

**4626.1585 PROHIBITING ANIMALS. 6-501.115**

A. Except as specified in items B and C, live animals must not be allowed on the premises of a food establishment.<sup>p2</sup>

B. Live animals may be allowed in the following situations if the contamination of food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles does not result:

(1) edible fish or decorative fish in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish or crustacea in display tank systems;

(2) patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;

(3) service animals that are controlled by the disabled employee or person in areas that are not used for food preparation and that are usually open for customers, such as dining and service areas, if no health or safety hazard will result from the presence or activities of the service animal;

(4) pets in the common dining areas of institutional care facilities at times other than during meals if:

(a) effective partitioning and self-closing doors separate the common dining areas from food storage or food preparation areas;

(b) condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining areas when pets are present; and

(c) dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service; and

(5) in food establishments licensed by either the department, Minnesota Department of Agriculture, or a delegated authority in areas that are not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined.

C. Live or dead fish bait must be stored so that contamination of food; clean equipment, utensils, and linens; and unwrapped single-use articles cannot result.

**Statutory Authority:** *MS s 31.101; 31.11; 144.05; 144.07; 144.08; 144.12; 157.011*

**History:** *23 SR 519; L 2005 c 56 s 2; 43 SR 295*

**Published Electronically:** *January 2, 2019*