



1. Establishment Name: _____
2. Establishment Address: _____
3. Permit Number: _____
4. Contact Name: _____ Phone: _____
5. Email Address: _____
6. Food employees not serving a highly susceptible population may contact exposed, ready-to eat-food with their bare hands if the permit holder obtains prior approval from the regulatory authority and abides by the rules and regulations listed in 3-301.11 Preventing Contamination of Hands in the 2009 FDA Food Code.
7. Per MCEHC Chapter 1 Regulation 5, Maricopa County collects a fee for each Bare Hand Contact Exemption application review. The fee is non-refundable and must be submitted prior to the application review. Failure to provide the fee will result in the denial of the application.
8. List job title of positions or persons who will be monitoring, documenting and verifying handwashing procedures within the food establishment: _____

9. The bare hand contact application will not be processed unless the following items are provided with this application:
 - A list of specific ready-to-eat foods and the specific location (i.e. taco work station, sushi assembly area) to be considered for use of bare hand contact with ready-to-eat foods. These items are restricted to assembly type of activities that are for immediate service only. The establishment will not be able to handle bulk foods or do extensive prep of any kind.
 - A statement why the aforementioned food establishment should be considered exempt from the no bare hand contact rule.
 - Diagrams and other information showing that handwashing facilities, installed, located, equipped, and maintained as specified under §§ 5-203.11, 5-204.11, 5-205.11, 6-301.11, 6-301.12, and 6-301.14, are in an easily accessible location and in close proximity to the work station where the bare hand contact procedure is conducted;
 - A written employee health policy and employee illness log that details how the food establishment complies with §§ 2-201.11, 2-201.12, and 2-201.13 including:
 - o Documentation that food employees and conditional employees acknowledge that they are informed to report information about their health and activities as they relate to gastrointestinal symptoms and diseases that are transmittable through food as specified under ¶ 2-201.11(a),
 - o Documentation that food employees and conditional employees acknowledge their responsibilities as specified under ¶ 2-201.11(e) and (f), and



- Documentation that the person in charge acknowledges the responsibilities as specified under §§ 2-201.11(b), (c) and (d), and §§ 2-201.12 and 2-201.13;
- Documentation that food employees acknowledge that they have received training in:
 - the risks of contacting the specific ready-to-eat foods with bare hands,
 - proper handwashing as specified under § 2-301.12,
 - when to wash their hands as specified under § 2-301.14,
 - where to wash their hands as specified under § 2-301.15,
 - proper fingernail maintenance as specified under § 2-302.11,
 - prohibition of jewelry as specified under § 2-303.11, and
 - good hygienic practices as specified under §§2-401.11 and 2-401.12;
- Documentation (ex: handwashing log) that hands are washed before food preparation and as necessary to prevent cross contamination by food employees as specified under §§ 2-301.11, 2-301.12, 2-301.14, and 2-301.15 during all hours of operation when the specific ready-to-eat foods are prepared;
- Documentation that food employees contacting ready-to-eat food with bare hands use two or more of the following control measures to provide additional safeguards to hazards associated with bare hand contact:
 - Double handwashing,
 - Nail brushes,
 - A hand antiseptic after handwashing as specified under § 2-301.16,
 - Incentive programs such as paid sick leave that assist or encourage food employees not to work when they are ill, or
 - Other control measures approved by the regulatory authority; and
- Documentation that corrective action is taken when the above items of this section are not followed.

Email Address:	
Fax Number:	Signature:

I hereby certify that the above information is correct. I have provided all relevant material to the best of my ability. I understand that by submitting this application and processing fee in no way guarantees that my exemption will be approved. I understand that if this exemption is approved, violations of the exemption may result in action initiated by the Department to withdraw the exemption.

