



**COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
ENVIRONMENTAL HEALTH SERVICES DIVISION**

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PERMANENT FOOD FACILITY REQUIREMENTS

These requirements are from California Health and Safety Code §113700-114437, California Retail Food Code.

Approved facility

All food offered for sale or consumption for the general public must be conducted inside an approved permanent facility.*



A “food facility” means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to the following:

1. Consumption on premises, regardless of whether there is a charge for the food or not,
2. Any place used in conjunction with the operation described above including, but not limited to, storage facilities for food and food-related utensils, equipment, and materials.

No food prepared in a private home may be offered for sale or consumption by the general public, *with the exception of registered/permited Cottage Food Operations.

All food offered for sale or consumption within an approved food facility must come from approved sources.

Permit



A permit must be issued by the local health department prior to beginning any food service operation including a change of ownership of a previously permitted food service operation.

No food facility may open for business without a valid permit. Permits are subject to a fee, are nontransferable, and are valid only for the person, location, type of food sales or distribution activity, and for the time period indicated.

Permits will not be issued until the department has determined that the proposed facility and its method of operation meet the specifications of the approved plans or meet the requirements established for permanent food facilities as described below. Permits, once received, must be conspicuously located inside the permitted facility.

Facilities owned or operated by a licensed beer manufacturer, winegrower or brandy manufacturer used for the sole purpose of tasting beer, wine or brandy produced or bottled by, or produced and bottled for that licensee, when no other foods (except approved pallet cleansers) or beverages are served are exempt from permitting requirements.



Facilities that have less than 25 square feet of food display area and sell only prepackaged food that is not potentially hazardous are exempt from permitting requirements.

Plan Review



A person proposing to build or remodel a food facility must submit complete, easily readable plans drawn to scale, and specifications to the enforcement agency for review.

The construction or remodel of any intended retail food facility may not begin without prior approval from the local health department. More information is available in our Construction Guide.

Employee Knowledge/Food Safety Manager Certification/Food Handler Cards

All food employees must have adequate knowledge of, and be properly trained in, food safety as it relates to their assigned duties.



Food facilities that prepare, handle, or serve non-prepackaged potentially hazardous food must have an owner or employee who has successfully passed an approved and accredited food safety certification examination (hereafter referred to as the Food Safety Manager).

There must be at least one Food Safety Manager at each food facility. The Food Safety Manager need not always be present at the food facility. A Food Safety Manager at one food facility may not serve as the Food Safety Manager at any other food facility.

A food facility that commences operation, changes ownership, no longer has a Food Safety Manager, or where the food safety certification has expired may have 60 days to obtain/renew certification.

Food safety certification must be achieved by successfully passing an examination from an accredited food safety certification exam provider. The issuance date for each original certificate issued is the date when the individual successfully completes the examination.

Certificates are valid for five years from the date of original issuance, and must be renewed within 60 days of expiration date. The food safety certificate must be retained on file at the food facility at all times, and must be made available for inspection by the enforcement officer. Any replacement or duplicate certificate must have as its expiration date the same as was on the original certificate.



The Food Safety Manager must ensure the safety of food preparation and service by ensuring that all employees who handle non-prepackaged foods of any kind have sufficient knowledge to ensure the safe preparation and/or service of the food. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties related to food safety issues.

Food facilities that prepare, handle, or serve non-prepackaged non-potentially hazardous foods may do one of the following:

1. Have an owner or employee who has successfully passed an approved and



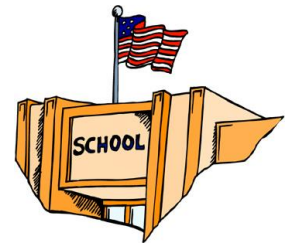
accredited food safety certification examination (Food Safety Manager),

2. Demonstrate to the enforcement officer that the employees have an adequate knowledge of food safety principles as they relate to the specific operation involved in their assigned duties.

In addition to the above requirement, each employee of a permanent food facility who is involved in the preparation, storage, or service of food must maintain a valid Food Handler Card for the duration of his/her employment as a food handler*. Food Handler Cards are valid for 3 years from the date of issuance. Unlike the Food Safety Manager Certification, which is only valid at one facility, the Food Handler Card is the property of the employee and is valid at multiple facilities of employment.

* This requirement does **not** apply to a food handler who is employed by any of the following:

- Commissaries
- Grocery and retail stores
- Licensed health care facilities
- Public and private school cafeterias
- Restricted food service facilities
- Residential facilities
- Senior nutrition programs



Supervision



A person in charge must be present at the food facility during all hours of operation.

