

7 *Model Forms, Guides, and Other Aids*

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 - c) Chart 4-C **SUMMARY CHART – READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE, CONTROL FOR SAFETY FOOD) DATE MARKING § 3-501.17(A) – (E) AND DISPOSITION § 3-501.18**
 - d) Chart 4-D **FDA FOOD CODE MOBILE FOOD ESTABLISHMENT MATRIX**
 - e) Summary of Changes

The documents provided in this Annex are intended to facilitate adoption of the Food Code and the application of its provisions as they relate to conditional employees' and food employees' health and to food establishment inspections.

Forms 1-A through 1-C are designed to assist those responsible for managing employees in order to prevent foodborne disease. The Food Code specifies that the **permit holder is responsible** for requiring conditional employees or food employees to report certain symptoms, diagnoses, and past illnesses, as they relate to diseases transmitted through food by infected workers. The **conditional employee or food employee is personally responsible** for reporting this information to the person in charge.

Form 1-D is a user-aid for a regulatory agency when considering a request to allow bare hand contact with ready-to-eat food.

Forms 2-A and 2-B can be used for the Code adoption process and Form 3-A is provided for use in recording HACCP information and inspectional observations. Guide 3-B *Food Code References for Risk Factors/Interventions and Good Retail Practices Specified on the Food Establishment Inspection Report Form*, has been merged with Guide 3-C *Instructions for Marking the Food Establishment Inspection Report* to become the **new Guide 3-B, Instructions for Marking the Food Establishment Inspection Report, Including Food Code References for Risk Factors/Interventions and Good Retail Practices**. The major headings from the Food Establishment Inspection Report form have been extracted and condensed in Guide 3-B to key word phrases to assist the person conducting inspections in locating the Food Code citation that corresponds to a given violation and recording inspectional observations.

Guide 3-B is intended to be used during inspections to ensure that observations of the provisions of the Code are not overlooked during the inspection and accurately recorded on the Food Code Establishment Inspection Report form.

FORM 1-A	Conditional Employee and Food Employee Interview
Preventing Transmission of Diseases through Food by Infected Food Employees or Conditional Employees with Emphasis on Illness due to Norovirus, Salmonella Typhi (S. Typhi) , Shigella spp., Enterohemorrhagic (EHEC) or ShigaToxin-producing Escherichia coli (STEC), or Hepatitis A Virus	

The purpose of this interview is to inform conditional employees and food employees to advise the person in charge of past and current conditions described so that the person in charge can take appropriate steps to preclude the transmission of foodborne illness.

Conditional Employee Name (print) _____
 Food Employee Name (print) _____
 Address _____
 Telephone Daytime: _____ Evening: _____
 Date _____

Are you suffering from any of the following symptoms? (Circle one)

		If YES, Date of <u>Onset</u>
Diarrhea?	YES / NO	_____
Vomiting?	YES / NO	_____
Jaundice?	YES / NO	_____
Sore throat with fever?	YES / NO	_____

Or

Infected cut or wound that is open and draining, or lesions containing pus on the hand, wrist, an exposed body part, or other body part and the cut, wound, or lesion not properly covered? YES / NO
 (Examples: *boils and infected wounds, however small*)

In the Past:

Have you ever been diagnosed as being ill with typhoid fever (S.Typhi) YES / NO
 If you have, what was the date of the diagnosis? _____
 If within the past 3 months, did you take antibiotics for S. Typhi? YES / NO
 If so, how many days did you take the antibiotics? _____
 If you took antibiotics, did you finish the prescription? YES / NO

History of Exposure:

1. Have you been suspected of causing, or have you been exposed to, a confirmed foodborne disease outbreak recently? YES / NO

If YES, date of outbreak: _____

a. If YES, what was the cause of the illness and did it meet the following criteria?

Cause: _____	
i. Norovirus (last exposure within the past 48 hours)	Date of illness outbreak _____
ii. <i>E. coli</i> O157:H7 infection (last exposure within the past 3 days)	Date of illness outbreak _____
iii. Hepatitis A virus (last exposure within the past 30 days)	Date of illness outbreak _____
iv. Typhoid fever (last exposure within the past 14 days)	Date of illness outbreak _____
v. Shigellosis (last exposure within the past 3 days)	Date of illness outbreak _____

- b. If YES, did you:
- i. Consume food implicated in the outbreak? _____
 - ii. Work in a food establishment that was the source of the outbreak? _____
 - iii. Consume food at an event that was prepared by person who is ill? _____

2. Did you attend an event or work in a setting, recently where there was a confirmed disease outbreak? YES / NO

If so, what was the cause of the confirmed disease outbreak? _____

If the cause was one of the following five pathogens, did exposure to the pathogen meet the following criteria?

- a. Norovirus (last exposure within the past 48 hours) YES / NO
- b. *E. coli* O157:H7 (or other EHEC/STEC (last exposure within the past 3 days) YES / NO
- c. *Shigella* spp. (last exposure within the past 3 days) YES / NO
- d. *S. Typhi* (last exposure within the past 14 days) YES / NO
- e. Hepatitis A virus (last exposure within the past 30 days) YES / NO

Do you live in the same household as a person diagnosed with Norovirus, shigellosis, typhoid fever, hepatitis A, or illness due to *E. coli* O157:H7 or other EHEC/STEC?
YES / NO Date of onset of illness _____

3. Do you have a household member attending or working in a setting where there is a confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, EHEC/STEC infection, or hepatitis A?
YES / NO Date of onset of illness _____

Name, Address, and Telephone Number of your Health Practitioner or doctor:

Name _____
 Address _____
 Telephone – Daytime: _____ Evening: _____

Signature of Conditional Employee _____ Date _____

Signature of Food Employee _____ Date _____

Signature of Permit Holder or Representative _____ Date _____

FORM 1-B	Conditional Employee or Food Employee Reporting Agreement Preventing Transmission of Diseases through Food by Infected Conditional Employees or Food Employees with Emphasis on Illness due to Norovirus, <i>Salmonella Typhi</i> , <i>Shigella</i> spp., Enterohemorrhagic (EHEC) or Shiga toxin-producing <i>Escherichia coli</i> (STEC), or Hepatitis A Virus
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The purpose of this agreement is to inform conditional employees or food employees of their responsibility to notify the person in charge when they experience any of the conditions listed so that the person in charge can take appropriate steps to preclude the transmission of foodborne illness.

I AGREE TO REPORT TO THE PERSON IN CHARGE:

Any Onset of the Following Symptoms, Either While at Work or Outside of Work, Including the Date of Onset:

1. Diarrhea
2. Vomiting
3. Jaundice
4. Sore throat with fever
5. Infected cuts or wounds, or lesions containing pus on the hand, wrist, an exposed body part, or other body part and the cuts, wounds, or lesions are not properly covered (*such as boils and infected wounds, however small*)

Future Medical Diagnosis:

Whenever diagnosed as being ill with Norovirus, typhoid fever (*Salmonella Typhi*), shigellosis (*Shigella* spp. infection), *Escherichia coli* O157:H7 or other EHEC/STEC infection, or hepatitis A (hepatitis A virus infection)

Future Exposure to Foodborne Pathogens:

- 1. Exposure to or suspicion of causing any confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other EHEC/STEC infection, or hepatitis A.**
- 2. A household member diagnosed with Norovirus, typhoid fever, shigellosis, illness due to EHEC/STEC, or hepatitis A.**
- 3. A household member attending or working in a setting experiencing a confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other EHEC/STEC infection, or hepatitis A.**

I have read (or had explained to me) and understand the requirements concerning my responsibilities under the **Food Code** and this agreement to comply with:

1. Reporting requirements specified above involving symptoms, diagnoses, and exposure specified;
2. Work restrictions or exclusions that are imposed upon me; and
3. Good hygienic practices.

I understand that failure to comply with the terms of this agreement could lead to action by the food establishment or the food regulatory authority that may jeopardize my employment and may involve legal action against me.

Conditional Employee Name (please print) _____

Signature of Conditional Employee _____ **Date** _____

Food Employee Name (please print) _____

Signature of Food Employee _____ **Date** _____

Signature of Permit Holder or Representative _____ **Date** _____

FORM

1-C

Conditional Employee or Food Employee Medical Referral

Preventing Transmission of Diseases through Food by Infected Food Employees with Emphasis on Illness due to Norovirus, Typhoid fever (**Salmonella Typhi**), Shigellosis (**Shigella** spp.), **Escherichia coli O157:H7** or other Enterohemorrhagic (EHEC) or Shiga Toxin-producing **Escherichia coli** (STEC), and Hepatitis A Virus

The **Food Code** specifies, under **Part 2-2 Employee Health Subpart 2-201 Disease or Medical Condition**, that Conditional Employees and Food Employees obtain medical clearance from a health practitioner licensed to practice medicine, unless the Food Employees have complied with the provisions specified as an alternative to providing medical documentation, whenever the individual:

1. Is chronically suffering from a symptom such as **diarrhea**; or
2. Has a **current illness** involving Norovirus, typhoid fever (**Salmonella Typhi**), shigellosis (**Shigella** spp.) **E. coli O157:H7** infection (or other EHEC/STEC), or hepatitis A virus (hepatitis A), or
3. Reports **past illness** involving typhoid fever (**S. Typhi**) within the past three months (while salmonellosis is fairly common in U.S., typhoid fever, caused by infection with **S. Typhi**, is rare).

Conditional Employee being referred: (Name, please print) _____

Food Employee being referred: (Name, please print) _____

4. Is the employee assigned to a food establishment that serves a population that meets the Food Code definition of a **highly susceptible population** such as a day care center with preschool-age children, a hospital kitchen with immunocompromised persons, or an assisted living facility or nursing home with older adults?

YES NO

Reason for Medical Referral: The reason for this referral is checked below:

- Is chronically suffering from vomiting or diarrhea; or (specify) _____
- Diagnosed or suspected Norovirus, typhoid fever, shigellosis, **E. coli O157:H7** (or other EHEC/STEC) infection, or hepatitis A. (Specify) _____
- Reported past illness from typhoid fever within the past 3 months. (Date of illness) _____
- Other medical condition of concern per the following description: _____

Health Practitioner's Conclusion: (Circle the appropriate one; refer to reverse side of form)

- Food employee is free of **Norovirus** infection, typhoid fever (**S. Typhi** infection), **Shigella** spp. infection, **E. coli O157:H7** (or other **EHEC/STEC** infection), or **hepatitis A** virus infection, and may work as a food employee without restrictions.
- Food employee is an asymptomatic shedder of **E. coli O157:H7** (or other **EHEC/STEC**), **Shigella** spp., or Norovirus, and is restricted from working with exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles in food establishments that do not serve highly susceptible populations.
- Food employee is not ill but continues as an asymptomatic shedder of **E. coli O157:H7** (or other **EHEC/STEC**), **Shigella** spp. and should be excluded from food establishments that serve highly susceptible populations such as those who are preschool-age, immunocompromised, or older adults and in a facility that provides preschool custodial care, health care, or assisted living.
- Food employee is an asymptomatic shedder of **hepatitis A** virus and should be excluded from working in a food establishment until medically cleared.
- Food employee is an asymptomatic shedder of **Norovirus** and should be excluded from working in a food establishment until medically cleared, or for at least 24 hours from the date of the diagnosis.
- Food employee is suffering from Norovirus, typhoid fever, shigellosis, **E. coli O157:H7** (or other **EHEC/STEC** infection), or **hepatitis A** and should be excluded from working in a food establishment.

COMMENTS: (In accordance with Title I of the Americans with Disabilities Act (ADA) and to provide only the information necessary to assist the food establishment operator in preventing foodborne disease transmission, please confine comments to explaining your conclusion and estimating when the employee may be reinstated.)

Signature of Health Practitioner _____ **Date** _____

Paraphrased from the FDA Food Code for Health Practitioner's Reference

From Subparagraph 2-201.11(A)(2)

Organisms of Concern:

Any foodborne pathogen, with special emphasis on these 5 organisms:

1. **Norovirus**
2. **S. Typhi**
3. **Shigella** spp.
4. **E. coli** O157:H7 (or other EHEC/STEC)
5. **Hepatitis A** virus

From Subparagraph 2-201.11(A)(1)

Symptoms:

Have any of the following symptoms:

Diarrhea

Vomiting

Jaundice

Sore throat with fever

From Subparagraph 2-201.11(A)(4)-(5)

Conditions of Exposure of Concern:

- (1) Suspected of causing a foodborne outbreak or being exposed to an outbreak caused by 1 of the 5 organisms above, at an event such as a family meal, church supper, or festival because the person:
 - Prepared or consumed an implicated food; or
 - Consumed food prepared by a person who is infected or ill with the organism that caused the outbreak or who is suspected of being a carrier;
- (2) Lives with, and has knowledge about, a person who is diagnosed with illness caused by 1 of the 5 organisms; or
- (3) Lives with, and has knowledge about, a person who works where there is an outbreak caused by 1 of the 5 organisms.

From Subparagraph 2-201.12

Exclusion and Restriction:

Decisions to exclude or restrict a food employee are made considering the available evidence about the person's role in actual or potential foodborne illness transmission. Evidence includes:

Symptoms Diagnosis Past illnesses Stool/blood tests

In facilities serving highly susceptible populations such as day care centers and health care facilities, a person for whom there is evidence of foodborne illness is almost always excluded from the food establishment.

In other establishments such as restaurants and retail food stores, that offer food to typically healthy consumers, a person might only be restricted from certain duties, based on the evidence of foodborne illness.