Please Print Name **Signature** **Date**

Office Use Only

Application Fees (Fees are subject to change)

Quantity	Application Type	Fee	Total Fee
1	Bare hand Contact Exemption	\$135	\$



BARE HAND CONTACT APPLICATION PROCESS

1. Steps required to obtain a variance are as follows:
 - a.) Submit a complete application along with applicable application fee(s).
 - b.) Provide documentation that supports the applicants’ reason to be exempt from the no bare hand contact rule.
 - c.) Obtain Official Department Approval prior to conducting the process.
2. The applicable licensing time frames stem from Arizona Administrative Code Title 9, R9-8-104.

Application	Administrative Completeness Review	Notice of Deficiencies	Substantive Review	Total Time
Complete	30 days	None	60 days	90 days
Incomplete	30 days	180 days from request	60 days	270 days

The overall time frame for review is 90 days with 30 days for administrative review and 60 days for the substantive review for complete applications. For incomplete applications a Notice of Deficiency is required and will extend the overall time frame to up to 270 days. The substantive review may be extended to an overall review time frame to up to 360 days by applicant’s written approval.

3. If there are questions about the application process or assistance is needed please contact 602-506-6616.
4. The Department’s website is: <http://www.maricopa.gov/EnvSvc>
5. You may receive a clarification from the Department of its interpretation or application of a statute, ordinance, regulation, delegation agreement or authorized substantive policy statement as provided in A.R.S. §11-1609.

Note: A Notice of Deficiencies is a request from the Department to provide more information about the variance request. This application will be considered withdrawn if this additional information is not received by the Department within 180 calendar days from the date of the request. Sign below to verify you have read this section and understand the time frames involved:

Signature

Date



A.R.S. §11-1602: REGULATORY BILL OF RIGHTS

- A. TO ENSURE FAIR AND OPEN REGULATION BY COUNTIES, A PERSON:
1. IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST A COUNTY IN A COURT PROCEEDING REGARDING A COUNTY DECISION AS PROVIDED IN A.R.S. §12-348.
 2. IS ENTITLED TO RECEIVE INFORMATION AND NOTICE REGARDING INSPECTIONS AS PROVIDED IN A.R.S. §11-1603 (EFFECTIVE JUNE 30, 2012).
 3. IS ENTITLED TO HAVE A COUNTY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED AS PROVIDED IN A.R.S. §11-1604.
 4. MAY HAVE A COUNTY APPROVE OR DENY THE PERSON'S LICENSE APPLICATION WITHIN A PREDETERMINED PERIOD OF TIME AS PROVIDED IN A.R.S. §11-1605 (EFFECTIVE DECEMBER 31, 2012).
 5. IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN A.R.S. §11-1606.
 6. IS ENTITLED TO RECEIVE WRITTEN OR ELECTRONIC NOTICE FROM A COUNTY ON DENIAL OF A LICENSE APPLICATION (EFFECTIVE DECEMBER 31, 2012):
 - (A) THAT JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTE, ORDINANCE, REGULATION, DELEGATION AGREEMENT OR AUTHORIZED SUBSTANTIVE POLICY STATEMENTS ON WHICH THE DENIAL IS BASED AS PROVIDED IN A.R.S. §11-1605.
 - (B) THAT EXPLAINS THE APPLICANT'S RIGHT TO APPEAL THE DENIAL AS PROVIDED IN A.R.S. §11-1605.
 7. MAY INSPECT ALL ORDINANCES, REGULATIONS AND SUBSTANTIVE POLICY STATEMENTS OF A COUNTY, INCLUDING A DIRECTORY OF DOCUMENTS, AT THE OFFICE OF THE COUNTY OR ON THE COUNTY'S WEBSITE AS PROVIDED IN A.R.S. §11-1607.
 8. UNLESS SPECIFICALLY AUTHORIZED, MAY EXPECT COUNTIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE AS PROVIDED IN A.R.S. §11-1604.
 9. MAY FILE A COMPLAINT WITH THE BOARD OF SUPERVISORS CONCERNING