

Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 39
HEALTH AND SAFETY
CHAPTER 16

FOOD ESTABLISHMENT ACT

39-1607. LICENSE AND OTHER FEES – PROHIBITION ON ADDITIONAL FEES. (1) A fee may be charged by the department of health and welfare's regulatory authority for licensing a food establishment. The fee per food establishment per year for licenses shall be:

(a) Thirty-five dollars (\$35.00) for a temporary food establishment operating for one (1) day, forty-five dollars (\$45.00) for a temporary food establishment operating for two (2) or three (3) days, and seventy-two dollars (\$72.00) for a temporary food establishment operating for four (4) or more days or at multiple events;

(b) Sixty-five dollars (\$65.00) for intermittent food establishments and mobile food establishments without a commissary;

(c) Eighty-five dollars (\$85.00) for mobile food establishments with a commissary;

(d) One hundred twenty-five dollars (\$125) for all other food establishments, except for food establishments with more than two (2) licenses on one (1) premises under common ownership; and

(e) One hundred fifty dollars (\$150) for food establishments with more than two (2) licenses on one (1) premises under common ownership.

(2) Effective January 1, 2020, the fee per food establishment per year for licenses shall be:

(a) Thirty-five dollars (\$35.00) for a temporary food establishment operating for one (1) day, forty-five dollars (\$45.00) for a temporary food establishment operating for two (2) or three (3) days, and seventy-two dollars (\$72.00) for a temporary food establishment operating for four (4) or more days or at multiple events;

(b) Seventy-two dollars (\$72.00) for intermittent food establishments;

(c) Seventy-two dollars (\$72.00) for mobile food establishments without a commissary;

(d) Ninety-two dollars (\$92.00) for mobile food establishments with a commissary;

(e) One hundred sixty dollars (\$160) for all other food establishments, except for food establishments with more than two (2) licenses on one (1) premises under common ownership; and

(f) Two hundred dollars (\$200) for food establishments with more than two (2) licenses on one (1) premises under common ownership.

(3) Effective January 1, 2022, the fee per food establishment per year for licenses shall be:

(a) Thirty-five dollars (\$35.00) for a temporary food establishment operating for one (1) day, forty-five dollars (\$45.00) for a temporary food establishment operating for two (2) or three (3) days, and eighty dollars (\$80.00) for a temporary food establishment operating for four (4) or more days or at multiple events;

(b) Eighty dollars (\$80.00) for intermittent food establishments;

- (c) Eighty dollars (\$80.00) for mobile food establishments without a commissary;
- (d) One hundred dollars (\$100) for mobile food establishments with a commissary;
- (e) Two hundred dollars (\$200) for all other food establishments, except for food establishments with more than two (2) licenses on one (1) premises under common ownership; and
- (f) Two hundred fifty dollars (\$250) for food establishments with more than two (2) licenses on one (1) premises under common ownership.

(4) Effective July 1, 2019, in addition to other fees assessed by this section, the designated regulatory authority may assess:

- (a) A plan review and preoperational inspection fee of one hundred dollars (\$100);
- (b) A late fee for any fees paid past the applicable deadline;
- (c) A license reinstatement fee of eighteen dollars (\$18.00);
- (d) A request for variance fee of fifty dollars (\$50.00) per hour;
- (e) A compliance conference fee of one hundred dollars (\$100) per hour;
- (f) Enforcement and legal fees of one hundred fifty dollars (\$150) per hour; and
- (g) Fees covering operational costs for inspections conducted pursuant to federal law or regulation.

(5) Fees collected for licensing a food establishment shall be used by the designated regulatory authority for funding a portion of the food safety inspection program. The designated regulatory authority may not impose fees on food establishments in addition to those provided by this section or specifically authorized by other applicable law.

(6) The regulatory authority shall review at three (3) year intervals the cost data associated with the operation of the food safety inspection program as well as actions taken to increase the efficiency of such program and provide a report on such review to the health and welfare committees of the Idaho legislature.

History:

[39-1607, added 1997, ch. 194, sec. 7, p. 551; am. 2002, ch. 140, sec. 3, p. 392; am. 2007, ch. 96, sec. 1, p. 279; am. 2009, ch. 190, sec. 2, p. 620; am. 2019, ch. 95, sec. 1, p. 342.]

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