Exclusion from any food establishment is required when the person is:

- Exhibiting or reporting diarrhea or vomiting;
- Diagnosed with illness caused by *S. Typhi*; or
- Jaundiced within the last 7 days.

For *Shigella* spp. or *Escherichia coli* O157:H7 or other EHEC/STEC infections, the person's stools must be negative for 2 consecutive cultures taken no earlier than 48 hours after antibiotics are discontinued, and at least 24 hours apart or the infected individual must have resolution of symptoms for more than 7 days or at least 7 days have passed since the employee was diagnosed.

FORM
1-D

Application for Bare Hand Contact Procedure
(As specified in Food Code ¶ 3-301.11(D))

Please type or print legibly using black or blue ink

1. **Establishment Name:** _____

2. **Establishment Address:** _____

3. **Responsible Person:** _____ **Phone:** _____
Legal Representative Business

4. **List Procedure and Specific Ready-To-Eat-Foods** to be considered for use of bare hand contact with ready-to-eat foods:

5. Handwashing Facilities:

(a) There is a handwashing sink located immediately adjacent to the posted bare hand contact procedure and the hand sink is maintained in accordance with provisions of the Code. (§ 5-205.11, § 6-301.11, § 6-301.12, § 6-301.14) YES NO (Include diagram, photo or other information)

(b) All toilet rooms have one or more handwashing sinks in, or immediately adjacent to them, and the sinks are equipped and maintained in accordance with provisions of the Code. (§ 5-205.11, § 6-301.11, § 6-301.12, § 6-301.14) YES NO

6. **Employee Health Policy:** The written employee health policy must be attached to this form along with documentation that food employees and conditional employees acknowledge their responsibilities. (§ 2-201.11, § 2-201.12, § 2-201.13)

7. **Employee Training:** Provide documentation that food employees have received training in:

- The risks of contacting the specific ready-to-eat foods with bare hands
- Personal health and activities as they relate to diseases that are transmissible through food.
- Proper handwashing procedures to include how, when, where to wash, & fingernail maintenance. (§ 2-301.12, § 2-301.14, § 2-301.15, § 2-302.11)
- Prohibition of jewelry. (§ 2-303.11)
- Good hygienic practices. (§ 2-401.11, § 2-401.12)

8. **Documentation of Handwashing Practices:** Provide documentation that food employees are following proper handwashing procedures prior to food preparation and other procedures as necessary to prevent cross-contamination during all hours of operation when the specific ready-to-eat foods are prepared or touched with bare hands.

9. **Documentation of Additional Control Measures:** Provide documentation to demonstrate that food employees are utilizing two or more of the following control measures when contacting ready-to-eat foods with bare hands:

- Double handwashing;
- Use of nailbrushes;
- Use of hand antiseptic after handwashing;
- Incentive programs such as paid leave encouraging food employees not to work when they are ill; or
- Other control measures approved by the regulatory authority.

Statement of Compliance:

I certify all of the following: All food employees are individually trained in the risks of contacting ready-to-eat foods with bare hands, personal health and activities as they relate to diseases that are transmissible through food, proper handwashing procedures, prohibition of jewelry, and good hygienic practices. A record of this training is kept on site. I understand that bare hand contact with ready-to-eat food is prohibited except for those items listed in section four (4) above. A handwashing sink is located immediately adjacent to the posted bare hand contact procedure. All handwashing sinks are maintained with hot water, soap, and drying devices. I understand that documentation is needed for handwashing practices and additional control measures. I understand that records to document handwashing are kept current and kept on site.

SIGNATURE: _____ DATE _____
(Signature of legal representative of the facility listed above)

Regulatory Authority (RA) Use Only:
Permit Number: _____
File Review Conducted on History of Handwashing Compliance: Yes No
Site Visit Conducted Yes No Comments: _____
 Approved: Effective Date: _____ RA name _____
 Not Approved: Reason for Denial: _____

FORM
2-A

Adoption by Reference

This "short form" may be used by governmental bodies adopting the Food Code where authorized by law. Use of the adoption by reference form may substantially reduce the cost of publishing and printing.

The description of the Food Code, below, includes Chapter 8 and the Chapter 8 annex (Annex 1). Modifications to the description may be necessary, based on what provisions are being adopted and whether they are being adopted as law or regulation.

Section 2 lists provisions that may require modifications to be consistent with existing law or that require insertion of dollar amounts.

(JURISDICTION) FOOD CODE

(statute/regulation/ordinance) Number

ADOPTING THE 2009 EDITION OF THE "FOOD CODE" REGULATING THE RETAIL SALE, COMMERCIAL AND INSTITUTIONAL SERVICE, AND VENDING OF FOOD; DEFINING PERMIT HOLDER, PERSON IN CHARGE, EMPLOYEE, FOOD, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), FOOD ESTABLISHMENT, SAFE MATERIAL, SANITIZATION, AND OTHER TERMS; AND PROVIDING STANDARDS FOR EMPLOYEE FOOD SAFETY KNOWLEDGE, HEALTH, AND PRACTICES; FOOD SOURCES, PREPARATION, HOLDING TEMPERATURES, AND PROTECTION; EQUIPMENT DESIGN, CONSTRUCTION, INSTALLATION, CLEANING, AND SANITIZATION; WATER, AND LIQUID AND SOLID WASTES; FACILITIES CONSTRUCTION AND MAINTENANCE, AND STORAGE AND USE OF POISONOUS AND TOXIC MATERIALS; REQUIRING A PERMIT TO OPERATE A FOOD ESTABLISHMENT; AND PROVIDING FOR THE RESTRICTION OR EXCLUSION OF EMPLOYEES, THE EXAMINATION AND CONDEMNATION OF FOOD, AND THE ENFORCEMENT OF THIS CODE INCLUDING THE SETTING OF PENALTIES.

The (governing body) of the (jurisdiction) does ordain as follows:

SECTION 1. ADOPTION OF FOOD CODE

That a certain document, three copies of which are on file in the office of the (jurisdiction's keeper of records) of the (type of jurisdiction) of (name of jurisdiction) being marked and designated as the *Food Code, 2009 Recommendations of the United States Public Health Service/Food and Drug Administration* as published by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration be, and is hereby adopted as, the Food Code of (type of jurisdiction) of (name of jurisdiction) in the State of (state name); for regulating the design, construction, management, and operation of food establishments, and providing for plans submission and approval and the issuance of permits and collection of fees therefore.

SECTION 2. INSERTIONS AND CHANGES

That the following provisions are hereby revised as follows:

Paragraph 8-911.10(B)(1) and (2) Insert **(Dollar Amount)**
Paragraph 8-913.10(B) Insert **(Dollar Amounts)**
Subparagraph 8-911.10(B)(2) Insert **(Number of Year(s))**

SECTION 3. INCONSISTENT CODES REPEALED

That (statute/regulation/ordinance) number (present code number) of the (jurisdiction) titled, (complete title of the food code[s] in effect at the present time so they will be repealed by definite mention) and all other codes or portions of codes in conflict herewith are hereby repealed in that respect only.

SECTION 4. CERTIFICATION OF ADOPTION AND PUBLISHING

That the (jurisdiction's keeper of records) shall certify the adoption of this (statute/regulation/ordinance) and cause the same to be published as required by law.

SECTION 5. EFFECTIVE DATE

That this Code and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect (time period) from and after the date of its final passage and approval.

PASSED AND APPROVED BY (name of adopting authority) on this (day) of (month, year) .

BY:

Examples of how some jurisdictions have set fines, sentences, and penalties:

California law provides:

A. For Wholesale Food Violations:

Criminal fines and sentence for violations of up to **\$1,000** and up to **one** year imprisonment if there is shown an intent to defraud or mislead, and

Civil penalties of up to **\$1,000** per day for certain violations.

B. For Retail Food Violations:

Criminal fines and sentence for violations of not less than twenty-five dollars (\$25) or more than one thousand dollars (\$1000) for each offense, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment.

Maryland law provides:

Criminal fines and sentence for certain misdemeanors of up to **\$10,000** and **one** year imprisonment, and in the case of repeat code violation convictions, up to **\$25,000** and **three** years imprisonment; and

Civil penalties of up to **\$5,000** for each violation and for each day the violation continues.

Texas law provides:

Criminal fines and sentence for certain violations of up to **\$10,000** and **two** years imprisonment; and

Assessment of five "severity" levels of administrative or civil penalties with base amounts ranging from **\$1,250** through **\$10,000**. Base amounts can be decreased or increased by as much as 50% considering factors such as past performance, good faith, direct impact on health and safety, high-risk populations involved, etc.

Though rarely used with retail food establishments, **Federal** law provides under the *Criminal Fine Enforcement Act of 1984* for a fine up to **\$100,000** for a misdemeanor by a corporation or individual not resulting in death and, for misdemeanors resulting in death, a fine of up to **\$250,000** for individuals and **\$500,000** for corporations.

FORM
2-B

Adoption by Section-by-Section Reference

This "long form" may be used by governmental bodies adopting the Food Code section-by-section.

The description of the "Food Code," below, includes Chapter 8 and the Chapter 8 annex (Annex 1). Modifications to the description may be necessary, based on what provisions are being adopted and whether they are being adopted as law or regulation.

Section 2 lists provisions that may require modifications to be consistent with existing law or that require insertion of dollar amounts.

(JURISDICTION) FOOD CODE

(statute/regulation/ordinance) Number

ADOPTING A CODE REGULATING THE RETAIL SALE, COMMERCIAL AND INSTITUTIONAL SERVICE, AND VENDING OF FOOD; DEFINING PERMIT HOLDER, PERSON IN CHARGE, EMPLOYEE, FOOD, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), FOOD ESTABLISHMENT, SAFE MATERIAL, SANITIZATION, AND OTHER TERMS; AND PROVIDING STANDARDS FOR EMPLOYEE FOOD SAFETY KNOWLEDGE, HEALTH, AND PRACTICES; FOOD SOURCES, PREPARATION, HOLDING TEMPERATURES, AND PROTECTION; EQUIPMENT DESIGN, CONSTRUCTION, INSTALLATION, CLEANING AND SANITIZATION; WATER, AND LIQUID AND SOLID WASTES; FACILITIES CONSTRUCTION AND MAINTENANCE, AND STORAGE AND USE OF POISONOUS AND TOXIC MATERIALS; REQUIRING A PERMIT TO OPERATE A FOOD ESTABLISHMENT; AND PROVIDING FOR THE RESTRICTION OR EXCLUSION OF EMPLOYEES, THE EXAMINATION AND CONDEMNATION OF FOOD, AND THE ENFORCEMENT OF THIS CODE INCLUDING THE SETTING OF PENALTIES.

The (governing body) of the (jurisdiction) does ordain as follows:

(REPRINT THE *FOOD CODE*, (date) *RECOMMENDATIONS OF THE UNITED STATES PUBLIC HEALTH SERVICE/FOOD AND DRUG ADMINISTRATION, SECTION-BY-SECTION*)

SECTION 2. INSERTIONS AND CHANGES

That the following provisions may need to be completed as follows:

Paragraph 8-911.10(B)(1) and (2) Insert (**Dollar Amount**)

Paragraph 8-913.10(B) Insert (**Dollar Amounts**)

Subparagraph 8-911.10(B)(2) Insert (**Number of Year(s)**)

SECTION 3. INCONSISTENT CODES REPEALED

That (statute/regulation/ordinance) number (present code number) of the (jurisdiction) titled, (complete title of the food code[s] in effect at the present time so they will be repealed by definite mention) and all other codes or portions of codes in conflict herewith are hereby repealed in that respect only.

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B. For Retail Food Violations:

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Civil penalties of up to **\$5,000** for each violation and for each day the violation continues.

Texas law provides:

Criminal fines and sentence for certain violations of up to **\$10,000** and **two** years imprisonment; and

Assessment of five "severity" levels of administrative or civil penalties with base amounts ranging from **\$1,250** through **\$10,000**. Base amounts can be decreased or increased by as much as 50% considering factors such as past performance, good faith, direct impact on health and safety, high-risk populations involved, etc.

Though rarely used with retail food establishments, **Federal** law provides under the *Criminal Fine Enforcement Act of 1984* for a fine up to **\$100,000** for a misdemeanor by a corporation or individual not resulting in death and, for misdemeanors resulting in death, a fine of up to **\$250,000** for individuals and **\$500,000** for corporations.

**FORM
3-A**

Food Establishment Inspection Report

The food establishment inspection report is the official regulatory authority document regarding compliance of the establishment with agency requirements. The goal of the report is to clearly, concisely, and fairly present the compliance status of the establishment and to convey compliance information to the permit holder or person in charge at the conclusion of the inspection. The Food Establishment Inspection Report form is provided as a model for use during routine, follow-up, and investigative inspections.

Refer to Annex 5 for further information.

