

Food Safety Notice

November 29, 1999

Chapter 290 was added to the Health and Safety Code on September 1, 1999. It amends the California Uniform Retail Food Facilities Law (CURFFL) to allow the operation of wood-burning ovens outside food establishments as long as they meet the requirements applicable to open-air barbecues. This legislation applies only to ovens that use wood as fuel. This legislation was passed as an "urgency" measure. It has been in effect since September 1, 1999.

Section 114145, pertaining to the enclosure of food establishments, contains new language in subparagraph (b) (3):

- (b) This section shall not be construed to require the enclosure of any of the following:
 - (1) ...
 - (2) ...
 - (3) Outdoor wood-burning ovens that meet all of the food preparation and safety requirements applicable to open-air barbecue facilities.
 - (4) ...

Wood-burning ovens typically consist of an insulated enclosure with a semi-circle opening on one side and a vent at the top to allow the escape of smoke and gasses. Solid wood fuel is placed on the center of the oven floor and burned down to embers. The fuel is then pushed to the side of the oven. Items to be baked are placed on the hot oven floor. Dough products, including breads and pizza are baked in this manner. However, there is no limitation in CURFFL on the type of food that may be baked in the outdoor oven. Commercial wood-burning ovens that have been tested for compliance with NSF International Standard 4 are available.

Here are the operating requirements for outdoor wood-burning ovens (based on Article 9, Open-Air Barbecue):

1. All food waste and rubbish containing food waste is handled in accordance with the requirements of Section 114035.
2. The oven is operated in compliance with the provisions of Articles 6 (commencing with Section 113975) and 7 (commencing with Section 113990), except for Sections 114030, 114045, and 114060.
3. The multiservice utensils and equipment used in conjunction with the oven are made of nontoxic materials, are constructed and maintained in a manner so they can be easily cleaned, and are kept clean and in good repair.
4. Food and beverages served out of doors are dispensed from units approved by the enforcement officer. No other food may be prepared or stored in the out of doors, except for food cooked in the oven or on an open-air barbecue.
5. Except for guide, signal, or service dogs in training or service, no live animals, birds, or fowl shall be kept or allowed in an area within 20 feet of any area where food or beverage is prepared, stored, kept, or served.

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6. If the oven is a permanent structure, the area around it is equipped with an impervious and easily cleaned floor surface that extends a minimum of five feet from the wood-burning oven facility on all open sides.
7. The oven facility is located in an area reasonably protected from dust, as determined by the enforcement officer.
8. The oven facility is not operated in, or out of, any motor vehicle or in any area or location that may constitute a fire hazard, as determined by the enforcement officer. For the purposes of this section, a motor vehicle does not include a stationary mobile food preparation unit, as defined in Section 113890.
9. Sanitary facilities, including, but not limited to, toilet facilities and handwashing facilities shall be available for use within 200 feet of the oven facility and shall comply with all provisions of this chapter. Sanitary facilities that do not meet the requirements of this chapter shall not be located closer to the oven facility than the sanitary facilities required to be provided by this section.