The person in charge may be the permit holder or the permit holder may designate a person in charge. The person in charge must ensure the following:

1. Persons unnecessary to the food facility operation are not to be allowed in the food preparation, food storage, or warewashing areas,
2. Consumer access to a food facility through the food preparation area is permissible, at the discretion of the permit holder, if ready-to-eat foods are prepared in approved areas separated from sources of contamination by a space of at least three feet from the consumer and in areas that are separate from raw or undercooked foods. The route of access must be separated from the required space by a rail or wall at least three feet high or otherwise clearly delineated,
3. Consumers are notified that clean tableware is to be used when they return to self-service areas, such as salad bars and buffets.

Responsibility of the Permit Holder and Employee Health

The permit holder must ensure that all food employees fully understand the relationship between personal hygiene and food safety, including the association of hand contact, personal habits and behaviors, and food employee health to foodborne illness.



The intent of the food safety regulation is to reduce the likelihood of foodborne disease transmission by preventing any food employee who is suffering from symptoms associated with an acute gastrointestinal illness (symptoms include diarrhea and/or diarrhea with vomiting), or known to be infected with a reportable, communicable disease that is transmissible through food from engaging in the handling of food until the food employee is determined to be free of that illness or disease, or incapable of transmitting the illness or disease through food.

A reportable illness is a condition caused by any of the following infectious agents: Salmonella typhi, Salmonella spp., Shigella spp., Entamoeba histolytica, Enterohemorrhagic or shiga toxin producing Escherichia coli, Hepatitis A virus, Norovirus, or other communicable diseases transmissible through food. Patient confidentiality does not apply to the above reportable illnesses.



When the local health officer/health department is notified of an illness that can be transmitted by food in a food facility or by a food employee of a food facility, the person in charge of the food facility will be notified and the health officer/health department will investigate the conditions. After the investigation the health officer/health department may take appropriate action, and for reasonable cause, require any or all of the following measures to be taken:

1. The immediate restriction or exclusion of any employee or food employee applicant from the affected food facility,
2. The immediate closing of the food facility until, in the opinion of the health officer/health department, the identified danger of disease outbreak has been addressed. Any appeal of the closure must be made in writing within five days,
3. Any medical evaluation of any employee, including any laboratory test or procedure that may be indicated. If an employee refuses to participate in a medical evaluation, the health officer/health department may require the immediate exclusion of the refusing employee from that or any other food facility until an acceptable medical evaluation or laboratory test or procedure shows that the food employee is not infectious.

The permit holder must require food employees to report to the person in charge:

1. When diagnosed with one of the previously mentioned illnesses.
2. If a food employee has a lesion or wound that is open or draining located as follows:
 - a. On the hands, wrists or exposed portions of the arms, unless an impermeable cover, such as a finger cot or stall or cover, protects the lesion and a single-use glove is worn over the impermeable cover,
 - b. On other parts of the body, unless the lesion is covered by a dry, durable, tight-fitting bandage.

A food employee must:

1. Report to the person in charge the information stated above.
2. Comply with the exclusions or restrictions, or both.



The person in charge must notify the local health department upon becoming aware that a food employee has been diagnosed with an infectious agent, and/or when he or she is aware that two or more food employees are concurrently experiencing symptoms associated with an acute gastrointestinal illness.



The local health officer/health department will do either of the following:

1. **Exclude** a food employee from a food facility if the food employee is diagnosed with an infectious agent and the food employee is symptomatic and still considered infectious.
2. **Restrict** a food employee if the food employee is diagnosed with an infectious agent and is not

experiencing symptoms of the illness associated with that agent but is still considered infectious.

The person in charge must do either of the following:

1. **Exclude** a food employee from a food facility if the food employee is diagnosed with an infectious agent.
2. **Restrict** a food employee from working with exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles in a food facility if the food employee is suffering from symptoms of an acute gastrointestinal illness.

The person in charge may remove a restriction only if placed by the person in charge for a food employee upon the resolution of symptoms as reported by a food employee if the food employee states that he or she no longer has any symptoms of an acute gastrointestinal illness.

Only the local health officer/health department may remove exclusions and restrictions placed by the local health officer/health department related to diagnosed illnesses due to infectious agents specified after written local health officer clearance stating that the excluded or restricted food employee is no longer considered infectious.

Food from Approved Sources



Food must be obtained from sources that comply with all applicable laws. Food prepared in a private home may not be used or offered for sale in a food facility. Food in a hermetically sealed container must be obtained from a food processing plant that is regulated by the food regulatory agency that has jurisdiction over the plant.

The following must be obtained pasteurized:

1. Liquid, frozen, and dry eggs and egg products,
2. Frozen milk products, such as ice cream,
3. Fluid and dry milk and milk products complying with Grade A standard.

When properly labeled and obtained from an approved source, prepackaged raw milk and raw milk products may be dispensed and sold at retail by a food facility.