Food Establishment Inspection Report

Page ____ of ____

As Governed by State Code Section XXX.XXX		No. of Risk Factor/Intervention Violations		Date
Do Good County		No. of Repeat Risk Factor/Intervention Violations		Time In
12344 Any Street, Our Town, State 11111		Score (optional)		Time Out
Establishment	Address	City/State	Zip Code	Telephone
License/Permit #	Permit Holder	Purpose of Inspection	Est. Type	Risk Category

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item		Mark "X" in appropriate box for COB and/or R	
IN=in compliance OUT=not in compliance N/O=not observed N/A=not applicable		COB=corrected on-site during inspection R=repeat violation	
Compliance Status		Compliance Status	
Supervision		Potentially Hazardous Food Time/Temperature	
1	IN OUT Person in charge present, demonstrates knowledge, and performs duties	16	IN OUT N/A N/O Proper cooking time & temperatures
Employee Health		17	IN OUT N/A N/O Proper reheating procedures for hot holding
2	IN OUT Management, food employee and conditional employee; knowledge, responsibilities and reporting	18	IN OUT N/A N/O Proper cooking time & temperatures
3	IN OUT Proper use of restriction and exclusion	19	IN OUT N/A N/O Proper hot holding temperatures
Good Hygienic Practices		20	IN OUT N/A Proper cold holding temperatures
4	IN OUT N/O Proper eating, tasting, drinking, or tobacco use	21	IN OUT N/A N/O Proper date marking & disposition
5	IN OUT N/O No discharge from eyes, nose, and mouth	22	IN OUT N/A N/O Time as a public health control; procedures & records
Preventing Contamination by Hands		Consumer Advisory	
6	IN OUT N/O Hands clean & properly washed	23	IN OUT N/A Consumer advisory provided for raw or undercooked foods
7	IN OUT N/A N/O No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed	Highly Susceptible Populations	
8	IN OUT Adequate handwashing sinks properly supplied and accessible	24	IN OUT N/A Pasteurized foods used; prohibited foods not offered
Approved Source		Chemical	
9	IN OUT Food obtained from approved source	25	IN OUT N/A Food additives: approved & properly used
10	IN OUT N/A N/O Food received at proper temperature	26	IN OUT Toxic substances properly identified, stored, & used
11	IN OUT Food in good condition, safe, & unadulterated	Conformance with Approved Procedures	
12	IN OUT N/A N/O Required records available: shellstock tags, parasite destruction	27	IN OUT N/A Compliance with variance, specialized process, & HACCP plan
Protection from Contamination		<div style="border: 1px solid black; padding: 5px;"> Risk factors are improper practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health interventions are control measures to prevent foodborne illness or injury. </div>	
13	IN OUT N/A Food separated & protected		
14	IN OUT N/A Food-contact surfaces: cleaned & sanitized		
15	IN OUT Proper disposition of returned, previously served, reconditioned, & unsafe food		

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.		Mark "X" in box if numbered item is not in compliance Mark "X" in appropriate box for COB and/or R COB=corrected on-site during inspection R=repeat violation	
Safe Food and Water		Proper Use of Utensils	
28	Pasteurized eggs used where required	41	In-use utensils: properly stored
29	Water & ice from approved source	42	Utensils, equipment & linens: properly stored, dried, & handled
30	Variance obtained for specialized processing methods	43	Single-use/single-service articles: properly stored & used
Food Temperature Control		44	Gloves used properly
31	Proper cooling methods used; adequate equipment for temperature control	Utensils, Equipment and Vending	
32	Plant food properly cooked for hot holding	45	Food & non-food contact surfaces cleanable, properly designed, constructed, & used
33	Approved thawing methods used	46	Warewashing facilities: installed, maintained, & used; test strips
34	Thermometers provided & accurate	47	Non-food contact surfaces clean
Food Identification		Physical Facilities	
35	Food properly labeled; original container	48	Hot & cold water available; adequate pressure
Prevention of Food Contamination		49	Plumbing installed; proper backflow devices
36	Insects, rodents, & animals not present	50	Sewage & waste water properly disposed
37	Contamination prevented during food preparation, storage & display	51	Toilet facilities: properly constructed, supplied, & cleaned
38	Personal cleanliness	52	Garbage & refuse properly disposed; facilities maintained
39	Wiping cloths: properly used & stored	53	Physical facilities installed, maintained, & clean
40	Washing fruits & vegetables	54	Adequate ventilation & lighting; designated areas used

Person in Charge (Signature)	Date:
Inspector (Signature)	Follow-up: YES NO (Circle one) Follow-up Date:

Guide

3-B Instructions for Marking the Food Establishment Inspection Report, Including Food Code References for Risk Factors/Interventions and Good Retail Practices

Guide 3-B *Food Code References for Risk Factors/Interventions and Good Retail Practices Specified on the Food Establishment Inspection Report Form*, has been merged with Guide 3-C *Instructions for Marking the Food Establishment Inspection Report* to become the **new Guide 3-B, *Instructions for Marking the Food Establishment Inspection Report, Including Food Code References for Risk Factors/Interventions and Good Retail Practices***.

The major headings from the Food Establishment Inspection Report form have been extracted and condensed in Guide 3-B to key word phrases to assist the person conducting inspections in locating the Food Code citation that corresponds to a given violation and recording inspectional observations.

Guide 3-B is intended to be used during inspections to ensure that observations of the provisions of the Code are not overlooked during the inspection and accurately recorded on the Food Code Establishment Inspection Report form.

**GUIDE
3-B Instructions for Marking the Food Establishment Inspection Report,
Including Food Code References for Risk Factors/Interventions and
Good Retail Practices**

All references and code sections in these marking instructions are based on the 2009 Food Code.

A. GENERAL MARKING INSTRUCTIONS

HEADER Information

Establishment	Complete this section using the “usual/common name” or “Doing Business As” name of the business. This information should be the same as the license/permit application completed at the initiation of the business.
Address	Street address of the actual business location
Zip Code	Actual business location
Telephone	Contact phone number for the establishment
License/Permit #	License number or tracking identification
Permit Holder	Name of Owner or Operator as shown on application
Purpose	The reason for the inspection – routine, reinspection, complaint, or follow-up, etc.
Est. Type	Description or code for describing the type of facility (e.g. restaurant, market, vehicle, temporary food facility)
Risk Category	Designation of risk/priority level for determining frequency of inspection
Number of Risk Factor/ Intervention Violations	The number of boxes marked OUT in items 1-27 should be counted and the total number placed here
Number of Repeat Risk Factor/Intervention Violations	The number of boxes marked R (repeat) in items 1-27 should be counted and the total number placed here
Score (optional)	A score is optional for this form. If a jurisdiction has a scoring system, it should be incorporated into the inspection form and the score of an inspection placed here.
Date	The date of the inspection including month, day, and year
Time In	The actual time the inspection begins
Time Out	The actual time the inspection ends

B. RISK FACTORS AND INTERVENTIONS

Risk factors are food preparation practices and employee behaviors most commonly reported to the Centers for Disease Control and Prevention (CDC) as contributing factors in foodborne illness outbreaks. Risk factors include: Food from Unsafe Sources, Improper Holding Temperatures, Inadequate Cooking, Contaminated Equipment, and Poor Personal Hygiene. These items are prominent on the Food Establishment Inspection Report because maintaining these items in compliance is vital to preventing foodborne illness. Additionally, five key public health interventions were introduced in the 1993 Food Code that supplemented the other interventions long-established by the Food and Drug Administration (FDA) model codes and guidances to protect consumer health. The five key interventions are: Demonstration of Knowledge, Employee Health Controls, Controlling Hands as a Vehicle of Contamination, Time and Temperature Parameters for Controlling Pathogens, and the Consumer Advisory.

For each item on the inspection report form in the Foodborne Illness Risk Factors and Public Health Interventions section, the inspector should indicate one of the following for **COMPLIANCE STATUS**: “**IN**” which means that the item is in compliance; “**OUT**” which means that the item is not in compliance; “**N.O.**” which means that the item was not observed during the inspection; or “**N.A.**” which means that the item is not applicable for the facility. If N.A. or N.O. is not listed as an option for a particular item, this means that this item must be evaluated during the inspection and a compliance status must be determined. **If the item is marked “OUT”, document details of each violation for the item number in the “Observations and Corrective Actions” section on the second page of the inspection report.** Compliance status should be determined as a result of observations that establish a pattern of non-compliance. Consideration should be given to the seriousness of the observation with regard to prevention of foodborne illness.

For items marked “**OUT**,” further indicate the status of the violation by marking an “**X**” in the corresponding box for Corrected On-Site (**COS**) during the inspection and/or Repeat violation (**R**). Marking **COS** indicates that all violations cited under that particular item number have been corrected and verified before completing the inspection. The actual corrective action taken for each violation should be documented in the “Observations and Corrective Actions” section of the inspection report. For example, Item #7 *Handwashing sink* is marked out of compliance because the establishment does not have soap and paper towels at the handwashing sink. The person in charge partially corrects the problem by putting soap at the sink, but does not replace the paper towels or provide any other effective means for drying hands. The corrective action taken for the soap is documented in the narrative on the form, but **COS** is not marked for Item #7 because all violations under that item were not corrected. Marking **R** indicates that the same violation under a particular item number was cited on the last inspection report. Using the same scenario, on the subsequent inspection if the provision of soap and paper towels is not in violation, but employees are not washing hands in the correct sink (which is also cited under Item #7 *Handwashing sink*), **R** would not be marked because this is a new violation which was not cited on the previous inspection report.

C. MARKING INSTRUCTIONS FOR EACH RISK FACTOR AND INTERVENTION ON THE INSPECTION REPORT

Supervision

1. PIC present, demonstrates knowledge, and performs duties

IN/OUT This item must be marked IN or OUT of compliance. The person in charge (PIC) has three assigned responsibilities – Presence; Demonstration of Knowledge; and Duties. This item is marked OUT of compliance if any one of the responsibilities is not met.

- A. Person in charge is present. This item is marked OUT of compliance if there is no PIC per 2-101.11(A) and (B).
- B. Demonstration of Knowledge. The PIC has three options for demonstrating knowledge. This item is marked OUT of compliance if the PIC fails to meet at least one of the options. The three options for demonstration of knowledge allowed by the Food Code are:
 1. Certification by an ACCREDITED PROGRAM as specified in 2-102-20.
 2. Complying with this Code by having no violations of priority items during the current inspection; or
 3. Correct responses to the inspector's questions regarding public health practices and principles applicable to the operation. The inspector should assess this item by asking open-ended questions that would evaluate the PIC's knowledge in each of the areas enumerated in ¶ 2-102.11(C)(1), (4)-(16). Questions can be asked during the initial

interview, menu review, or throughout the inspection as appropriate. The Inspector should ask a sufficient number of questions to enable the inspector to make an informed decision concerning the PIC's knowledge of the Code requirements and public health principles as they apply to the operation. The dialogue should be extensive enough to reveal whether or not that person is enabled by a clear understanding of the Code and its public health principles to follow sound food safety practices and to produce foods that are safe, wholesome, unadulterated, and accurately represented.

- C. Duties of the PIC. This item must be marked IN or OUT of compliance based on the interaction and observation with the PIC and food employee. The inspector needs to determine the systems or controls the PIC has put into practice regarding oversight and/or routine monitoring of the Duties listed in § 2-103.11. This is accomplished by 1) discussion with the PIC, and 2) verified through observation that the systems or controls are actually being implemented. This concept is commonly referred to as Active Managerial Control. This item must be marked OUT of compliance when there is a pattern of non-compliance and obvious failure by the PIC to ensure employees are complying with the duties listed in § 2-103.11. Since marking this item out of compliance requires judgment, it is important that this item not be marked for an isolated incident, but rather for an overall evaluation of the PIC's ability to ensure compliance with the duties described in § 2-103.11.

N.A. Do Not Mark this item N.A.

N.O. Do Not Mark this item N.O.

Applicable Code Section:

2-101.1 Assignment

2-102.11(A), B) and (C)(1), (4)-(16) Demonstration

2-103.11 (A)-(L) Person-In-Charge-Duties

Employee Health

2. Management and food employee knowledge, and conditional employee; responsibilities and reporting.

IN/OUT This item must be marked IN or OUT of compliance. This item is marked IN compliance when the following criteria are met:

1. The PIC is aware of his or her responsibility to inform food employees and conditional employees of their responsibility to report certain symptoms or diagnosed diseases to the person in charge and for the PIC to report to the regulatory authority as specified under Food Code ¶ 2-103.11(M) and ¶¶ 2-201.11 (A),(B), (C), and (E); **and**
2. The PIC provides documentation or otherwise satisfactorily demonstrates during the inspection, that all food employees and conditional employees are informed of their responsibility to report to management information about their health and activities as it relates to diseases that are transmissible through food, as specified under ¶ 2-201.11(A). Satisfactory compliance may be documented by completion of Form 1-B, Conditional Employees or Food Employees Reporting Agreement, in Annex 7 of the 2009 Food Code for each employee or other similar State or local form containing the same information; **or**

3. In lieu of Form 1-B, compliance may be demonstrated by:
- a) Presenting evidence such as a curriculum and attendance rosters documenting that each employee has completed a training program which includes all the information required on Form 1-B regarding their reporting responsibilities; **or**
 - b) Implementation of an employee health policy which includes a system of employee notification using a combination of training, signs, pocket cards, or other means to convey all of the required information on Form 1-B to all food employees and conditional employees. A signed acknowledgement by the employee should be part of any employee health policy.

The regulatory authority is encouraged to establish a policy of selecting one employee at random during each inspection and requesting the PIC verify, by one of the previously listed methods, that the selected employee has been **informed** of his or her responsibility to report symptoms, exposures, and diagnosed illnesses to management. The PIC is not expected to quote symptoms and diseases from memory, but should be able to locate that information on Form 1-B or similar documents used to demonstrate compliance.

Additional information is provided in Annex 3 of the Public Health Reasons for Subpart 2-201, including a number of questions, which may be used as a reference to assist the regulatory authority in determining compliance with this item.

