§ 3444. Food service in funeral establishments. (a) A funeral establishment may provide space, facilities, equipment or supplies for the preparation, sale, service, distribution or consumption of food or nonalcoholic beverages, limited to incidental refreshments (such as baked goods, sandwiches, snacks and platters) or those required by the religious practices of the deceased person or the deceased person's family, in the funeral establishment to or by persons in the funeral establishment for the purpose of arranging for, attending or participating in the care and preparation of a body of a deceased person for disposition, mourning, a funeral or memorial ceremony or service, or an open house or similar community function that is related to the business of funeral directing.

(b) Activities under this section may include the services of a caterer not owned by or affiliated with the funeral establishment. Activities of funeral establishment employees or catering employees shall be limited to (i) preparing such beverages and (ii) serving such incidental refreshments or nonalcoholic beverages under this section.

No activities under this section shall include the consumption of any alcoholic beverage. Notwithstanding the provisions of this section, a funeral establishment shall not operate as a food service establishment or caterer.