



June 13, 2022

The Honorable Dr. Jim Wood  
 Chair, Assembly Health Committee  
 1020 N Street, Room 390  
 Sacramento, CA 95814

**Re: SB 972 (Gonzalez): California Retail Food Safety Code – Oppose Unless Amended**

Dear Dr. Wood,

We are writing with an **Oppose unless Amended** position on SB 972 (Gonzalez), which would modernize the California Retail Food Safety Code (CalCode) as it applies to mobile food cart vendors. We appreciate Senator Gonzalez’s leadership and her intention to update the CalCode so that vendors can more easily obtain health permits. While we agree that the CalCode should be reviewed and updated, it must be done in a way that maintains the public’s health and safety.

We represent places that embrace vending as a part of our community experience and support the economic opportunities it provides. In fact, many of our communities have already implemented mobile vending programs or are finalizing and updating programs to align with state law.

Our concern is that SB 972 removes some of the limited tools local municipalities have to ensure the public’s health and safety. The changed provisions of the law make health permits more accessible, but local municipalities still need tools to hold vendors accountable when they continuously do not follow the rules. SB 972 in its current form takes away local control and the ability to help the mobile vending program work well, while maintaining that our environmental, health, and safety laws are fairly implemented.

Specifically, we are asking that the existing CalCode be retained for civil enforcement authority for flagrant repeated violations (defined as four times per year); selling adulterated food; and interfering with local enforcement officers. We are also asking that local authorities retain their

current ability to approve, disapprove, or revoke any retail food permit based on public health risks and established due process provisions.

We are asking to retain this local authority as we have all experienced flagrant and often dangerous actions impacting the public's health and safety. Areas of concern include:

- Regular public health violations such as unrefrigerated, raw bacon exposed to the sun, handled without washing hands, and often worse; and,
- Unpermitted vendors violating the rights of permitted vendors to freely serve customers and follow the rules
- Dumping of trash and oils onto the ground, parks, parking lots, and near or in water, waterways, and beaches
- Alcohol and cannabis sales
- Combustible tanks and open flames on wooden piers, resulting in at least one explosion
- Blocking ADA access, fire lanes, and walkways
- Possible labor violations with minors sometimes working carts, and companies or individuals organizing multiple carts with little information as to what, if any, labor protections are being followed

We cannot emphasize enough that we want this program to work, providing equitable economic opportunities for vendors, while ensuring the health and safety of visitors, residents, and workers. While the above incidents are already illegal, local authorities have limited resources under the current law to enforce these actions and SB 972 will make it even more difficult.

For these reasons we maintain an **Oppose unless Amended** position and urge the author to add back in the ability for local authorities to hold accountable the small percentage of individuals who are causing the largest problems. Our ultimate goal is to protect the safety and health of our communities. Please contact Emellia Zamani at [emellia@caltravel.org](mailto:emellia@caltravel.org) with any questions.

Sincerely,

California Travel Association  
Blue Gold Fleet  
Civic Center Community Benefit District  
Fisherman's Wharf Community Benefit District  
Golden Gate Restaurant Association  
Hotel Council of San Francisco  
Pacific Park Santa Monica  
Pier 39  
San Francisco Chamber of Commerce  
San Francisco Travel Association  
San Diego Tourism Authority  
Santa Cruz Beach Boardwalk  
Santa Monica Chamber of Commerce  
Santa Monica Pier Corporation  
Santa Monica Travel and Tourism  
Tandem  
Union Square Alliance  
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