Ice for use as a food or a cooling medium must be made from potable water. Fish received for sale or service must be commercially and legally caught or harvested. Molluscan shellfish must be obtained from approved sources. Molluscan shellfish that are recreationally caught may not be received for sale or service.



Game animals must be received from an approved source. A game animal may not be received for sale or service if it is an endangered or threatened species. The enforcement agency may approve the use of legally obtained donated fish and game by nonprofit organizations authorized to serve meals to indigent persons.

Trans Fat

All food facilities must maintain on the premises the label for any food or food additive that is, or includes, any fat, oil, or shortening for as long as the product is stored, distributed, served, or used in the preparation of food within the facility. Products that contain more than 0.5 grams per serving of artificial trans fat

(including vegetable shortening, margarine, or any kind of hydrogenated vegetable oil) are prohibited from use in a food facility.

Receipt of Food



Food must be inspected upon receipt and prior to any use, storage, or resale.

Food may be accepted only if the inspection conducted upon receipt determines that the food:

1. Was prepared by and received from approved sources,
2. Is received in a wholesome condition,
3. Is received in packages that are in good condition and that protect the integrity of the contents so that the food is not exposed to adulteration or potential contaminants,
4. Is in containers and on pallets that are not infested with vermin or otherwise contaminated.

Potentially hazardous food must be checked for adherence to the temperature requirements and inspected for signs of spoilage. Refrigerated, potentially hazardous food may be received up to 45°F then must be cooled within four hours to 41°F or below.

Hot potentially hazardous food must be received at a temperature of 135°F or above. A food that is labeled frozen and shipped frozen by a food processing plant must be received frozen and accepted only if there are not visible signs of thawing or refreezing. Upon receipt, potentially hazardous food must be free of evidence of previous temperature abuse.

Transportation



Food (except prepackaged non-potentially hazardous foods) may only be transported in a manner that meets the following requirements:

1. The interior floor, sides, and top of the food holding area must be constructed of a smooth, washable, impervious material capable of withstanding frequent cleaning,
2. The food holding area must be constructed and operated so that no liquid wastes can drain onto any street, sidewalk, or premises,
3. Approved methods must be used to maintain potentially hazardous food at the required holding temperatures.

Food Preparation Area

Food preparation must be conducted within a fully enclosed food facility.

Overhead protection must be provided above all food preparation, food display, and food storage areas. Limited food preparation may be conducted within a food compartment or as approved by the enforcement agency, however all food must be thawed, washed, sliced, and cooled within an approved fully enclosed food facility.

Adequate and suitable counter space must be provided for all food preparation operations. Food must be prepared with suitable utensils and on surfaces that, prior to



use, have been cleaned, rinsed, and sanitized to prevent cross-contamination.

Consumer access to a food facility through the food preparation area is permissible, at the discretion of the permit holder, if ready-to-eat foods are prepared in approved areas separated from sources of contamination by a space of at least three feet from the consumer and in areas that are separate from raw or undercooked foods. The route of access must be separated from the required space by a rail or wall at least three feet high or otherwise clearly delineated.

Protection from Contamination



All food must be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; must be obtained from approved sources; must be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; must otherwise be fully fit for human consumption; and must conform to the applicable provisions of the Sherman Food, Drug, and Cosmetic Law.

Food must be protected from cross-contamination during transportation, storage, preparation, holding, and display by utilizing one or more of the following methods:

1. Separating raw food of animal origin from raw ready-to-eat food, including other raw food of animal origin such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as produce, and cooked ready-to-eat food,
2. Except when combined as ingredients, separating types of raw foods of animal origin from each other in the following ways:
 - a. Using separate equipment for each type,
 - b. Arranging each type of food in equipment so that cross-contamination of one type with another is prevented,
 - c. Preparing each type of food at different times or in separate areas,
 - d. Storing the food in packages, covered containers, or wrappings,
 - e. Cleaning hermetically sealed containers of food of visible soil before opening,
 - f. Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened,
 - g. Separating fruits and vegetables before they are washed, from ready-to-eat food,
 - h. Keeping products that are held in the food establishment for credit, redemption, or return to the distributor, such as damaged, spoiled, recalled food, or from which the label has been removed segregated and held in designated areas that are separated from food, equipment, utensils, linens, and single-use articles and in a manner that must prevent adulteration of other foods and must not contribute to a vermin problem.



The above does not apply to any of the following:

1. Whole, uncut, raw fruits and vegetables and nuts in the shell that require peeling or hulling before consumption,
2. Primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks,
3. Whole, uncut, processed meats, such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks,
4. Foods being cooled,

5. Shellstock.

Food must be protected from contamination that may result from the addition of unsafe or unapproved food or color additives or unsafe or unapproved levels of approved food and color additives. A food employee may not apply sulfiting agents to fresh fruits and vegetables intended for raw consumption, or to any potentially hazardous food.



