



Georgia Department of Human Resources • Division of Public Health • Sandra Elizabeth Ford, M.D. M.B.A., Acting Director
2 Peachtree Street NW • Suite 15470 • Atlanta, Georgia 30303-3142
404-657-2700 • FAX: 404-657-2715

April 13, 2009

Dear Mr. Lucas:

You wrote to me asking about rules, regulations or statutes that prohibit serving patrons who are not wearing shoes. The laws concerning food service establishments give the authority of promulgating rules to the Department of Human Resources, Division of Public Health. We have promulgated rules which are the same as the FDA rules for food service establishments. Neither these rules found at Chapter 290-5-14-.01, et seq., nor the enabling statute at O.C.G.A. § 26-2-375 prohibits serving barefoot patrons. The rules are enforced by local county boards of health which are allowed to pass their own rules as long as they do not conflict with the state rules. There may be some of the 159 counties in Georgia which have such a restriction however, I am not aware of it.

Grocery stores are regulated by the Department of Agriculture and there is not public health rule about retail establishments nor is there a particular state agency that regulates retail establishments, in general.

Please contact me at 404-657-6217 or amfeuss@dhr.ga.gov if you have any questions about this response.

Sincerely,

A handwritten signature in black ink, appearing to read "Amelia M. Feuss", is written over the typed name.

Amelia M. Feuss
Legal Services Manager
Division of Public Health

C: Marion Cornett, Legal Services
Sandra Elizabeth Ford, M.D. M.B.A., Acting Director