N.A. Do Not Mark this item N.A.

N.O. Do Not Mark this item N.O.

Applicable Code Sections:

2-102.11(C)(2),(3) and (17) Demonstration

2-103.11(M) Person in Charge-Duties

2-201.11(A), (B), (C), & (E) Responsibility of Permit Holder, Person in Charge, and Conditional Employees

3. Proper use of restriction and exclusion

IN/OUT This item must be marked IN or OUT of compliance. To be marked IN there must be no ill employees, employees experiencing symptoms requiring reporting, or reason for the PIC to exclude or restrict an employee observed at the time of the inspection. Compliance must be based on first hand observations or information and cannot be based solely on responses from the PIC to questions regarding hypothetical situations or knowledge of the Food Code. This item should be marked OUT of compliance when:

- The inspector observes a working employee with specific reportable symptoms (subparagraph 2-201.11 (A)(1)); or
- The inspector becomes aware that an employee has reported information about his or her health and activities as it relates to diseases that are transmissible through food and the PIC has not acted to restrict or exclude an employee as required by the Food Code.(§ 2-201.12) & (§2-201.13); or
- The inspector becomes aware that the PIC has not notified the Regulatory Authority that an employee is jaundiced or diagnosed with an illness due to a pathogen as specified under subparagraphs 2-201.11 (A)(2)(a)-(e) of the Food Code.
- There are food employees working in the food establishment that have been diagnosed with Norovirus, hepatitis A virus, shigellosis, *E.coli* O157:H7, or other EHEC, or typhoid fever; or with active symptoms of vomiting and/or diarrhea; or working with food, food-contact equipment, utensils, or single-service articles with an open, uncovered infected wound or pustule, or with a sore throat with a fever. Additionally, in food establishments

exclusively serving a highly susceptible population, there are to be no food employees with an active sore throat with a fever working in the food establishment.

N.A. Do Not Mark this item N.A.

N.O. Do Not Mark this item N.O.

Applicable Code Sections:

2-201.11 (D) and (F) Responsibility of Permit Holder, Person in Charge, and Conditional Employees-
Responsibility of the PIC to Exclude or Restrict

2-201.12 Exclusions & Restrictions

2-201.13 Removal, Adjustment, or Retention of Exclusions & Restrictions

Good Hygienic Practices

4. Proper eating, tasting, drinking, or tobacco use

IN/OUT This item should be marked IN or OUT of compliance based on direct observations or discussions of the appropriate hygienic practices of food employees. This item should be marked IN compliance when a food employee is observed drinking from a closed beverage container subsequently stored on a non-food-contact surface and separate from exposed food, clean equipment, and unwrapped single- service and single-use articles. This item should be marked OUT of compliance when food employees are observed improperly tasting food, eating, drinking, or smoking, or there is supporting evidence of these activities taking place in non-designated areas of the establishment. An open container of liquid in the kitchen preparation area does not necessarily constitute marking this item OUT. Further discussion with a food employee or the PIC may be needed to determine if the liquid, if labeled, is used as an ingredient in food, or may be an employee beverage that is consumed in another designated area. If the liquid is an open beverage that is consumed in a designated area, it must still be stored in a manner to prevent the contamination of food, equipment, utensils, linens and single-service/single-use articles.

N.A. Do Not Mark this item N.A.

N.O. This item may be marked N.O. for retail operations only in the **RARE** case when there are no food workers present at the time of inspection.

Applicable Code Sections:

2-401.11 Eating, Drinking, or Using Tobacco

3-301.12 Preventing Contamination When Tasting

5. No discharge from eyes, nose, and mouth

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food employees. This item should be marked IN compliance when no food employees are observed having persistent coughing, sneezing, runny nose, or watery eyes. This item should be marked OUT of compliance when a food employee has persistent coughing, sneezing, runny nose, or watery eyes subjecting food and food-contact surfaces to potential contamination.

N.A. Do Not Mark this item N.A.

N.O. This item may be marked N.O. for retail operations only in the **RARE** case when there are no food workers present at the time of inspection.

Applicable Code Sections:

2-401.12 Discharges from the Eyes, Nose, and Mouth

Control of Hands as a Vehicle of Contamination

6. Hands clean and properly washed

- IN/OUT** This item should be marked IN or OUT of compliance. This item is marked IN compliance only when employees are observed using proper handwashing techniques at appropriate times and places.
- N.A.** **Do Not Mark** this item N.A.
- N.O.** This item may be marked N.O. for retail operations only in the **RARE** case when there are no food workers present at the time of inspection. (If there are no food workers present, but the PIC accompanies the inspector on the inspection and touches food, clean equipment, or utensils without washing his/her hands, this item is marked OUT.)

Applicable Code Sections:

- 2-301.11 Clean condition-Hands and Arms
2-301.12 Cleaning Procedure
2-301.14 When to Wash
2-301.15 Where to Wash
2-301.16 Hand Antiseptics

7. No bare hand contact with RTE foods or a pre-approved alternate properly followed

- IN/OUT** This item should be marked IN or OUT of compliance. This item is marked IN compliance only when employees are observed using suitable utensils or gloves to prevent bare hand (or arm) contact with ready-to-eat foods or are observed properly following a pre-approved alternative procedure to no bare hand contact. This item should be marked OUT of compliance if one person is observed touching ready-to-eat food with their bare hands in the absence of a prior approval and written procedures for bare hand contact. Refer to subparagraph 3-301.11(D)(1)-(7) for a listing of conditions that must be met in order to receive prior approval by the Regulatory Authority. Bare hand contact by food employees serving a Highly Susceptible Population is prohibited and no alternative to bare hand contact is allowed.
- N.A.** This item may be marked N.A. for establishments that provide only packaged, or bulk food items that are not ready-to-eat.
- N.O.** This item may be marked N.O. for establishments that prepare ready-to-eat foods only, but no food preparation is performed at the time of inspection.

Applicable Code Sections:

- 3-301.11 Preventing Contamination from Hands
3-801.11(D) Pasteurized Foods, Prohibited Re-Service, and Prohibited Foods

8. Adequate handwashing sinks, properly supplied and accessible

- IN/OUT** This item must be marked IN or OUT of compliance based on observations in determining that handwashing sinks are properly equipped and conveniently located for food employee use. This item must be marked OUT of compliance when the facility is not stocked with soap, hand drying provisions or equipped with the required signage. In addition, if the handwashing sink is not located to be available to food employees who are working in food preparation, food dispensing and warewashing areas, is blocked by portable equipment or stacked full of soiled utensils or other items, or the facility is unavailable for regular employee use, this item must be marked OUT of compliance.
- N.A.** **Do Not Mark** this item N.A.
- N.O.** **Do Not Mark** this item N.O.

Applicable Code Sections:

- 5-202.12 Handwashing Sinks, Installation
5-203.11 Handwashing Sinks-Numbers and Capacities

5-204.11	Handwashing Sinks-Location and Placement
5-205.11	Using a Handwashing Sink-Operation and Maintenance
6-301.11	Handwashing Cleanser, Availability
6-301.12	Hand Drying Provision
6-301.13	Handwashing Aids and Devices, Use Restrictions
6-301.14	Handwashing Signage

Approved Source

9. Food obtained from approved source

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food products, food labels and packaging, water analyses, and discussion with the PIC or other food employees. This item should be marked IN compliance when the regulatory authority is able to determine approved food sources. A review of supplier names, shipment invoices, buyer specification plans, molluscan shellfish tags, proof of regulatory permit/licensure of a food source, etc. can be used to document approved food sources. Milk and milk products must comply with Grade A Standards. This item should be marked OUT of compliance when an approved food source cannot be determined.

N.A. This item may be marked N.A. if shellstock, game animals or wild mushrooms are not used/offered in the establishment.

N.O. This item may be marked N.O. if shellstock, game animals or wild mushrooms are sold periodically in the establishment but are not being sold at the time of the inspection and you are unable to determine prior compliance through tags, invoices or purchase records.

Applicable Code Sections:

3-201.11	Compliance with Food Law
3-201.12	Food in a Hermetically Sealed Container
3-201.13	Fluid Milk and Milk Products
3-201.14	Fish
3-201.15	Molluscan Shellfish
3-201.16	Wild Mushrooms
3-201.17	Game Animals
3-202.13	Eggs
3-202.14	Eggs and Milk Products, Pasteurized
3-202.110	Juice Treated-Commercially Processed
5-101.13	Bottled Drinking Water

10. Food received at proper temperature

IN/OUT This item should be marked IN or OUT of compliance based on actual food temperature measurements of PHF(TCS foods) being received. This item should be marked IN compliance when food is received and found at proper temperatures during the inspection (i.e. catered meal for child care center arrives during the inspection and the regulatory authority verifies receiving temperature). This item should be marked OUT of compliance if food is received and accepted, but an actual food temperature measurement of a PHF/TCS food by the regulatory authority at the time of delivery exceeds the temperature specifications for receiving as prescribed by the Code.

N.A. This item may be marked N.A. for retail operations when the establishment receives only foods that are not PHF (TCS) food and that are not frozen.

N.O. This item may be marked N.O. if food is not received during the inspection.

Applicable Code Sections:

3-202.11	Temperature
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11. Food in good condition, safe and unadulterated

IN/OUT This item must be marked IN or OUT of compliance based on direct observations of the integrity of product packaging, wholesomeness, and signs of adulteration. This item must be marked IN compliance when a dent in a canned food has not compromised the hermetic seal; cuts made in outer cardboard packaging during opening of the case do not enter the inner product packaging; the true appearance, color, or quality of a food is not misrepresented; and food is honestly presented. This item must be marked OUT of compliance when the integrity of food packaging has been compromised or the true appearance, color, or quality of a food has been intentionally altered.

N.A. **Do Not Mark** this item N.A.

N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

3-101.11 Safe, Unadulterated and Honestly Presented

3-202.15 Package Integrity

12. Required records available: shellstock tags, parasite destruction

IN/OUT This item should be marked IN or OUT of compliance- based on direct observations of fish in storage, shellstock tags, and/or records of freezing of fish for parasite destruction. This item should be marked IN compliance if the permit holder provides a statement from supplier(s) identifying that fish sold as raw, raw-marinated or undercooked is frozen by supplier for parasite destruction; or there are freeze records maintained by the permit holder when fish are frozen for parasite destruction on the premises. This item should be marked OUT of compliance if there are no shellstock tags available, when the shellstock tags are incomplete, when there is evidence of commingling of shellstock, or when no records of freezing of fish for parasite destruction are available. Fish exempt from freezing requirements are found in paragraph 3-402.11(B).

N.A. This item may be marked N.A. when shellstock are not used in the establishment and the only fish sold as raw, raw-marinated or undercooked is the tuna species or aquacultured fish listed as exempted from freezing in the Food Code.

N.O. This item may be marked N.O. when shellstock or raw, raw-marinated and undercooked fish are sold periodically in the establishment, but are not being sold at the time of inspection and prior compliance through tags, invoices, or purchase records cannot be verified.

Applicable Code Sections:

3-202.18 Shellstock Identification

3-203.12 Shellstock, Maintaining Identification

3-402.11 Parasite Destruction

3-402.12 Records, Creation, & Retention

Protection from Contamination

13. Food separated and protected

- IN/OUT** This item should be marked IN or OUT of compliance based on direct observations of food storage and food handling practices. This item should be marked OUT of compliance when ready-to-eat foods are subject to potential contamination by raw animal foods; raw animal foods are observed not separated by type based on minimum cook temperatures by spacing or placing in separate containers; food is not packaged or covered during storage (unless in the process of cooling); or food is in contact with soiled equipment and utensils; or single-use gloves used for more than one task.
- N.A.** This item may be marked N.A. when there are no raw animal foods used in the facility and only prepackaged foods are sold.
- N.O.** This item is marked N.O. when raw animal foods are used or served seasonally and you are unable to determine compliance.

Applicable Code Sections:

- 3-302.11 Packaged and Unpackaged Food-Separation, Packaging, and Segregation
3-304.11 Food Contact with Equipment and Utensils
3-304.15(A) Gloves, Use Limitation
3-306.13(A) Consumer Self-Service Operations

14. Food-contact surfaces: cleaned and sanitized

- IN/OUT** This item must be marked IN or OUT of compliance based on direct observations of food-contact surfaces of equipment and utensils; actual measurements/readings of chemical sanitizer concentration, hot water sanitizing temperature, pH, hardness, water pressure, etc. using test strips, heat-sensitive tapes, and equipment gauges; observations of cleaning and sanitizing procedures; and discussion of cleaning and sanitizing procedures and frequency with the PIC or other food employees. This item must be marked IN compliance when manual and/or mechanical methods of cleaning and sanitizing are effective, and performed at the prescribed frequency. There should be an overall assessment of the food-contact surfaces of equipment and utensils in clean storage and in use to determine compliance. For example, this item is not marked OUT of compliance based on one visibly soiled utensil, such as a plate or knife. This item must be marked OUT of compliance when manual and/or mechanical methods of cleaning and sanitizing food-contact surfaces of equipment and utensils are ineffective, or if one multiuse piece of equipment such as a slicer or can opener is visibly soiled and being used at the time of the inspection.
- N.A.** This item may be marked N.A. only when there is no requirement to clean equipment and utensils such as when only prepackaged foods are sold.
- N.O.** **Do Not Mark** this item N.O.