Ice used as a medium for cooling the exterior surfaces of food such as melons or fish, prepackaged foods such as canned beverages, or cooling coils and tubes of equipment, must not be used as food.

Produce not intended for washing by the consumer before consumption must be thoroughly washed in potable water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, served, or offered for human consumption in ready-to-eat form. Chemicals for washing or peeling produce must meet 21 C.F.R. 173.315 requirements.



Handwashing



Food employees must keep their hands and exposed portions of their arms clean.

Food facilities handling non-prepackaged food must provide a sink **exclusively for handwashing** in food preparation areas and in warewashing areas that are not located within or immediately adjacent to food preparation areas. Handwashing facilities must be sufficient in number and conveniently located and **accessible at all times** for use by food employees.

If the distance between the handwashing sink and the warewashing sink drainboards is less than 24 inches, then the handwashing facility must be separated from the warewashing sink by a metal splashguard with a minimum height of 6 inches extending from the back edge of the drainboard to the front edge of the drainboard, with rounded corners of the barrier.



Handwashing facilities must be equipped to provide warm water (at least 100°F.) under pressure for a minimum of 15 seconds through a mixing valve or combination faucet. An automatic handwashing facility may be installed and used in accordance with the manufacturer's instructions.



Pump dispensed hand soap and sanitary single-use towels or a heated air hand-drying device must be provided in dispensers at or near each handwashing facility.

A handwashing facility must be clean, unobstructed, and accessible at all times for employee use, and may not be used for purposes other than handwashing. Employees may not clean their hands in a sink used for food preparation, warewashing, or in a service sink or a curbed cleaning facility used for the disposal of mop water and similar liquid waste.

- Handwashing facilities other than those required by this section may be allowed when deemed that the alternate facilities are adequate. If approved and capable of adequately removing hand contaminants, an automatic handwashing facility may be used by food employees to clean their hands.



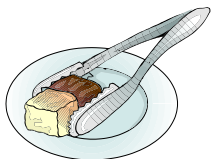
- A warewashing sink may be used for handwashing if there is no handwashing sink in the food preparation areas and if the facility was constructed prior to January 1, 1996, and has not undergone any extensive remodeling.

All employees must thoroughly wash their hands and that portion, if any, of their arms exposed to direct food contact with cleanser and warm water by vigorously rubbing together the surfaces of their lathered hands and arms for at least 10 to 15 seconds and thoroughly rinsing with clean running water followed by drying of cleaned hands and that portion, if any, of their arms exposed. Employees must pay particular attention to the areas underneath the fingernails and between the fingers.

Employees must wash their hands in all of the following instances:

1. Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils,
2. After touching bare human body parts other than clean hands and clean, exposed portions of arms,
3. After using the toilet room,
4. After caring for or handling any animal allowed in a food facility pursuant to this part,
5. After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking,
6. After handling soiled equipment or utensils,
7. During food preparation, as often as necessary, to remove soil and contamination and to prevent cross-contamination when changing tasks,
8. When switching between working with raw food and working with ready-to-eat food.
9. Before donning gloves for working with food,
10. Before dispensing or serving food or handling clean tableware and serving utensils in the food service area,
11. After engaging in other activities that contaminate the hands.

Hand sanitizer must be applied only to hands that are properly cleaned and may not replace handwashing under any circumstances.



A sign or poster that notifies food employees to wash their hands must be posted at all handwashing lavatories used by food employees, and must be clearly visible to food employees. This section does not apply to toilet rooms in guestrooms of restricted food service facilities.

Food employees must minimize bare hand and arm contact with ready-to-eat, non-prepackaged food. Food employees must use utensils, including scoops, forks, tongs, paper wrappers, gloves, or other implements, to assemble ready-to-eat food or to place ready-to-eat food on tableware or in other containers.

Food employees may assemble or place on tableware or in other containers ready-to-eat food in an approved food preparation area without using utensils if hands are properly cleaned. Food that has been served to the customer and then wrapped or prepackaged at the direction of the customer must be handled only with utensils. These utensils must be properly sanitized before reuse.

Personal Cleanliness



No employee may commit any act that results in the contamination or adulteration of food, food contact surfaces, or utensils.

All food employees preparing, serving, or handling food or utensils must wear hair restraints such as hats, hair coverings, or nets that are designed and worn to effectively keep their hair from contacting non-prepackaged food, clean equipment, utensils, linens, and unwrapped single-use articles.

The above does not apply to food employees who only serve beverages and wrapped or prepackaged foods, hostesses, and wait staff, if they present a minimal risk of contaminating non-prepackaged food, clean equipment, utensils, linens, and unwrapped single-use articles.



