarding the information provided in this letter, for information regarding plan submission or licensing requirements, please contact your local health department or the Consumer Protection Division at 303-692-3620.

Sincerely,



Susan Parachini  
Retail Food Program Manager  
Consumer Protection Division

cc: Local Directors of Environmental Health  
Food Program Managers  
County Contract Staff  
Consumer Protection Division Staff  
Lesa Boom, CDPHE Health Facilities Division  
Judy Hughes, CDPHE Health Facilities Division