Applicable Code Sections:

- 4-501.111 Manual Warewashing Equipment, Hot Water Sanitization Temperatures
4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperatures
4-501.113 Mechanical Warewashing Equipment, Sanitization Pressure
4-501.114 Manual and Mechanical Warewashing Equipment, Chemical Sanitization-Temperature, pH, Concentration and Hardness
4-501.115 Manual Warewashing Equipment, Chemical Sanitization Using Detergent-Sanitizers
4-601.11(A) Equipment, Food-Contact Surfaces, Nonfood-Contact Surfaces, and Utensils
4-602.11 Equipment Food-Contact Surfaces and Utensils-Frequency
4-602.12 Cooking and Baking Equipment
4-702.11 Before Use After Cleaning
4-703.11 Hot Water and Chemical-Methods

15. Proper disposition of returned, previously served, reconditioned, and unsafe food

IN/OUT This item must be marked IN or OUT of compliance. This item is marked OUT of compliance if food is found unsafe, adulterated, not honestly presented, from an unapproved source, or if ready-to-eat food is contaminated by employees and is not discarded or reconditioned according to an approved procedure, or if previously served unwrapped, unprotected food is observed being re-served.

N.A. Do Not Mark this item N.A.

N.O. Do Not Mark this item N.O.

Applicable Code Sections:

3-306.14 Returned Food and Re-service of Food

3-701.11 Discarding or Reconditioning Unsafe, Adulterated, or Contaminated Food

Potentially Hazardous Food (PHF) (Time Temperature Control for Safety Food) (TCS Food)

16. Proper cooking time and temperatures

NOTE: *The cooking temperatures of foods must be measured to determine compliance or noncompliance. Do not rely upon discussions with managers or cooks to make a determination of compliance or noncompliance. The temperature of raw animal foods in each species cooked during the inspection should be taken. For instance, if the facility fries chicken, scrambles eggs, bakes fish, grills hamburgers, and slow-roasts prime rib during the inspection – the cook temperatures of all of the products should be measured and recorded. Temperatures, both IN compliance and OUT of compliance, should be recorded in the “Temperature Observations” section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the “Observations and Corrective Actions” section on the second page of the inspection report. The time of inspections should be varied so that cooking can be observed.*

IN/OUT This item should be marked IN or OUT of compliance. This item should be marked OUT of compliance if the items checked do not meet the temperature requirements for cooking and the employee doing the cooking attempts to serve the product without returning the product to the cooking process. If a food is cooked below the required temperature but the facility has an approved Consumer Advisory or an approved variance with HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

N.A. This item may be marked N.A. when no raw animal foods are cooked in the establishment.

N.O. This item may be marked N.O. when you are unable to determine the cooking temperature of any food. The inspection should be arranged at an optimum time for measuring at least one cooked item.

Internal Cooking Temperature Specifications

145°F for 15 seconds	Raw eggs cooked for immediate service Fish, except as listed below	Meat, except as listed in the next 2 rows Commercially raised game animals, rabbits
155°F for 15 seconds:	Ratites (Ostrich, Rhea and Emu) Injected meats Mechanically tenderized meats	Raw eggs not for immediate service Comminuted meat, fish, or commercially raised game animals
165°F for 15 seconds:	Wild game animals Poultry	Stuffed fish, meat, pork, pasta, ratites & poultry Stuffing containing fish, meat, ratites & poultry
Whole Meat Roasts Refer to cooking charts in the <i>Food Code</i> ¶ 3-401.11(B)		

Applicable Code Sections:

- 3-401.11 Raw Animal Foods-Cooking
- 3-401.12 Microwave Cooking

17. Proper reheating procedures for hot holding

NOTE: The reheating temperatures of foods must be taken to determine compliance or noncompliance. Do not rely solely upon discussions with managers or cooks to determine compliance or noncompliance. Temperatures IN and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the “Observations and Corrective Actions” section of the inspection report.

IN/OUT This item should be marked IN or OUT of compliance based on actual temperature measurements of foods upon completion of the reheating process and prior to being placed in hot holding using a calibrated food temperature measuring device. This item should be marked OUT of compliance if the items checked are not reheated to the required temperatures or within 2 hours prior to hot holding.

N.A. This item may be marked N.A. when foods are not held over for a second service and/or reheating for hot holding is not performed in the establishment.

N.O. This item may be marked N.O. such as when foods are held over for a second service, but no foods are reheated during the time of inspection.

Applicable Code Sections:

- 3-403.11 Reheating for Hot Holding

18. Proper cooling time and temperatures

NOTE: The requirement for cooling cooked PHF (TCS) food, is that the food must be cooled from 135°F to 41°F or less in 6 hrs provided that the food is cooled from 135°F to 70°F within the first 2 hours. For example, if a facility cools chili from 135°F to 70°F in 1.5 hours; they then have 4.5 hours to get it from 70°F to 41°F or less. There are two critical limits that must be met with cooling. Discussions with the person in charge along with observations should be used to determine compliance. For instance, during discussion the person in charge says that a food product was cooled overnight in the walk-in cooler. The product is checked and the temperature is 50°F. Eight hours have elapsed from closing to opening. This item should be marked OUT because the product did not cool from 135°F to 70°F within two hours and from

135°F to 41°F or less within a total of 6 hours. Temperatures IN compliance and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the “Observations and Corrective Actions” section of the inspection report. Because the entire cooling process is difficult to observe during an inspection, at the onset of the inspection a determination of whether foods are currently being cooled should be made. If cooling is taking place, temperatures should be taken to make a determination of whether proper cooling is possible with procedures being used.

IN/OUT This item should be marked IN or OUT of compliance based on actual temperatures of PHF (TCS) foods in the cooling process. The basis for determining IN or OUT of compliance can also be supported through discussion and/or record review which would provide the inspector reliable data of the “start time” for cooling from 135°F. See above NOTE for an example of using actual temperature and discussion with the PIC in determining OUT of compliance without actually being at the establishment during the entire cooling of PHF (TCS) process, from start to finish.

N.A. This item may be marked N.A. when the establishment does **not** receive raw eggs, shellstock, or milk, prepares **no** PHF (TCS) food from ambient temperature ingredients that require cooling, and does **not** cool cooked PHF (TCS) food.

N.O. This item may be marked N.O. when the establishment does cool PHF (TCS) food, but proper cooling per the prescribed temperature and time parameters cannot be determined during the length of the inspection.

Applicable Code Sections:

3-501.14 Cooling

19. Proper hot holding temperatures

NOTE: Temperatures IN compliance and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the “Observations and Corrective Action” section of the inspection report.

IN/OUT This item should be marked IN or OUT of compliance based on actual food temperature measurements using a calibrated food temperature measuring device. This item should be marked IN compliance when the regulatory authority determines that, of the PHF/TCS FOOD temperature measurements taken during the inspection, no hot holding temperatures are less than prescribed by the Code. This item is marked OUT of compliance if one PHF/TCS FOOD is found out of temperature, unless Time as a Public Health Control (TPHC) is used for that PHF/TCS FOOD.

N.A This item may be marked N.A. when the establishment does **not** hot hold food.

N.O. This item may be marked N.O. when the establishment does hot hold foods, but no foods are being held hot during the time of inspection. Inspections should be conducted during a time when hot holding temperatures can be taken.

Applicable Code Sections:

3-501.16(A)(1) Potentially Hazardous Food (Time/Temperature Control for Safety Food), Hot and Cold Holding

20. Proper cold holding temperatures

NOTE: Temperatures IN compliance and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the “Observations and Corrective Action” section of the inspection report.

IN/OUT This item should be marked IN or OUT of compliance based on actual food temperature measurements using a calibrated food temperature measuring device. Discussions should be made with the PIC to determine if a food is in the process of cooling, TPHC is used, or there is an approved method to render a food so that it is not PHF/TCS food. This item should be marked IN compliance when the regulatory authority determines that, of the temperature measurements taken during the inspection, no cold holding temperatures are greater than prescribed by the Code. This item should be marked OUT of compliance if one PHF/TCS food is found out of temperature, with supportive evidence, unless TPHC is used for that PHF/TCS food.

N.A. This item may be marked N.A. when the establishment does not cold hold food.

N.O. This item may be marked N.O. when the establishment does cold hold food, but no foods are being held cold during the time of inspection. Inspections should be conducted during a time when hot holding temperatures can be taken.

Applicable Code Sections:

3-501.16(A)(2) and (B) Potentially Hazardous Food (Time/Temperature Control for Safety Food), Hot and Cold Holding

21. Proper date marking and disposition

IN/OUT This item should be marked IN or OUT of compliance. This item would be IN compliance when there is a system in place for date marking all foods that are required to be date marked and is verified through observation. If date marking applies to the establishment, the PIC should be asked to describe the methods used to identify product shelf-life or “consume-by” dating. The regulatory authority must be aware of food products that are listed as exempt from date marking. For disposition, mark IN when foods are all within date marked time limits or food is observed being discarded within date marked time limits or OUT of compliance, such as when date marked food exceeds the time limit or date-marking is not done.

N.A. This item may be marked N.A. when there is no ready-to-eat, PHF/TCS food prepared on-premise and held, or commercial containers of ready-to-eat, PHF/TCS food opened and held, over 24 hours in the establishment.

N.O. This item may be marked N.O. when the establishment does handle foods requiring date marking, but there are no foods requiring date marking in the facility at the time of inspection.

Applicable Code Sections:

3-501.17 Ready-To-Eat Potentially Hazardous Food (Time/Temperature Control for Safety Food Food), Date Marking

3-501.18 Ready-To-Eat Potentially Hazardous Food (Time/Temperature Control for Safety Food Food), Disposition

22. Time as a Public Health Control: procedures and records

IN/OUT This item should be marked IN or OUT of compliance based on direct observations, record review, a discussion with the PIC, and the review of any standard operating procedures to determine if the intent of the Code for use of TPHC is met. This provision only applies if it is the actual intention or conscious decision by the PIC to store PHF(TCS food) out of temperature control using TPHC; otherwise, it may be a cold or hot holding issue. This item should be marked IN compliance if there is a written procedure at the food establishment that identifies the types of food products that will be held using time only, describes the procedure for how TPHC will be implemented, and if applicable delineates how food items, previously cooked and cooled before time is used, are properly cooled; and food items (marked or identified) do not exceed the 4-hour limit at any temperature or 6-hour limit at 70°F or less. This item should be marked OUT of compliance when the PIC implies the use of TPHC but does not have an effective mechanism for indicating the point in time when the food is removed

from temperature control to the 4 or 6-hour discard time, or a written procedure or an effective mechanism for using TPHC is not present at the facility.

N.A. This item may be marked N.A. when the establishment does not use time only as the public health control.

N.O. This item may be marked N.O. when the establishment uses time only as the public health control, but is not using this practice at the time of inspection.

Applicable Code Sections:

3-501.19 Time as a Public Health Control

Consumer Advisory

23. Consumer advisory provided for raw or undercooked food

IN/OUT This item should be marked IN or OUT of compliance based on a thorough review with the PIC of the posted, written and special/daily menus, to determine if untreated shell eggs, meats, fish, or poultry are used as an ingredient or ordered as a raw, raw-marinated, partially cooked, or undercooked food. The advisory also applies to shellstock offered for sale from a retail service case. This item should be marked IN compliance if the establishment provides an advisory that meets the intent of the Food Code for both the disclosure and reminder components. This item should be marked OUT of compliance when raw or undercooked foods are served or sold and there is no consumer advisory, the food item is not **disclosed**, or there is no **reminder** statement. The consumer advisory does not exempt the requirement for freezing for parasite control, nor should it be used for foods that have only gone through the initial heating and cooling stages of a non-continuous cooking process.

N.A. This item may be marked N.A. when a food establishment does not serve a ready-to-eat food that necessitates an advisory, i.e., an animal food that is raw, undercooked, or not otherwise processed to eliminate pathogens.

N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

3-603.11 Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise Processed to Eliminate Pathogens

Highly Susceptible Population

24. Pasteurized foods used; prohibited foods not offered

NOTE: Discussions with the PIC and employees regarding whether or not certain foods are served or certain practices occur in the establishment, along with observations should be used to determine compliance.

IN/OUT This item should be marked IN or OUT of compliance based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. Violations of bare hand contact by food employees serving a highly susceptible population ¶ 3-801.11(D) is marked under Item #7. This item should be marked IN compliance if only treated/pasteurized juices/juice beverages are served; only pasteurized eggs are used in recipes if eggs are undercooked and if eggs are combined, unless there is a cook step or HACCP plan to control *Salmonella* enteritidis; no raw or partially cooked animal foods or raw seed sprouts are served; and no unopened packaged food is re-served following service to patients in medical isolation or quarantine.

N.A. This item may be marked N.A. if a highly susceptible population is not served.

N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

3-801.11(A), (B), (C), (E) and (G) Pasteurized Foods, Prohibited Re-Service, and Prohibited Food

Food/Color Additives and Toxic Substances

25. Food additives: approved and properly used

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food ingredients in storage and listed as product ingredients supplemented by discussion with the PIC. This item is marked IN compliance if approved food and color additives are on site and used properly or if sulfites are on the premises, and they are not applied to fresh fruits/vegetables for raw consumption. Approved food additives are listed and have threshold limits in accordance with the CFRs, and does not apply to food additives that are considered Generally Recognized as Safe (GRAS), such as salt, pepper, etc. This item is marked OUT of compliance if unapproved additives are found on the premises or approved additives are improperly used, such as sulfites being applied to fresh fruits or vegetables.

N.A. This item may be marked N.A. if the food establishment does **not** use any additives or sulfites on the premises.