Food employees must wear clean outer clothing to prevent contamination of food, equipment, utensils, linens, and single-use articles. Food employee fingernails must be kept trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough.

Employees with cuts, sores, rashes, artificial nails, nail polish, rings (other than a plain ring, such as a wedding band), uncleanable orthopedic support devices, or fingernails that are not clean, smooth, or neatly trimmed must wear gloves when contacting food and food-contact surfaces.



Whenever gloves are worn, they must be changed, replaced, or washed according to the same handwashing frequency requirements as mentioned above. Single-use gloves must be used for only one task, such as working with ready-to-eat food or with raw food of animal origin, used for no other purpose, and must be discarded when damaged or soiled, or when interruptions in the food handling occur.



Only when foods are to be subsequently cooked are slash-resistant or cloth gloves used to protect the hands during operations requiring cutting acceptable for use. Slash-resistant or cloth gloves may not be used with ready-to-eat foods unless they have, or are covered with, a smooth, durable, and nonabsorbent outer surface.



While at work in a food facility, food employees experiencing persistent sneezing, coughing, or runny nose associated with discharges from the eyes, nose, or mouth, which cannot be controlled by medication, must not work with exposed food; clean equipment, utensils, or linens; or unwrapped single-use utensils.

A food employee may not use a utensil more than once to taste food that is to be sold or served. An employee may eat, drink, or use tobacco only in designated areas where contamination of non-prepackaged food; clean equipment, utensils, and linens; unwrapped single-use articles; or other items needing protection cannot result. A food employee may drink from a closed beverage container if the container is handled to prevent contamination of the employee's hands, the container, non-prepackaged food, and food-contact surfaces. Food facilities must have a "No Smoking" sign posted in the food preparation, food storage, and warewashing areas.

Hot and Cold Holding of Potentially Hazardous Foods

Potentially hazardous food must be maintained at or below 41°F, or at or above 135°F.

Exceptions:

1. During preparation, cooking, cooling, transportation to or from a retail food facility (for a period of less than 30 minutes), or when time is used as the public health control.
2. Roasts cooked to a temperature and for a time specified above may be held at a temperature of 130°F.

3. The following foods may be held up to 45°F:

- a. Raw shell eggs,
- b. Unshucked live molluscan shellfish,
- c. Pasteurized milk and pasteurized milk products in original, sealed containers,
- d. Potentially hazardous foods held for dispensing in serving and buffet lines and salad bars during periods not to exceed 12 hours in any 24-hour period,
- e. Potentially hazardous foods held for sampling at a certified farmers' market,
- f. Potentially hazardous foods held during transportation.



Diligent Preparation: When potentially hazardous food is removed from the specified holding temperatures during preparation, this **preparation may not exceed two cumulative hours** without a return to the holding temperatures specified above.

Cold and Hot Holding Equipment and Temperature Monitoring Devices

Equipment for cooling, heating, and holding food must be sufficient in number and capacity to ensure proper food temperature control during operation and transportation.

A thermometer must be provided for each refrigeration unit, affixed in the warmest part of the unit, readily visible, and easily readable.



Cold and hot holding equipment storing potentially hazardous food must have at least one integral or permanently affixed temperature measuring device, located to allow easy viewing of the device's temperature display, with a numerical scale, printed record, or digital readout in increments no greater than 2° F or over the intended range of use.



When the placement of a temperature measuring device is not a practical means for measuring the ambient air surrounding the food because of the design, type, and use of the equipment, such as calrod units, heat lamps, cold plates, bainmaries, steam tables, insulated food transport containers, and salad bars, alternative methods to monitor food temperatures is necessary.

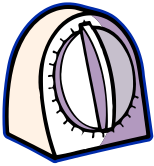
Each food facility holding potentially hazardous food must provide an accurate, easily readable, metal probe thermometer for measuring internal food temperatures and must be



accurate to +/-2° F in the intended range of use.

For thin foods such as meat patties and fish fillets, a small-diameter metal probe, designed to measure the temperature of thin masses of food must be provided and readily accessible. Food temperature measuring devices may not have sensors or stems constructed of glass, unless encased in a shatterproof coating, such as candy thermometers.

Time as a Public Health Control

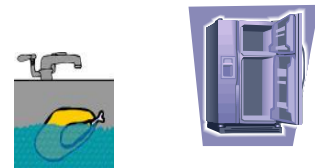


When time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of potentially hazardous food before cooking or for ready-to-eat potentially hazardous food that is displayed or held intended for immediate consumption, the following conditions must be met:

1. The food must be marked or otherwise identified to indicate the time that is four hours past the point in time when the food is removed from temperature control,
2. The food must be cooked and served, served if ready-to-eat, or discarded within four hours from the point in time when the food is removed from temperature control,
3. The food in unmarked containers or packages or marked to exceed a four-hour limit must be discarded,
4. Written procedures must be maintained in the food facility and made available to the enforcement agency upon request, that ensure compliance for food that is prepared, cooked, and refrigerated before time is used as a public health control.

