



**CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR PUBLIC HEALTH**

Steven L. Beshear
Governor

275 East Main St. Mailstop HS1GWA
Frankfort, KY 40621
502-564-3970 Phone
502-564-9377 Fax
www.chfs.ky.gov

Eric Friedlander
Acting Secretary

March 14, 2012

Dear Mr. Sands:

Thank you for contacting the Kentucky Department for Public Health regarding your concerns about footwear requirements for customers or patrons of Kentucky's restaurants, grocery stores, convenience stores, and similar food establishments. Though Kentucky's Food Code (902 KAR 45:005) does address clothing and attire for management and personnel working in these establishments, it does not directly address, or expressly prohibit, customers or patrons from entering without footwear.

For your convenience, a complete version of Kentucky's Retail Food Code can be accessed at the following hyperlink: <http://www.lrc.ky.gov/kar/902/045/005.htm>. This regulation adopts the 2005 FDA Food Code by reference, with only minimal insertions and modifications. The FDA Food Code can be accessed at: <http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2005/default.htm>.

As you suggest in your correspondence, the "no shoes, no shirt, no service" signs posted in food establishments are typically dress code requirements established by the private business. In some cases, however, there could be local ordinances that do mandate these requirements. If you have a specific location or locations in mind to visit, I would suggest you also clarify with local city/county governments as to whether any local ordinances governing the use of footwear exist at the local government level.

Should you have any additional questions, please feel free to contact the Kentucky Department for Public Health, Division of Public Health Protection and Safety, at 502-564-7398.

We welcome you to the Bluegrass State this summer and wish you every measure of enjoyment during your stay.

Sincerely,

A handwritten signature in black ink that reads "Steve Davis".

Steve Davis, MD
Acting Commissioner