N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

3-202.12 Additives

3-302.14 Protection from Unapproved Additives

26. Toxic substances properly identified, stored, and used; held for retail sale, properly Stored

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food labeling, storage, reconstitution, and application of bulk and working containers of cleaning agents and sanitizers, personal care items, first aid supplies, medicines, pesticides, and potential toxic and poisonous substances. This item should be marked IN compliance when bulk and working containers of cleaning agents and sanitizers are labeled; sanitizing solutions are not exceeding the maximum concentrations; personal care items, first aid supplies, medicines, and chemicals are stored separate from and not above food, equipment, utensils, linens, and single-service and single-use articles; and restricted use pesticides are applied only by or under the supervision of a certified applicator. This item should be marked OUT of compliance if a cleaning agent or sanitizer is not properly identified and stored; if a sanitizing solution has a higher concentration than prescribed and medicines and first aid kits are improperly labeled and stored.

N.A. This item may be marked N.A. if the establishment does not hold poisonous or toxic materials for retail sale.

N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

7-101.11 Identifying Information, Prominence-Original Containers

7-102.11 Common Name-Working Containers

7-201.11 Separation-Storage

7-202.11 Restriction-Presence and Use

7-202.12 Conditions of Use

7-203.11 Poisonous or Toxic Material Containers-Container Prohibitions

7-204.11 Sanitizers, Criteria-Chemicals

7-204.12 Chemicals for Washing, Treatment, Storage and Processing Fruits and Vegetables, Criteria

7-204.13 Boiler Water Additives, Criteria

7-204.14 Drying Agents, Criteria

7-205.11	Incidental Food Contact, Criteria-Lubricants
7-206.11	Restricted Use Pesticides, Criteria
7-206.12	Rodent Bait Stations
7-206.13	Tracking Powders, Pest Control and Monitoring
7-207.11	Restriction and Storage-Medicines
7-207.12	Refrigerated Medicines, Storage
7-208.11	Storage-First Aid Supplies
7-209.11	Storage-Other Personal Care Items
7-301.11	Separation-Storage and Display, Stock and Retail Sale

Conformance with Approved Procedures

27. Compliance with variance, specialized process, reduced oxygen packaging criteria or HACCP plan

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food preparation and storage, a discussion with the PIC to determine if there are specialized food processes [i.e. smoking food, curing food, reduced oxygen packaging, using food additives to render a food so that it is not PHF(TCS food), cook chill, sous vide, etc.] and the record review of standard operating procedures and HACCP documentation. This item should be marked IN compliance when observations of food operations and review of available records indicate compliance is being met with regards to specialized food processes. This item should be marked OUT of compliance if the inspection reveals specialized food processes that are not approved by the regulatory authority are performed or not conducted in accordance with the approved variance.

N.A. This item may be marked N.A. if the establishment is not required by the regulatory authority to have a variance or HACCP plan, juice is not packaged or reduced oxygen packaging is not done on the premises.

N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

3-404.11	Treating Juice
3-502.11	Variance Requirement
3-502.12	Reduced Oxygen Packaging, Criteria
4-204.110(B)	Molluscan Shellfish Tanks
8-103.12	Conformance with Approved Procedures
8-201.13	When a HACCP Plan is Required
8-201.14	Contents of a HACCP Plan

Good Retail Practices (GRPs)

D. MARKING INSTRUCTIONS FOR EACH GOOD RETAIL PRACTICE (GRP) ON THE INSPECTION REPORT

Good Retail Practices (GRPs) are systems to control basic operational and sanitation conditions within a facility, and if not controlled, they could be contributing factors to foodborne illness by introducing hazards (biological, chemical and physical), into the end product, either directly or indirectly. For example, equipment in disrepair, such as a cutting board with deep grooves/cuts, makes effective cleaning difficult or impossible, and thereby could introduce a bacterial hazard onto food that comes into contact with the board. In addition, in assessing GRPs, it is important to make an overall assessment of the conditions by looking for trends versus an isolated incident; and the potential public health impact. For example, a few missing floor tiles in a dry area may not rise to the level of a “violation”; however, missing floor tiles in an area where equipment is subject to in-place manual cleaning without the use of an enclosed clean in place (CIP) system, i.e., using pressure hoses over band saws, slicers, or mixers, could create conditions whereby a bacterial hazard could be introduced on to the food equipment. These items usually require judgment, and if uncorrected, the regulatory authority must decide whether or not these conditions would lead to potential contamination.

GRPs are the methods used in, or the facilities or controls used for, the receiving, preparation, storage, serving, packaging or holding of food which are designed to assure unsanitary conditions do not lead to the introduction of hazards or unintentional substances into the end product. The intention of this inspection form is to focus the inspector’s attention on those factors that have been shown to be most often linked with causing foodborne illness. Since the major emphasis of an inspection should be on the Risk Factors that cause foodborne illness and the Public Health interventions that have the greatest impact on preventing foodborne illness, the GRPs have been given less importance on the inspection form and a differentiation between IN, OUT, N.A. and N.O. is not made in this area, with a few exceptions noted below. For marking the GRPs section, place an “X” in the box to the left of the numbered item if a code provision under that item is **OUT** of compliance. Document each violation of the code provision for the item number in the “Observations and Corrective Actions” section on the second page of the inspection report. For items marked **OUT** of compliance, further indicate the **VIOLATION STATUS** by marking an “X” in the corresponding box: **COS** = Corrected on site during inspection and **R** = Repeat violation per the same instructions as given in the Risk Factor section. References to the appropriate Food Code provisions that can be debited under each numbered GRP item are listed in Guide 3-B.

Note: Items 30, 32, and 33 will allow for either three or four marking options. Item 30 allows for IN OUT or N.A., and items 32 and 33 allow for IN, OUT, N.A. or N.O. For marking in the GRP Section place an “A” in the box to the left of the numbered item if the code provision under that item is **not applicable** or and “O” for **not observed**.

E. TEMPERATURE OBSERVATIONS

Item/location Record the common name of the food as well as the condition, process, and location of the food at the time of monitoring e.g. hot holding, refrigerator, prep-table. Temperatures in compliance and out of compliance should be documented. If there is insufficient space for the number of temperatures taken, record the additional temperatures in the “Observations and Corrective Actions” section of the inspection report.

Food
Temperature Record the temperature indicated on the inspector’s thermometer. Specify the measurement in °F or °C. *(Note: Food temperature measuring devices that are scaled only in Fahrenheit should be accurate to ±2°F in the intended range of use. Food temperature measuring devices that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit should be accurate to ± 1°C in the intended range of use.)*

F. OBSERVATIONS AND CORRECTIVE ACTIONS

Include here specific descriptions of violations observed and recorded in the Risk Factors and Interventions section and Good Retail Practices check boxes. Also include corrective actions for the noted violations and temperatures if there is insufficient space in the allotted section for temperature recordings.

G. SIGNATURE BLOCK

Person in Charge	The PIC is the individual present at a food establishment who is responsible for the operation at the time of the inspection.
Inspector	The Inspector is the individual conducting the inspection.
Date	The date the inspection is completed.
Follow-up	The determination of whether to conduct a reinspection or other enforcement action.
Follow-up Date	The date the follow-up inspection will be conducted.

Safe Food and Water

28. Pasteurized eggs used where required

Certain menu items use eggs as an ingredient in the preparation of RTE foods, such as Caesar salad, Hollandaise sauce, etc. This is verified by discussion with the PIC and food employees regarding the substitution of pasteurized egg products for raw eggs in uncooked foods, unless allowed under ¶ 3-401.11(D)(2).

Applicable Code Section:

3-302.13 Pasteurized Eggs Substituted for Raw Eggs for Certain Recipes

29. Water and ice from approved source

There are two types of systems: Public Water System or Non-Public Water System. Regardless of its source, it must meet drinking water standards established by EPA and applicable state drinking water quality standards. If a non-public system is used as Drinking water, the water is sampled / tested at least yearly and records retained on file at the food establishment or per state regulations. Consideration must be given to the supply containers, piping, hoses, etc., connected to the APPROVED source when water is made available for mobile and/or temporary food establishment without a permanent supply.

Applicable Code Sections:

3-202.16 Ice
5-101.11 Approved System-Source
5-102.11 Standards-Quality
5-102.12 Nondrinking Water
5-102.13 Sampling
5-102.14 Sample Report
5-104.12 Alternative Water Supply

30. Variance obtained for specialized processing methods

When a Food Establishment wants to deviate from a requirement in the code, utilizes Specialized Processing Methods as specified in § 3-502.11 such as Smoking Food for Preservation, curing food etc. a variance must first be obtained from the regulatory authority. A HACCP plan may also be required as listed in ¶ 8-201.13(A) as part of the variance request.

N.A. This item may be marked N.A. if the establishment is not engaged in a specialized processing method, other operation requiring a variance and a HACCP plan or a process or processing method determined by the regulatory authority to require a variance and a HACCP plan.

Applicable Code Section:

8-103.11 Documentation of Proposed Variance and Justification

Food Temperature Control

31. Proper cooling methods used; adequate equipment for temperature control

A determination must first be made that cooling food is part of the processing step. To assess whether or not the methods used facilitate the cooling criteria specified under § 3-501.14, a discussion with the PIC should support actual observations used in cooling foods. There should be enough equipment with sufficient capacity used for the cooling, heating and hot/cold holding of foods requiring temperature control as specified in Chapter 3 to meet the demands of the operation. Observations must support the determination of compliance status. Frozen food is solid to the touch.

Applicable Code Sections:

3-501.11 Frozen Food

3-501.15 Cooling Methods

4-301.11 Cooling, Heating, and Holding Capacities-Equipment

32. Plant food properly cooked for hot holding

In determining compliance, observation along with an actual cooking temperature must be obtained.

N.A. This item may be marked N.A. if vegetables and fruits are **not** cooked for hot holding in the establishment.

N.O. This item may be marked N.O. when plant foods are cooked for hot holding, but are not available for observation during the inspection.

Applicable Code Section:

3-401.13 Plant Food Cooking for Hot Holding

33. Approved thawing methods used

Observing and then gaining an understanding of the establishment's thawing method(s) will help in determining whether a violation exists from the approved thawing methods found under § 3-501.13 as well as the level of risk imposed. Keep in mind that various food products especially those destined for deep-fat frying are often slacked (not thawed) prior to cooking.

Applicable Code Sections:

3-501.12 Potentially Hazardous Food (Time/Temperature Control for Safety Food), Slacking

3-501.13 Thawing

N.A. This item may be marked N.A. if PHF/TCS food are **not** thawed.

N.O. This item may be marked N.O. if this food is thawed, but thawing was not observed during the inspection.

34. Thermometers provided and accurate

Thermometers provide a means for assessing active managerial control of PHF/TCS food temperatures. Determine compliance by observing the in-use storage location and verifying the scaling of the temperature measuring devices in the range of use to measure food, water, or ambient air temperatures. Food thermometers must be calibrated at a frequency to ensure accuracy. Food

thermometers should be accessible for use by employees and have a probe size appropriate to the food item.

Applicable Code Sections:

- 4-203.11 Temperature Measuring Devices, Food-Accuracy
- 4-203.12 Temperature Measuring Devices, Ambient Air and Water-Accuracy
- 4-204-112 Temperature Measuring Devices-Functionality
- 4-302.12 Food Temperature Measuring Devices
- 4-502.11(B) Good Repair and Calibration

Food Identification

35. Food properly labeled; original container

Packaged foods are required to conform to specific labeling laws. Foods packaged within the food establishment must also conform to the appropriate labeling laws, with considerations given to accuracy as well as not being misleading. In addition, all major food allergens, if present, must be accurately declared on the package. Working containers and bulk foods removed from their original packaging require some level of assessment as to how recognizable the food is without labeling by its common name. Molluscan shellfish and vended PHF/TCS foods must specifically be assessed based on their specific packaging and labeling requirements.

Applicable Code Sections:

- 3-202.17 Shucked Shellfish, Packaging and Identification
- 3-203.11 Molluscan Shellfish, Original Container
- 3-302.12 Food Storage Containers Identified with Common Name of Food
- 3-305.13 Vended Potentially Hazardous Food (Time/Temperature Control for Safety Food), Original Container
- 3-601.11 Standards of Identity
- 3-601.12 Honestly Presented
- 3-602.11 Food Labels
- 3-602.12 Other Forms of Information

Prevention of Food Contamination

36. Insects, rodents and animals not Present

An assessment is made through observation and discussion with the PIC for measures taken to control the presence of pests in the food establishment, including elimination of entry points and harborage areas, and removal of pests and its evidence. Insect trapping devices must not be located over food preparation areas.

Applicable Code Sections:

- 2-403.11 Handling Prohibition-Animals
- 6-202.13 Insect Control Devices, Design and Installation
- 6-202.15 Outer Openings, Protected
- 6-202.16 Exterior Walls and Roofs, Protective Barrier
- 6-501.111 Controlling Pests
- 6-501.112 Removing Dead or Trapped Birds, Insects, Rodents and other Pest
- 6-501.115 Prohibiting Animals

37. Contamination prevented during food preparation, storage and display

The observation and understanding of the flow of food items from the point of receipt to the point of sale, service or distribution is necessary to determine whether a violation exists. Food is subject to direct and indirect sources of contamination in the establishment. Sources may be related to the working

environment, packaging, adequacy of storage facilities, and exposure of food on display to contamination (i.e. salad bars).