Time only, rather than time in conjunction with temperature, may **not** be used as the public health control for raw eggs in the following food facilities:

1. Licensed health care facilities,
2. Public and private school cafeterias.



Food Preparation Sinks



A food preparation sink must be provided in permanent food facilities for the washing, rinsing, soaking, thawing, or similar preparation of foods.

The food preparation sink must have a minimum dimension of 18 inches in length by 18 inches in width and 12 inches in depth with an integral drainboard or adjacent table at least 18 inches in length by 18 inches in width. The food preparation sink must be located in the food preparation area, provided **exclusively for food preparation, accessible at all times** and be equipped with an hot and cold running water through a mixing valve. The enforcement officer may approve other methods where the installation of a food preparation sink would not be readily feasible.

Thawing

Frozen food must be stored and displayed in the frozen state unless being thawed. Frozen potentially hazardous food may only be thawed in one of the following ways:

1. Fully submerged for less than two hours under potable cool

running water (70°F or below) with sufficient velocity to agitate and flush off loose particles into the drain,

2. Under refrigeration which maintains a temperature of 41°F or below,
3. In a microwave oven, immediately followed by preparation,
4. As part of a cooking process.

Frozen potentially hazardous food, slacked to moderate the temperature, must be held under refrigeration maintaining the food temperature at or below 41°F.

Cooking



All ready-to-eat foods prepared at a food facility from raw or partially cooked food of animal origin must be cooked to heat all parts of the food to a temperature and for a time that complies with the following methods based on the food that is cooked:

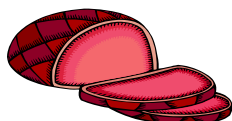
1. The following must be heated to a minimum internal temperature of **145°F for 15 seconds**:
 - a. Raw shell eggs broken, prepared and cooked to order for immediate service,
 - b. Fish,
 - c. Single pieces of meat, including beef, veal, lamb, pork, and game animals from approved sources.

2. The following must be heated to a minimum internal temperature of **155°F for 15 seconds** or to the temperature specified in the following chart that corresponds to the holding times:
 - a. Ratites (flightless birds) and injected meats,
 - b. Ground meat or any food containing ground meat,
 - c. Raw eggs and foods containing raw eggs not prepared as specified above.



Minimum Temperature (°F)	Minimum Time
145	3 minutes
150	1 minute
158	Less than 1 second (instantaneous)

3. The following must be heated to a minimum internal temperature of **165°F for 15 seconds**:
 - a. Poultry,
 - b. Ground poultry,
 - c. Stuffed fish, stuffed meat, stuffed poultry, stuffed ratites, stuffed pasta,
 - d. Stuffing containing fish, meat, poultry, or ratites.



Whole beef roasts, corned beef roasts, pork roasts, and cured pork roasts, as ham, must be cooked as specified in both of the following:

1. In an oven that is preheated to the temperature specified for the roast's weight in the following chart and that is held at that temperature:

Oven Type	Oven Temperature Based on Roast Weight	
	Less than 10 lbs.	10 lbs. or more
Still Dry	350°F or more	250°F or more
Convection	325°F or more	250°F or more
High Humidity*	250°F or less	250°F or less

* Relative humidity greater than 90% for at least 1 hour measured in the cooking chamber or exit of the oven; or in a moisture-impermeable bag that provides 100% humidity.

2. As specified in the following chart, to heat all parts of the food to a temperature and for the holding time that corresponds to that temperature:



Temperature (°F)	Time* in Minutes	Temperature (°F)	Time* in Seconds
130	112	147	134
131	89	149	85
133	56	151	54
135	36	153	34
136	28	155	22
138	18	157	14
140	12	158	0
142	8		
144	5		
145	4		

* Holding time may include post-oven heat rise.

The department may approve alternative time and temperature minimum heating requirements to thoroughly cook the foods identified in this section when the food facility or person demonstrates to the department that the alternative heating requirements provide an equivalent level of food safety.

Raw foods of animal origin cooked in a microwave oven must meet all of the following requirements:

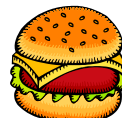
1. Be rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat,
2. Be covered to retain surface moisture,
3. Be heated to a temperature of at least 165°F in all parts of the food,
4. Stand covered for at least two minutes after cooking to obtain temperature equilibrium.

Fruits and vegetables must be cooked to a minimum temperature of 135°F for hot holding.



