



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

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COMMISSIONER

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April 16, 2009

Re: Legal Requirement for Food Establishment Patrons to Wear Shoes

Dear Mr. Sands:

The Department of State Health Services (DSHS) is in receipt of your recent letter regarding the requirement for patrons of retail food establishments to wear shoes or other footwear. You asked whether there were any laws or regulations in Texas that required patrons to wear shoes. The Texas Food Establishment Rules (25 TAC §§-229.171, 229.173 – 229.175), TFER, are the regulations that provide the minimum standards for retail food establishments, including grocery stores, in Texas.

The TFER do not impose any requirements on the patrons or consumers, except to prohibit them from entering the food preparation or food storage areas of the food establishment. There is no requirement in the TFER for a patron to wear shoes. The TFER addresses the hygienic requirements of the food employees, including provisions to prevent contamination of food and equipment by the food employees. You can locate a copy of the TFER on our website at <http://www.dshs.state.tx.us/foodestablishments>, if you would like additional information.

If you have any further questions or concerns, please contact me at (512) 834-6753 or by email at Deborah.Marlow@dshs.state.tx.us. We appreciate your correspondence and your interest in public health.

Sincerely,

A handwritten signature in black ink that reads "Deborah L. Marlow, R.S." in a cursive style.

Deborah L. Marlow, R.S., Manager
Food Establishments Group, MC 1987
Policy, Standards, and Quality Assurance Unit