

Q. How can I avoid a misunderstanding?

Communication is the key.

As a courtesy, when entering an establishment accompanied by a service animal, an individual with a disability may want to notify the establishment that a service animal is entering the premises.

A representative of the establishment may inquire: whether an animal is a service animal and what special tasks the animal is specifically trained to perform.

The establishment may **NOT** inquire into the details of an individual's disability.

Resources

Oregon Department of Agriculture
Food Safety Division
635 Capitol St. NE
Salem, OR 97301-2532
<http://oregon.gov/ODA/FSD>

If you have further questions about service animals or other requirements of the ADA, you may call the US Department of Justice's toll-free ADA Information Line at 800-514-0301 (voice) or 800-514-0383 (TDD).

Published September 2012



Oregon
Department
of Agriculture

PETS ARE NOT ALLOWED IN FOOD ESTABLISHMENTS

Oregon law prohibits all animals, except for service animals, in grocery stores, restaurants, and other food establishments.

Service animals are trained working animals, NOT pets.

The Americans with Disabilities Act (ADA) authorizes the use of service animals in a food establishment **ONLY** for the benefit of individuals with disabilities.

SERVICE ANIMALS WELCOME

People with disabilities may bring service animals into all areas where customers are normally allowed to go.

A service animal is a dog* that is individually trained to do work or perform tasks for people with disabilities.

Dogs whose function is to provide comfort or emotional support **DO NOT** qualify as service animals according to the ADA.

Shopping with Service Animals

Q. What does the **LAW** require?

The Americans with Disabilities Act (ADA) requires businesses, including restaurants and grocery stores, to allow people with disabilities to bring their service animals into all areas of the facility where customers are normally allowed to go.

The ADA mandates that businesses that sell or prepare food must allow service animals in public areas **even if state or local health codes prohibit animals on the premises.**

Oregon food safety laws generally prohibit all live animals, except for service animals, in food establishments (grocery stores, markets, delis, etc.).



Q. What is a **SERVICE ANIMAL?**

The ADA defines a service animal as: “a dog* that is individually trained to do work or perform tasks for people with disabilities.”

Service animals are trained working animals, **NOT** pets.

Some tasks performed by service animals include: guiding individuals with impaired vision, alerting individuals with impaired hearing, pulling a wheelchair, or alerting or protecting a person who is having a seizure.

The ADA does **NOT** require that service animals be specifically identified with certification papers, a harness, special collar, or any other form of identification.

Animals that perform tasks such as providing companionship or emotional support do **NOT** qualify as service animals. Consequently, companion and support animals are prohibited from entering food establishments with their owners.

* In 2010, ADA regulations were revised to include miniature horses as service animals.

Q. Who is **ENTITLED TO USE A SERVICE ANIMAL** under the ADA?

The ADA authorizes the use of service animals for the benefit of individuals with disabilities.

There must be a direct link between the task an animal performs and the person with a disability.

A service animal must be trained to perform a task specifically for the individual with disabilities that the individual cannot perform for himself or herself.