Pasteurized eggs or pasteurized egg products must be substituted for raw shell eggs in uncooked foods such as Caesar salad, Hollandaise or Bearnaise sauce, mayonnaise, eggnog, ice cream, and egg-fortified beverages.

Cooked and refrigerated food that is prepared for immediate service in response to an individual consumer order may be served at any temperature.



Cooling

Food prepared or heated so that it becomes potentially hazardous not immediately held at or above 135°F after heating must be rapidly cooled from 135°F to 70°F within two hours and from 70°F to 41°F or

below within four additional hours.

The rapid cooling of potentially hazardous foods must be accomplished in accordance with the time and temperature criteria specified above by using one or more of the following methods based on the type of food being cooled:

1. Placing the food in shallow pans,
2. Separating the food into smaller or thinner portions,
3. Using rapid cooling equipment,
4. Using containers that facilitate heat transfer (metal),
5. Adding ice as an ingredient,
6. Using ice paddles,
7. Inserting appropriately designed containers in an ice bath and stirring frequently,
8. In accordance with an HACCP plan,
9. Utilizing other effective means that have been approved by the enforcement agency.



When placed in cooling or cold holding equipment, food containers in which food is being cooled must be arranged to provide maximum heat transfer through the container walls, loosely covered (or uncovered if protected from overhead contamination) during the cooling period to facilitate heat transfer from the surface of the food, and when applicable, stirred frequently for even cooling.

Potentially hazardous food prepared from ingredients at ambient temperature, such as reconstituted foods and canned tuna, must be cooled to 41°F or less within four hours.

Reheating



Cooked and cooled potentially hazardous food reheated for hot holding must reach a minimum temperature of 165°F for 15 seconds in all parts of the food. Reheating for hot holding must be done rapidly, and the time the food is between 41°F and 165°F must not exceed two hours.

When using a microwave oven to reheat potentially hazardous food for hot holding, the food must be rotated or stirred, covered, and allowed to stand covered for at least two minutes after reheating.

Ready-to-eat food taken from a commercially processed, hermetically sealed container, or from an intact package from a food processing plant must be heated to a minimum temperature of 135°F for hot holding.

Remaining unsliced portions of roasts initially cooked as specified in the chart above may be reheated for hot holding using the same parameters as specified in the chart above.

In-use Utensils, Between Use Storage



During pauses in food preparation or dispensing, utensils must be stored to prevent contamination of the food item prepared or dispensed by storing utensils:

1. In the food with their handles above the top of the food and the container,
2. In food that is not potentially hazardous, with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon,
3. On a clean portion of the food preparation table or cooking equipment only if the in-use utensil and

the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized at the frequency specified below,

4. In running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes,
5. In a clean, protected location if the utensils, such as ice scoops, are used only with a food that is not potentially hazardous,
6. In a container of water if the water is maintained at a temperature of at least 135°F and the container is cleaned at least every 24 hours or at a frequency necessary to preclude the accumulation of residues.



Cleaning and Sanitizing of Equipment



Food-contact surfaces and utensils must be clean to sight and touch and kept free of encrusted grease deposits and other soil accumulations. All food facilities in which food is prepared or in which multi-service utensils and equipment are used must provide manual methods to effectively clean and sanitize utensils and food contact surfaces.

Wiping cloths used to wipe food contact equipment, such as cutting boards, commercial food slicers, food preparation tables, etc. must be stored in a sanitizing solution between uses. The following are approved sanitizers:

1. **100-ppm chlorine** solution (equivalent to two teaspoons of bleach to one gallon of water),
2. **200-ppm quaternary ammonium** solution,
3. **25-ppm iodine** solution.



Dry or wet cloths that are used with raw foods of animal origin must be kept separate from cloths used for other purposes, and wet cloths used with raw foods of animal origin must be kept in a separate sanitizing solution. Wet wiping cloths used with a freshly made sanitizing solution and dry wiping cloths must be free of food debris and visible soil. Sanitizing solutions must be replaced with a fresh solution every 4 hours or sooner if the solution becomes cloudy or if food debris or visible soil has accumulated.

Wiping cloths that are in use for cleaning food spills must not be used for any other purpose. Cloths used for wiping food spills must be used only once or must be dry and used for cleaning food spills from tableware and carryout containers only. If used repeatedly, wiping cloths must be held in a sanitizing solution of an approved concentration as specified above.

Working containers of sanitizing solutions for storage of in-use wiping cloths must be used in a manner to prevent contamination of food, equipment, utensils, linens, or single-use articles. Clean linens must be free of food residues and other soiling matter.

Cloth gloves must be laundered before being used with a different type of raw food of animal origin such as beef, lamb, pork, fish and poultry. Wet wiping cloths must be laundered daily. Dry wiping cloths must be laundered as necessary to prevent contamination of food and clean serving utensils.

