



**DELAWARE HEALTH
AND SOCIAL SERVICES**

DIVISION OF PUBLIC HEALTH

March 28, 2002

Dear Mr. Roat,

Thank you for your inquiry dated March 12, 2002 regarding the State of Delaware Food Protection Program. The following information applies to all food establishments in Delaware that operate under a permit issued by the Division of Public Health.

The Food Code prescribes specific food safety requirements under which restaurants and other food operations are conducted. The Food Code does not apply to libraries, classrooms, or other places of public assembly where food is not prepared or served. In Sections 2-304.11 and 2-402.11 of the Food Code, management must ensure that food employees wear effective hair restraints and clean outer clothing, including footwear, which effectively covers body hair.

The Food Code does not, however, prescribe any clothing requirements for the consumer or patron of the establishment. Management may, at its discretion, determine that requiring certain items of customer clothing are necessary for service. Such a determination by food establishments within Delaware is not a Division of Public Health requirement, and management would be incorrect by posting any notice to consumers which implies that shoes, or any other item of clothing, is required by the health authority.

If you would like additional information, please feel free to contact the Office of Food Protection at 302-739-4731, or by e-mail to desafefood@state.de.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert C. Hoffner', written over a horizontal line.

Robert C. Hoffner
Manager, Food Protection Program

cc: Ulder J. Tillman, MD
Director, DPH