Applicable Code Sections:

- 3-202.19 Shellstock, Condition
- 3-303.11 Ice Used as Exterior Coolant, Prohibited as Ingredient
- 3-303.12 Storage or Display of Food in Contact with Water or Ice
- 3-304.13 Linens and Napkins, Use Limitations
- 3-305.11 Food Storage-Preventing Contamination from the Premises
- 3-305.12 Food Storage, Prohibited Areas
- 3-305.14 Food Preparation
- 3-306.11 Food Display-Preventing Contamination by Consumers
- 3-306.12 Condiments, Protection
- 3-306.13(B) and (C) Consumer Self-Service Operations
- 3-307.11 Miscellaneous Sources of Contamination
- 6-404.11 Segregation and Location-Distressed Merchandise

38. Personal cleanliness

Observation of facility personnel for clean outer clothing, effective hair restraints, prohibited jewelry and the condition or protection of fingernails must be made.

Applicable Code Sections:

- 2-302.11 Maintenance-Fingernails
- 2-303.11 Prohibition-Jewelry
- 2-304.11 Clean Condition-Outer Clothing
- 2-402.11 Effectiveness-Hair Restraints

39. Wiping cloths; properly used and stored

Wiping cloths are to be used for a designated purpose and properly used. When stored in solution, the solutions should be reasonably clean and maintained at the proper sanitizer concentration (§4-501.114). Solutions exceeding the recommended sanitizer concentrations would be marked on the Inspection Form under item no.26, Toxic substances properly identified, stored, and used. Sponges, if present, are not to be used in contact with clean/sanitized food contact surfaces.

Applicable Code Sections:

- 3-304.14 Wiping Cloths, Use Limitation
- 4-101.16 Sponges Use Limitation
- 4-901.12 Wiping Cloths, Air Drying Location

40. Washing fruits and vegetables

Chemicals are allowed for washing fruits and vegetables, along with simply washing them in water. Raw fruits and vegetables are to be washed prior to their preparation or offered as RTE. Discussion with the PIC and food employees will help determine the establishment's practice.

Applicable Code Sections:

- 3-302.15 Washing Fruits and Vegetables
- 7-204.12 Chemicals for Washing, Treatment, Storage and Processing Fruits and Vegetables, Criteria

41. In-use utensils; properly stored

Based on the type of operation, there are a number of methods available for storage of in-use utensils during pauses in food preparation or dispensing, such as in the food, clean and protected, or under running water to prevent bacterial growth. If stored in a container of water, the water temperature must be

at least 135°F. In-use utensils may not be stored in chemical sanitizer or ice between uses. Ice scoops may be stored handles up in an ice bin except for an ice machine.

Applicable Code Sections:

3-304.12 In-Use Utensils, Between-Use Storage

42. Utensils, equipment and linens; properly stored, dried, handled

An assessment is made of the overall storage practices and handling of clean equipment and utensils, including tableware located in the various areas within an establishment, including the basement, wait station and dining room. Equipment must be air dried prior to storage, and linens must be properly cleaned and stored.

Applicable Code Sections:

4-801.11 Clean Linens
4-802.11 Specifications-Laundering Frequency
4-803.11 Storage of Soiled Linens
4-803.12 Mechanical Washing
4-901.11 Equipment and Utensils, Air-Drying Required
4-903.11(A), (B) and (D) Equipment, Utensils, Linens and Single-Service and Single-Use Articles-Storing
4-903.12 Prohibitions
4-904.11 Kitchenware and Tableware-Preventing Contamination
4-904.12 Soiled and Clean Tableware
4-904.13 Preset Tableware

43. Single-use/single-service articles; properly stored, used

These items are not designed to be cleaned and re-used; therefore, they must be properly stored and protected to prevent from possible contamination. Food establishments without facilities for cleaning and sanitizing kitchenware and tableware shall provide only single-use and single-service articles.

Applicable Code Sections:

4-502.12 Single-Service and Single-Use Articles, Required Use
4-502.13 Single-Service and Single-Use Articles-Use Limitations
4-502.14 Shells, Use Limitations
4-903.11(A) and (C) Equipment, Utensils, Linens and Single-Service and Single-Use Articles-Storing
4-903.12 Prohibitions
4-904.11 Kitchenware and Tableware-Preventing Contamination

44. Gloves used properly

The observation of food preparation activities and glove-use by food employees is necessary. There should be a discussion with the PIC on how gloves are used, if applicable, in food preparation activities. Gloves may serve as a source of cross-contamination if misused.

Applicable Code Sections:

3-304.15(B)-(D) Gloves, Use Limitations

Utensils, Equipment and Vending

45. Food and non-food-contact surfaces cleanable, properly designed, constructed and used

Equipment and utensils must be properly designed and constructed, and in good repair. Proper installation and location of equipment in the food establishment are important factors to consider for ease of cleaning in preventing accumulation of debris and attractants for insects and rodents. The components in a vending machine must be properly designed to facilitate cleaning and protect food products (e.g.,

equipped with automatic shutoff, etc.) from potential contamination. Equipment must be properly used and in proper adjustment, such as calibrated food thermometers.

Applicable Code Sections:

- 3-304.16 Using Clean Tableware for Second Portions and Refills
- 3-304.17 Refilling Returnables
- 4-101.11 Characteristics-Materials for Construction and Repair
- 4-101.12 Cast Iron, Use Limitations
- 4-101.13 Lead, Use Limitation
- 4-101.14 Copper Use Limitation
- 4-101.15 Galvanized Metal, Use Limitation
- 4-101.17 Wood, Use Limitation
- 4-101.18 Nonstick Coatings, Use Limitation
- 4-101.19 Nonfood-Contact Surfaces
- 4-102.11 Characteristics-Single-Service and Single-Use
- 4-201.11 Equipment and Utensils-Durability and Strength
- 4-201.12 Food Temperature Measuring Devices
- 4-202.11 Food-Contact Surfaces-Cleanability
- 4-202.12 CIP Equipment
- 4-202.13 "V" Threads, Use Limitation
- 4-202.14 Hot Oil Filtering Equipment
- 4-202.15 Can Openers
- 4-202.16 Nonfood-Contact Surfaces
- 4-202.17 Kick Plates Removable
- 4-204.12 Equipment Openings, Closures and Deflectors
- 4-204.13 Dispensing Equipment, Protection of Equipment and Food
- 4-204.14 Vending Machine Vending Stage Closure
- 4-204.15 Bearings and Gear Boxes, Leakproof
- 4-204.16 Beverage Tubing, Separation
- 4-204.17 Ice Units, Separation of Drains
- 4-204.18 Condenser Unit, Separation
- 4-204.19 Can Openers on Vending Machines
- 4-204.110(A) Molluscan Shellfish Tanks
- 4-204.111 Vending Machines, Automatic Shutoff
- 4-204.121 Vending Machines, Liquid Waste Products
- 4-204.122 Case Lot Handling Apparatuses, Moveability
- 4-204.123 Vending Machine Doors and Openings
- 4-302.11 Utensils, Consumer Self-Service
- 4-401.11 Equipment, Clothes Washers, Dryers and Storage Cabinets, Contamination Prevention-Location
- 4-402.11 Fixed Equipment, Spacing or Sealing-Installation
- 4-402.12 Fixed Equipment, Elevation or Sealing
- 4-501.11 Good Repair and Proper Adjustment-Equipment
- 4-501.12 Cutting Surfaces
- 4-501.13 Microwave Ovens
- 4-502.11(A) and (C) Good Repair and Calibration-Utensils and Temperature and Pressure Measuring Devices
- 4-603.11 Dry Cleaning-Methods
- 4-603.17 Returnables, Cleaning for Refilling
- 4-902.11 Food-Contact Surfaces-Lubricating and Reassembling
- 4-902.12 Equipment-Lubricating and Reassembling

46. Warewashing facilities, installed, maintained, used, test strips

Adequate warewashing facilities must be available and used for the cleaning and sanitization of food-contact surfaces, including the availability of means to monitor its use and the effectiveness of sanitization. Observation of manual and mechanical warewashing methods are made to assess the procedure for cleaning and sanitizing equipment and utensils.

Applicable Code Sections:

4-203.13	Pressure Measuring Devices, Mechanical Warewashing Equipment
4-204.113	Warewashing Machine, Data Plate Operation Specifications
4-204.114	Warewashing Machines, Internal Baffles
4-204.115	Warewashing Machines, Temperature Measuring Devices
4-204.116	Manual Warewashing Equipment, Heaters and Baskets
4-204.117	Warewashing Machines, Automatic Dispensing of Detergents and Sanitizers
4-204.118	Warewashing Machines, Flow Pressure Device
4-204.119	Warewashing Sinks and Drainboards, Self-Draining
4-204.120	Equipment Compartments, Drainage
4-301.12	Manual Warewashing, Sink Compartment Requirements
4-301.13	Drainboards
4-302.13	Temperature Measuring Devices, Manual Warewashing
4-302.14	Sanitizing Solutions, Testing Devices
4-501.14	Warewashing Equipment, Cleaning Frequency
4-501.15	Warewashing Machines, Manufacturers' Operating Instructions
4-501.16	Warewashing Sinks, Use Limitation
4-501.17	Warewashing Equipment, Cleaning Agents
4-501.18	Warewashing Equipment, Clean Solutions
4-501.19	Manual Warewashing Equipment, Wash Solution Temperature
4-501.110	Mechanical Warewashing Equipment, Wash Solution Temperature
4-501.116	Warewashing Equipment, Determining Chemical Sanitizer Concentration
4-603.12	Precleaning
4-603.13	Loading of Soiled Items, Warewashing Machines
4-603.14	Wet Cleaning
4-603.15	Washing, Procedures for Alternative Manual Warewashing Equipment
4-603.16	Rinsing Procedures

47. Non-food-contact surfaces clean

Observations should be made to determine if the frequency of cleaning is adequate to prevent soil accumulations on non-food-contact surfaces.

Applicable Code Sections:

4-601.11(B) and (C)	Equipment, Food-Contact Surfaces, Nonfood-Contact Surfaces, and Utensils
4-602.13	Nonfood Contact Surfaces

Physical Facilities

48. Hot and cold water available; adequate pressure

Regardless of the supply system, the distribution of water to the facility must be protected and operated according to law. Adequate pressure is to be maintained at all fixtures during peak demand including the capacity to provide hot water at peak hot water demand.

Applicable Code Sections:

5-103.11	Capacity-Quantity and Availability
5-103.12	Pressure
5-104.11	System-Distribution, Delivery, and Retention

49. Plumbing installed; proper backflow devices

The observation of an approved plumbing system, installed and maintained, including the equipment and devices connected to the potable water supply, is necessary to determine whether a violation exists. An assessment of the layout of the establishment and the water distribution system is made to determine if there are any points at which the potable water supply is subject to contamination or is in disrepair.

Applicable Code Sections:

- 5-101.12 System Flushing and Disinfection
- 5-201.11 Approved-Materials
- 5-202.11 Approved System and Cleanable Fixtures
- 5-202.13 Backflow Prevention, Air Gap
- 5-202.14 Backflow Prevention Device, Design Standard
- 5-202.15 Conditioning Device, Design
- 5-203.13 Service Sink
- 5-203.14 Backflow Prevention Device, When Required
- 5-203.15 Backflow Prevention Device. Carbonator
- 5-204.12 Backflow Prevention Device, Location
- 5-204.13 Conditioning Device, Location
- 5-205.12 Prohibiting a Cross Connection
- 5-205.13 Scheduling Inspection and Service for a Water System Device
- 5-205.14 Water Reservoir of Fogging Devices, Cleaning
- 5-205.15 System Maintained in Good Repair
- 5-301.11 Approved-Materials, Mobile Water Tank and Mobile Food Establishment Water Tank
- 5-302.11 Enclosed System, Sloped to Drain
- 5-302.12 Inspection and Cleaning Port, Protected and Secured
- 5-302.13 "V" Type Threads, Use Limitation
- 5-302.14 Tank Vent, Protected
- 5-302.15 Inlet and Outlet, Sloped to Drain
- 5-302.16 Hose, Construction and Identification
- 5-303.11 Filter, Compressed Air
- 5-303.12 Protective Cover or Device
- 5-303.13 Mobile Food Establishment Tank Inlet
- 5-304.11 System Flushing and Sanitization-Operation and Maintenance
- 5-304.12 Using a Pump and Hoses, Backflow Prevention
- 5-304.13 Protecting Inlet, Outlet and Hose Fitting
- 5-304.14 Tank, Pump and Hoses, Dedication

50. Sewage and waste water properly disposed

There are two types of systems: public sewage treatment plant and an individual sewage disposal system. Observations of the facilities overall sewage and wastewater system is necessary to determine if a violation exists. Indications that a system is not functioning properly may include the presence of sewage back-up into the establishment or outdoors on the ground. Condensate drippage and other non-sewage wastes must be drained to a system in accordance to LAW, and backflow prevention, if required, installed between the sewage system and drain of equipment holding food or utensils. Mobile wastewater holding tanks must also be assessed for capacity and maintenance.

Applicable Code Sections:

- 5-401.11 Capacity and Drainage
- 5-402.11 Backflow Prevention
- 5-402.12 Grease Trap
- 5-402.13 Conveying Sewage
- 5-402.14 Removing Mobile Food Establishment Wastes

- 5-402.15 Flushing a Waste Retention Tank
- 5-403.11 Approved Sewage Disposal System
- 5-403.12 Other Liquid Wastes and Rainwater

51. Toilet facilities: properly constructed, supplied, clean

A toilet facility should be assessed to determine if: it is not an attractant to insects; the number of fixtures are adequate; toilet tissue and a covered trash receptacle (ladies room only) are provided; fixtures are not being kept clean; and the door self-closes to prevent recontamination of hands.

