



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

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DAVE MARTIN
Cabinet Secretary

BUTCH TONGATE
Acting Deputy Secretary

Frank Fiore
Acting Bureau Chief

September 15, 2011

Dear Mr. Sands;

I am writing in response to your letter to Catherine D. Torres, Secretary of the New Mexico Department of Health. Your letter was referred to the New Mexico Environment Department – Environmental Health Bureau (EHB). The EHB is charged with inspections of restaurants and food processing facilities among other environmental health programs.

To address your concern regarding footwear, I can only speak to what is required by our state regulations. The New Mexico Annotated Codes 7.6.2. NMAC, are the Food Service and Food Processing Regulations which are the guidelines for restaurants and other food establishments in New Mexico. 7.6.2. NMAC makes no reference to customer's apparel. Regulation section 7.6.2.9.H applies only to the cleanliness of employees of a food establishment. There is no citation relative to the dress and footwear of customers.

I hope this answers your questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert Italiano".

Robert Italiano, Manager
District II Environmental Health Bureau
New Mexico Environmental Department
Santa Fe Field Office
505-827-1840