

FACILITY GUIDE FOR SERVICE ANIMALS

Service animals play an important role in the lives of many people living with disabilities. Dogs can be trained to perform certain tasks such as providing stability for someone who has difficulty walking or preventing a child with autism from wandering away. As a food service facility, you may have questions as to when to allow a service animal into your establishment and how to approach the situation. This guide takes information from the 2013 FDA Food Code and the Americans with Disabilities Act (ADA) website.

https://www.ada.gov/regs2010/service_animal_qa.html

Q: What qualifies as a service animal?

A: Under the ADA, a service animal is a dog trained to do a specific task for an individual with a disability. The task performed must relate directly to the person's disability.

Q: What should I do if a dog enters my facility?

A: There are two questions that you should ask the owner of the animal. These are:

1. Is this dog a service animal required because of a disability?
2. What work/task has this dog been trained to perform?

If the answer to question 1 is no or if the dog has not been trained to perform a specific task related to the individual's disability, then the dog is not considered to be a service animal.

Q: Can any species besides a dog qualify as a service animal?

A: The only animals that can qualify as a service animal are dogs and miniature horses.

Q: Are service animals required to have paperwork or vests?

A: No

Q: Is it okay for the dog to be barking continually or urinating/defecating inside of my facility?

A: No. The service animal is required to be under control of the handler.

Q: Does an emotional support animal qualify as a service animal?

A: No. This is a term used to describe an animal that provides comfort just by being with the person. Since they have not been trained to perform a specific task they do not qualify as a service animal. If the dog has been trained, however, to sense an anxiety attack is about to happen in order to lessen or eliminate its impact then it would qualify as a service animal.

Q: Can service animals be placed inside of shopping carts or on top of dining tables?

A: No. Reference 6-501.115 of the 2013 FDA Food Code for more information (page 187-8).

Q: Are service animals required to be on a leash?

A: Unless the dog needs to be off its leash in order to perform its duties it must remain leashed while in public places.

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DOGS IN OUTDOOR DINING AREAS

Effective July 1, 2019, the Kentucky Food Code allowed a specific exception to FDA Food Code Subparagraph 6-501-115 regarding the prohibition of animals on the premises of a food establishment.

Specifically, a dog may be allowed in an outdoor dining area if:

- The outdoor dining area is not fully enclosed; and
- There is an entrance to the outdoor dining area that is separate from the main entrance and the sole means of entry for a patron with a dog.
- Employees shall not permit a dog to come into physical contact with:
 - Food;
 - Serving dishes;
 - Utensils;
 - Tableware;
 - Linens;
 - Unwrapped single-service and single-use articles; or
 - Other food service items that could result in contamination of food or a food-contact surface.
- An employee engaged in the preparation or handling of food shall avoid physical contact with a patron dog. If an employee has physical contact with a patron dog, the employee shall wash his or her hands prior to returning to work.
- All accidents involving dog vomit, feces, or urination shall be cleaned immediately and the area sanitized with an approved product. A kit with the appropriate materials for this purpose shall be made available for use in the designated outdoor dining area.
- Signage shall be posted at each entrance to the outdoor dining area stating that dogs:
 - May be allowed in the area;
 - Shall not be served food or water in wares used for human consumption;
 - Shall not be allowed on chairs, seats, or tables; and
 - Shall be kept on a leash and under the control of an adult at all times.
- The food establishment may refuse to serve the patron with a dog if:
 - The patron fails to exercise reasonable control over the dog; or
 - The dog is behaving in a manner that compromises or threatens to compromise the health or safety of any person present.

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