

## AB 3336 Guidance for Food Facilities and Third-party Delivery Services

### Background

This guideline was developed to assist food facilities and third-party delivery drivers with the implementation of AB 3336 which is effective starting January 1, 2021. The guideline is intended to provide a summary of the requirements contained within the California Retail Food Code (CRFC) for regulation of a Third-Party Food Delivery Platform and is not meant to be inclusive of all local and state requirements. A full copy of AB 3336 can be viewed here:

[https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB3336](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB3336)

### What is a Third-Party Food Delivery Platform?

A Third-Party Food Delivery Platform (TPFDP) is defined by the CRFC as a business engaged in the service of online food ordering and delivery from a food facility to a consumer.

*This does **not** include grocery stores or other facilities that primarily sell the following products: fresh produce, meat, poultry, fish, deli products, dairy products, perishable beverages, baked foods, and prepared foods. Additionally, the requirements do not apply to the transportation of prepackaged non-potentially hazardous foods, or food transported as part of a charitable feeding program or food being donated to a food bank.*

### Requirements

This bill has two parts and applies to food facilities and food delivery drivers/vehicles.

**Food Facilities:** All bags or containers in which ready-to-eat foods are being transported from a food facility to a customer must be closed by the food facility with a tamper-evident method (stickers or tape) prior to the food deliverer taking possession of the food.



**Food Transportation Vehicles:** Ready-to-eat food delivered through a TPFDP must be transported in a manner in which the food is protected from contamination. The TPFDP delivery vehicle must meet the following requirements:

- The interior floor, sides, and top of the food holding area must be constructed of a smooth, washable, impervious material capable of withstanding frequent cleaning.
- The food holding area must be constructed so that no liquid wastes drain onto any street, sidewalk, or premises.
- The food shall be maintained at proper holding temperatures during transport.

### Questions

Environmental Specialists are available to answer questions or provide further information from 8am-10am Monday-Friday at (916) 875-8440.