Applicable Code Sections:

- 5-203.12 Toilets and Urinals
- 5-501.17 Toilet Room Receptacle, Covered
- 6-202.14 Toilet Rooms, Enclosed
- 6-302.11 Toilet Tissue, Availability
- 6-402.11 Conveniently Located
- 6-501.18 Cleaning of Plumbing Fixtures
- 6-501.19 Closing Toilet Room Doors

52. Garbage/refuse properly disposed; facilities maintained

The assessment of the refuse collection and disposal areas for proper receptacles and maintenance is necessary to determine whether a violation exists. Since refuse areas may attract and harbor insects and pests, as well as create a public health nuisance, particular attention must be paid to the maintenance of the refuse facilities and area.

Applicable Code Sections:

- 5-501.11 Outdoor Storage Surface
- 5-501.12 Outdoor Enclosure
- 5-501.13 Receptacles
- 5-501.14 Receptacles in Vending Machines
- 5-501.15 Outside Receptacles
- 5-501.16 Storage Areas, Rooms and Receptacles, Capacity and Availability
- 5-501.18 Cleaning Implements and Supplies
- 5-501.19 Storage Areas, Redeeming Machines, Receptacles and Waste Handling Units, Location
- 5-501.110 Storage Refuse, Recyclables and Returnables
- 5-501.111 Area, Enclosures and Receptacles, Good Repair
- 5-501.112 Outside Storage Prohibitions
- 5-501.113 Covering Receptacles
- 5-501.114 Using Drain Plugs
- 5-501.115 Maintaining Refuse Areas and Enclosures
- 5-501.116 Cleaning Receptacles
- 5-502.11 Frequency-Removal
- 5-502.12 Receptacles or Vehicles
- 5-503.11 Community or Individual Facility
- 6-202.110 Outdoor refuse Areas, Curbed and Graded to Drain

53. Physical facilities installed, maintained, and clean

Observations are made of the overall conditions or practices related to the physical facility (e.g., materials used, good repair, and maintained). It is important to make an overall assessment of the physical facility conditions to determine the level of compliance and the potential public health impact involved if compliance is not met. Storage of maintenance tools, use of laundry facilities, if applicable, disposal of mop water and separate living/sleeping quarters are included in this section.

Applicable Code Sections:

4-301.15	Clothes Washers and Dryers
4-401.11(C)	Equipment, Cloths Washers and Dryers, and Storage Cabinets, Contamination Prevention
4-803.13	Use of Laundry Facilities
6-101.11	Surface Characteristics-Indoor Areas
6-102.11	Surface Characteristics-Outdoor Areas
6-201.11	Floors, Walls and Ceilings-Cleanability
6-201.12	Floors, Walls, and Ceilings, Utility Lines
6-201.13	Floor and Wall Junctures, Coved, and Enclosed or Sealed
6-201.14	Floor Carpeting, Restrictions and Installation
6-201.15	Floor Covering, Mats and Duckboards
6-201.16	Wall and Ceiling Coverings and Coatings
6-201.17	Walls and Ceilings, Attachments
6-201.18	Walls and Ceilings, Studs, Joists, and Rafters
6-202.17	Outdoor Food Vending Areas. Overhead Protection
6-202.18	Outdoor Servicing Areas, Overhead Protection
6-202.19	Outdoor Walking and Driving Surfaces, Graded to Drain
6-202.111	Private Homes and Living or Sleeping Quarters, Use Prohibition
6-202.112	Living or Sleeping Quarters, Separation
6-501.11	Repairing-Premises, Structures, Attachments, and Fixtures-Methods
6-501.12	Cleaning, Frequency and Restrictions
6-501.13	Cleaning Floors, Dustless Methods
6-501.15	Cleaning Maintenance Tools, Preventing Contamination
6-501.16	Drying Mops
6-501.17	Absorbent Materials on Floors, Use Limitation
6-501.113	Storing Maintenance Tools
6-501.114	Maintaining Premises, Unnecessary Items and Litter

54. Adequate ventilation and lighting; designated areas used

Observations should be made to ensure that the ventilation is adequately preventing an accumulation of condensation, grease or other soil from potentially contaminating food and the surrounding environment and that lights are at an adequate light intensity, and personal belongings are properly stored to maintain clean and sanitary facility and protect food and equipment.

Applicable Code Sections:

4-202.18	Ventilation Hood Systems, Filters
4-204.11	Ventilation Hood Systems, Drip Prevention
4-301.14	Ventilation Hood Systems, Adequacy
6-202.11	Light Bulbs, Protective Shielding
6-202.12	Heating, Ventilation, Air Conditioning System Vents
6-303.11	Intensity-Lighting
6-304.11	Mechanical-Ventilation
6-305.11	Designation-Dressing Areas and Lockers
6-403.11	Designated Areas-Employee Accommodations for eating / drinking/smoking
6-501.14	Cleaning Ventilation Systems, Nuisance and Discharge Prohibition
6-501.110	Using Dressing Rooms and Lockers

Chart 4-A

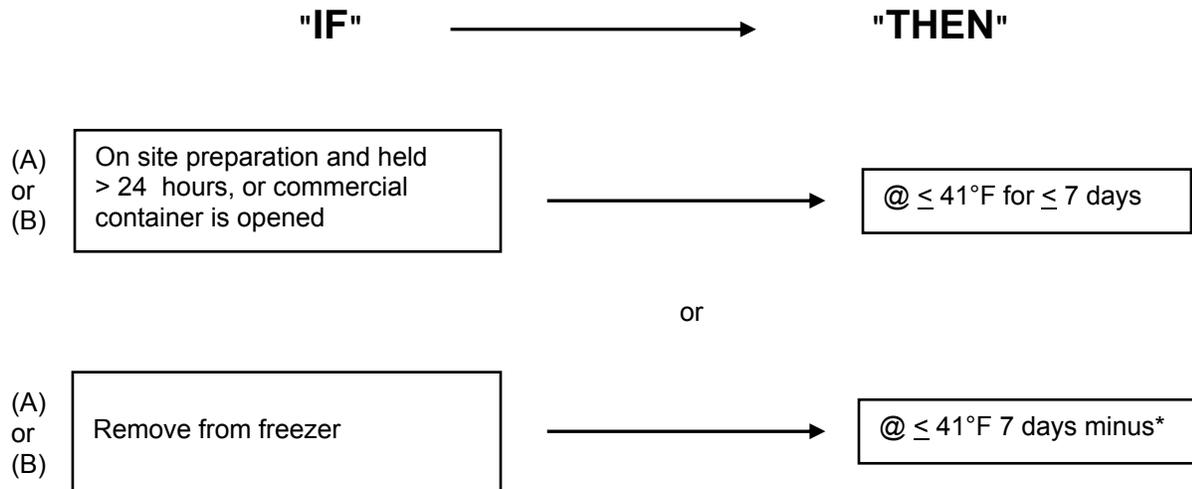
Summary Chart for Minimum Cooking Food Temperatures and Holding Times Required by Chapter 3

Food	Minimum Temperature	Minimum Holding Time at the Specified Temperature
Raw Eggs prepared for immediate service Commercially Raised Game Animals and Exotic Species of Game Animals Fish, Pork, and Meat Not Otherwise Specified in this Chart or in ¶ 3-401.11(B)	63°C (145°F)	15 seconds
Raw Eggs not prepared for immediate service Comminuted Commercially Raised Game Animals and Exotic Species of Game Animals Comminuted Fish and Meats Injected Meats Mechanically Tenderized Meats	70°C (158°F) 68°C (155°F) 66°C (150°F) 63°C (145°F)	< 1 second 15 seconds 1 minute 3 minutes
Poultry Baluts Stuffed Fish; Stuffed Meat; Stuffed Pasta; Stuffed Poultry; Stuffed Ratites Stuffing Containing Fish, Meat, Poultry, or Ratites Wild Game Animals	74°C (165°F)	15 seconds
Food Cooked in A Microwave Oven	74°C (165°F)	and hold for 2 minutes after removing from microwave oven

Chart 4-B

**Summary Chart for Minimum Food Temperatures and Holding Times
Required by Chapter 3 for Reheating Foods for Hot Holding**

Food	Minimum Temperature	Minimum Holding Time at the Specified Temperature	Maximum Time to Reach Minimum Temperature
¶ 3-403.11(A) and (D) Food that is cooked, cooled, and reheated	74°C (165°F)	15 seconds	2 hours
¶ 3-403.11(B) and (D) Food that is reheated in a microwave oven	74°C (165°F)	and hold for 2 minutes after reheating	2 hours
¶ 3-403.11(C) and (D) Food that is taken from a commercially processed, hermetically sealed container or intact package	57°C (135°F)	No time specified	2 hours
¶ 3-403.11(E) Unsliced portions of meat roasts cooked as specified under ¶ 3-401.11(B)	Same oven parameters and minimum time and temperature conditions as specified under ¶ 3-401.11(B)		Not applicable
	OR		
	Minimum and maximum time and temperature conditions listed in this chart for ¶ 3-403.11(A), and (D).		

Chart 4-C**Summary Chart****Ready-to-Eat, Potentially Hazardous Food (Time/temperature, Control for Safety Food)****Date Marking § 3-501.17(A) – (E) and Disposition § 3-501.18**

*Time from preparation, or opening commercial container, to freezing.

Example: The morning of October 1, a chicken was cooked, then cooled, refrigerated for 2 days at 41°F and then frozen. If the chicken is thawed October 10, the food must be consumed or discarded no later than midnight of October 14.

Date	Shelf Life Day	Action
Oct. 1	1	cook/cool
Oct. 2	2	cold hold at 41°F
Oct. 3		freeze
Oct. 10	3	thaw to 41°F
Oct. 11	4	cold hold
Oct. 12	5	cold hold
Oct. 13	6	cold hold
Oct. 14	7	consume or discard

Chart 4-D

FDA Food Code Mobile Food Establishment Matrix

This table is a plan review and inspectional guide for mobile food establishments based on the mobile unit's menu and operation. Mobile units range in type from push carts to food preparation catering vehicles.

To use the table, read down the columns based on the menu and operation in use. For example, if only prepackaged potentially hazardous food (time/temperature control for safety food) is served, then requirements listed in the **Potentially Hazardous (TCS food) Menu - *Prepackaged*** column apply. Likewise, if only food that is not potentially hazardous (time/temperature control for safety food) is prepared on board, then requirements listed in the **Not Potentially Hazardous Menu (TCS) - *Food Preparation*** column apply. Note that if a mobile food establishment has available for sale to the consumer both prepackaged potentially hazardous food (time/temperature control for safety food) and potentially hazardous food (time/temperature control for safety food) prepared on board, then the more stringent requirements of the **Potentially Hazardous (TCS) Menu - *Food Preparation*** column apply.

It is important to remember that mobile units may also be subject to all Food Code provisions that apply to food establishments. Consult the local regulatory authority for specific local requirements.

The local regulatory authority's decision to require auxiliary support services such as a commissary or servicing area should be based on the menu, type of operation, and availability of on-board or on-site equipment.

NOTE: The Food Code definition of "Food Establishment" does not include an establishment that offers only prepackaged foods that are not potentially hazardous (time/temperature control for safety foods).

FDA FOOD CODE MOBILE FOOD ESTABLISHMENT MATRIX			
Food Code	Potentially Hazardous Food (TCS food) Menu		Not Potentially Hazardous Food (TCS Food) Menu
<i>Areas/Chapter</i>	<i>Food Preparation</i>	<i>Prepackaged</i>	<i>Food Preparation</i>
Personnel	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)
Food	3-101.11 3-201.11-.16 3-202.16; Applicable Sections of Part 3-3; 3-501.16 3-501.18(A)	3-101.11 3-201.11-.16 3-303.12(A) 3-501.16 3-305.11; 3-305.12 (Applicable to Service Area or Commissary)	3-101.11; 3-201.11 3-202.16; Applicable Sections of Part 3-3
Temperature Requirements	3-202.11; Applicable Sections of Parts 3-4 & 3-5	3-202.11 3-501.16	NONE
Equipment Requirements	Applicable Sections of Parts 4-1 - 4-9 and 5-5	Applicable Sections of Parts 4-1 - 4-2; 4-6 and 5-5	Applicable Sections of Parts 4-1 - 4-2; 4-5 - 4-6 and 5-5
Water & Sewage	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13-.15	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13 -.15	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13-.15
Physical Facility	6-101.11; 6-201.11 6-102.11(A) & (B) 6-202.15; 6-501.11 6-501.12; 6-501.111	6-101.11 6-102.11(A) & (B) 6-202.15 6-501.111	6-101.11; 6-201.11 6-102.11(A) & (B) 6-202.15; 6-501.11 6-501.12; 6-501.111
Toxic Materials	Applicable Sections of Chapter 7	Applicable Sections of Chapter 7	Applicable Sections of Chapter 7
Servicing	6-202.18 / As necessary to comply with the Food Code	6-202.18 / As necessary to comply with the Food Code	6-202.18 / As necessary to comply with the Food Code
Compliance and Enforcement	Applicable Sections of Chapter 8 and Annex 1	Applicable Sections of Chapter 8 and Annex 1	Applicable Sections of Chapter 8 and Annex 1