

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH  
CHAPTER 250. FEE SCHEDULE FOR CONSUMER HEALTH SERVICE**

**RULEMAKING ACTION:**

PERMANENT final adoption

**RULES:**

Subchapter 3. License Classifications and Associated Fees for Consumer Health Services  
310:250-3-1. Food establishments' fees [AMENDED]

**AUTHORITY:**

Commissioner of the Oklahoma State Department of Health; 63 O.S. § 1-104; Title 63 O.S. § 1-1118

**SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET SECRETARY:**

October 18, 2020

**COMMENT PERIOD:**

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December 15, 2021

**ADOPTION:**

January 20, 2022

**SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:**

January 20, 2022

**APPROVED BY GOVERNOR'S DECLARATION:**

Approved by Governor's declaration on June 21, 2022

**FINAL ADOPTION:**

June 21, 2022

**EFFECTIVE:**

September 11, 2022

**SUPERSEDED EMERGENCY ACTIONS:**

n/a

**INCORPORATIONS BY REFERENCE:**

n/a

**GIST/ANALYSIS:**

This rule change adds a multi-seasonal license for snow-cone establishments that would also like to sell hot beverages. The previous rule limited seasonal licenses to 180 days, and this multi-seasonal license would be valid for 365 days.

**CONTACT PERSON:**

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**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3 (5) AND 308 (E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2022:**

**SUBCHAPTER 3. LICENSE CLASSIFICATIONS AND ASSOCIATED FEES FOR  
CONSUMER HEALTH SERVICES**

**310:250-3-1. Food establishments' fees**

(a) The following are license classifications and associated fees for food establishments, manufacturers, or wholesalers regulated by Title 63 O.S. § 1-915, Title 63 O.S. § 1-1118, Title 63 O.S. § 1-1119, or Title 63 O.S. § 1-1120 et seq., and the rules promulgated thereunder.

- (1) Food service, manufacturing, or wholesale.
  - (A) Initial - \$425.00
  - (B) Renewal - \$335.00
  - (C) Late Renewal - \$375.00
- (2) State Operated, Non-Profit or Health Facilities not meeting exempt status.
  - (A) Initial - \$175.00
  - (B) Renewal - \$125.00
  - (C) Late Renewal - \$150.00
- (3) Seasonal ~~includes any~~ is limited to an establishment that meets the definition of "Seasonal food establishment" outlined in OAC 310:257-1-2 where the license is valid for only one hundred eighty (180) consecutive days ~~per year. The license may be reinstated no sooner than one hundred eighty~~ 180 days after the expiration of the previous license.
  - (A) Initial Fee - \$250.00
  - (B) ~~Reinstatement~~ - \$250.00
- (4) Multi-Seasonal is limited to an establishment that meets the definition of "Multi-Seasonal food establishment" outlined in OAC 310:257-1-2 where the license is valid for three hundred and sixty-five (365) consecutive days.
  - (A) Initial - \$425.00
  - (B) Renewal - \$335.00
  - (C) Late Renewal - \$375.00
- (5) The fee for a temporary food establishment, as defined in OAC 310:257-1-2, shall be \$50.00 for the initial day of the temporary event plus \$25.00 for each additional consecutive day. The total fee for a single temporary event license shall not exceed \$250. No temporary event license shall be issued for more than fourteen (14) consecutive days.
  - (A) The total fee for a single temporary event license shall not exceed \$250.
  - (B) No temporary event license shall be issued for more than fourteen (14) consecutive days.
- ~~(5)~~ (6) The fee for a temporary food establishment, as defined in OAC 310:257-1-2, at a county fair as defined in Title 2 O.S. §§ 15-51 et seq., shall be \$50.00 for a maximum of three (3) days.
- ~~(6)~~ (7) The fee for a temporary food establishment, as defined in OAC 310:257-1-2, at a ~~farmers~~ farmer's market as defined in OAC 310:257-1-2 shall be \$50.00 for a maximum of three (3) days.
- (b) An establishment qualifies for a fee exempt license if it is a "food establishment - fee exempt" as that term is defined in OAC 310:257-1-2.
- (c) Late renewal fees apply to any renewal application postmarked and/or received thirty (30) days after the expiration date of the license.
- (d) A license not renewed within ninety (90) days of the date shall be ineligible for the renewal. Thereafter, the establishment shall be required to pay an initial fee. The establishment that has not had a valid license for one (1) year is considered a new establishment.