

**RULES
OF THE
DEPARTMENT OF CORRECTIONS
CHAPTER 33-204
FOOD SERVICES**

33-204.001 Food Services - General Policy. (Repealed 10-10-04)

33-204.002 Food Services - Definitions. (11-1-04)

33-204.003 Food Services - Standards of Operation. (1-17-06)

33-204.004 Control of Food Service Equipment. (Repealed 10-10-04)

33-204.005 Cash Meals and Special Group Meals. (10-24-04)

Bureau of Institutional Support Services has the authority to invite other staff as necessary.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 1-18-89, Amended 7-21-97, Formerly 33-30.002, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04.

33-204.001 Food Services - General Policy

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 1-18-89, Formerly 33-30.001, Repealed 10-10-04.

33-204.002 Food Services - Definitions. For the purposes of this chapter:

(1) "Master menu" means the menu which is designed to be served at all facilities to provide uniformity in items served to each inmate. The master menu shall be planned under the direction of the department's master menu committee, and certified nutritionally adequate as determined by a licensed registered dietitian employed by the department.

(2) "Therapeutic diet" means a diet that is prescribed for medical reasons and is designed to meet the requirements of a given medical condition. All menus for therapeutic diets shall be planned, analyzed and certified as to nutritional adequacy by a licensed registered dietitian employed by the department.

(3) "Alternate entree" means the substitute non-meat entree offered at meals and the vegan (total vegetarian) meal pattern. Inmates shall be given a choice of the regular or non-meat entree. Inmates may choose one or the other, but not both. Inmates committed to the vegan meal pattern exclude themselves from this choice.

(4) "Master Menu Committee" refers to the food services advisory group which consists of the Chief, Bureau of Institutional Support Services or his designee, the central office public health nutrition program manager, and the central office food service administrator. The Chief,

33-204.003 Food Services - Standards of Operation.

(1) General. Inmates shall receive three meals per day, of which at least two shall be hot meals. The meals shall be provided at regular meal times during each 24-hour period, with a period of no more than 14 hours between the end of the evening meal and the beginning of the morning meal, weather and security permitting. Holiday substitutions that deviate from the master menu must be approved in advance by the institutional warden, work release center major, or drug treatment center chief correctional officer. Prescribed therapeutic diets shall be available to all inmates with a current diet prescription.

(2) Confinement.

(a) All inmates in confinement shall receive normal institutional meals as are available to the general population, except that if any item on the normal menu or any food utensil might create a security problem in the confinement area, then another item of comparable quality or other appropriate utensils shall be substituted. Substitutions shall be documented on the Daily Record of Segregation, Form DC6-229. Form DC6-229 has been previously incorporated by reference in Rule 33-602.220.

(b) Hot food served in satellite food operations shall be protected from contamination in transit and shall be served at temperatures set by the Department of Health.

(c) The provisions of Rule 33-602.223 shall be utilized in placing inmates on the special management meal.

(d) Food shall not be withheld, nor the standard menu varied, as a disciplinary sanction or as a reward for good behavior or work for an individual inmate.

(3) Menus. The Dietary Reference Intakes of the Food and Nutrition Board - National Academy of Sciences shall serve as

the standard for the preparation of menus and the evaluation of menus served. The Dietary Reference Intakes of the Food and Nutrition Board are hereby incorporated by reference. A copy of the Dietary Reference Intakes may be obtained from the Bureau of Institutional Support Services, Food Service Section, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The Dietary Reference Intakes were copyrighted in 2001.

(a) The master menus reviewed by the master menu committee shall be used by all institutions and facilities within the department. The master menus shall be reviewed at least annually by the department's master menu committee to determine the need for adjustments based upon cost, nutritional value, equipment capabilities, product availability and staff determined inmate preferences.

(b) Food preparation and service shall be scheduled to ensure that food is served as soon after completion of preparation as possible and at the appropriate temperature.

(c) Meals shall be prepared and served in accordance with the master menu in effect. No specially prepared meals shall be served except those approved therapeutic diets that are prescribed by the attending physician, clinical associate or dentist.

(d) The master menu shall be adhered to except that specific menus and menu items are subject to change by the person in charge of food service at each facility due to production problems, product availability, or security issues. Failure to order a product does not constitute a lack of availability. Substitutions will not be planned to utilize leftovers. When menu substitutions are required, the substitutions will be from the same food group as the original menu item. The master menu manual provides a list of appropriate substitutions within food groups. All inmates shall receive the same food items as specified on the master menu. Adequate amounts of food must be prepared to serve all inmates according to the master menu.

(e) All vegetables shall be prepared without meat, animal fat, meat-based broth, margarine or butter to be suitable for religious and strict vegetarian diets.

(4) Therapeutic Diets. Therapeutic diets for medical or dental reasons shall be provided as ordered by a Department of Corrections credentialed physician, clinical

associate (physicians assistant, advanced registered nurse practitioner) or dentist. All orders for therapeutic diets shall be in writing. Non-standard therapeutic diets shall be approved by the public health nutrition program manager and the regional medical executive director. Therapeutic diets shall be served for a maximum of 90 days. Diets extending for periods longer than 90 days shall require a new diet order from the attending Department of Corrections credentialed physician, clinical associate (physicians assistant or advanced registered nurse practitioner) or dentist. Diet prescription orders must be received in food services prior to the expiration of the current prescription to avoid interruption of the therapeutic diet. The Public Health Nutrition Program Manager and the Public Health Consultants shall be available for consultation by health and food service personnel regarding therapeutic diets.

(5) Religious Diets. The alternate entree program is designed to provide meal options for inmates whose religions require a pork-free, lacto-ovo or lacto-vegetarian diet. The vegan (strict vegetarian) meal pattern provides meal options for the religious requirements of inmates who choose to avoid all animal products. Inmates requesting the vegan meal pattern shall submit an Inmate Request, Form DC6-236, to the food service director at the facility where the inmate is currently housed. An inmate who is transferred to another facility shall be allowed to continue the vegan meal pattern at the new facility by showing the inmate request that was approved by the previous food service director until his request is approved by the new food service director. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

Specific Authority 944.09 FS. Law Implemented 944.09 FS., Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. History--New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04, 2-27-05, 10-16-05, 1-17-06.

33-204.004 Control of Food Service Equipment.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 1-18-89, Formerly 33-30.004, Amended 8-9-00, Repealed 10-10-04.

33-204.005 Cash Meals and Special Group Meals.

(1) The cost of meals for employees or volunteers shall be borne by the individual being provided with the meal, except as provided in subsection (2) of this section. Employees or volunteers served meals shall be charged the predetermined amount as designated in the current food services contract for all meals.

(2) Wardens are authorized to provide meals free of charge to the following groups:

(a) Volunteers who are providing goods or services free of charge as provided in section 110.501, FS, when the volunteers are working at the institution at least two hours prior to or subsequent to a meal period;

(b) Members of advisory boards or committees consisting of professionals who render a service to the department for which they are not additionally compensated nor being paid per diem at state expense;

(c) Law enforcement personnel of other agencies who are rendering emergency assistance to the department;

(d) Department of Corrections' staff when involved in the apprehension of an escapee beyond the normal tour of duty, or when an employee is unable to be released from duty due to a departmental emergency.

Specific Authority 944.09 FS. Law Implemented 110.502, 110.504, 944.09 FS. History--New 1-18-89, Formerly 33-30.005, Amended 5-21-00, 6-26-03, 10-24-04.