Sponges may not be used in contact with food contact surfaces.

Cleaning Frequency

Equipment food-contact surfaces and utensils must be cleaned at the following times:

1. Before each use with a different type of raw food of animal origin such as beef, fish, lamb, pork, or poultry. Does not apply if the food contact surface or utensil is in contact with a succession of different raw foods of animal origin, each requiring a higher cooking temperature than the previous food, such as preparing raw fish followed by cutting raw poultry on the same cutting board,
2. Each time there is a change from working with raw foods to working with ready-to-eat foods,
3. Between uses with raw produce and with potentially hazardous food,
4. Before using or storing a food temperature measuring device,
5. At any time during the operation when contamination may have occurred.



If used with potentially hazardous food, equipment food-contact surfaces and utensils must be cleaned throughout the day at least every four hours, less if any of the following occurs:



1. Containers storing of potentially hazardous food are maintained at proper temperatures and the containers are cleaned when they are empty,
2. Utensils and equipment used to prepare food in a refrigerated room or area maintained at or below 55° F may be cleaned at the frequency corresponding to the temperature depicted in the following chart based on the ambient temperature of the refrigerated room or area. The cleaning frequency must be documented with records maintained in the food facility and made available to the enforcement agency upon request:



Temperature	Cleaning Frequency
41°F or less	24 hours
more than 41°F - 45°F	20 hours
more than 45°F - 50°F	16 hours
more than 50°F - 55°F	10 hours

3. Containers in serving situations such as salad bars, delis, and cafeteria lines that hold ready-to-eat potentially hazardous food that is maintained at the temperatures specified are intermittently combined with additional supplies of the same food that is at the required temperature, and the containers are cleaned at least every 24 hours,
4. Temperature measuring devices are maintained in contact with food, such as when left in a container of deli food or in a roast, held at the temperatures specified,
5. Equipment is used for storage of packaged or unpackaged food and the equipment is cleaned at a frequency necessary to preclude accumulation of soil residues,
6. The cleaning schedule is approved based on consideration of characteristics of the equipment and its use, the type of food involved, the amount of food residue accumulation, and the temperature at which the food is maintained during the operation, and the potential for the rapid and progressive multiplication of pathogenic or toxigenic micro-organisms that are capable of causing food borne disease,
7. In-use utensils are intermittently stored in a container of water in which the water is maintained at 135 °F or higher and the utensils and container are cleaned at least every 24 hours or at a frequency

necessary to preclude accumulation of soil residues.

When used with non-potentially hazardous food, surfaces of utensils and equipment must be cleaned in any of the following circumstances:

1. At any time when contamination may have occurred,
2. At least every 24 hours for iced tea dispensers and consumer self-service utensils such as tongs, scoops, or ladles,
3. Before restocking consumer self-service equipment and utensils such as condiment dispensers and display containers,
4. In equipment such as ice bins and beverage dispensing nozzles and enclosed components of equipment such as ice makers, cooking oil storage tanks and distribution lines, beverage and syrup dispensing lines or tubes, coffee bean grinders, and water vending equipment, at a frequency specified by the manufacturer, or, absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.

Manual Utensil Washing Procedures and Requirements



Manual utensil washing must be accomplished by using a three-compartment sink with two integral metal drainboards.

Sink compartments must be large enough to accommodate full immersion of the largest utensils and equipment. One drainboard must be attached at the point of entry for soiled equipment and utensils and one must be attached at the point of exit for cleaned and sanitized equipment and utensils.



All utensils and equipment must be precleaned, washed, rinsed, sanitized, and air-dried.

First step: Prescrape/preclean utensils and equipment. Clean and sanitize work surfaces.

First compartment, washing: Equipment, food contact surfaces, and utensils must be effectively washed to remove or completely loosen soils using an approved cleaner. The temperature of the washing solution must be maintained above 110° F.

Second compartment, rinsing: The utensils must then be rinsed in clear water.

Third compartment, sanitizing: Manual sanitization may be performed by:

1. Using one of the following chemical sanitizing solutions:
 - a. Immersion in a **100-ppm chlorine** solution for at least **30 seconds**,
 - b. Immersion in a **200-ppm quaternary ammonium** solution for at least **60 seconds**,
 - c. Immersion in a **25-ppm iodine** solution for at least **60 seconds**,
 - d. Immersion in any chemical sanitizer meeting the requirements when used in accordance with the manufacturer's use directions as specified on the product label,
2. Immersion in hot water for at least 30 seconds where the water temperature is maintained at **171°F or above**. The sanitizing compartment of the sink must be designed with an integral heating device that is capable of maintaining water at a temperature not less than 171°F and provided with a rack or basket to allow complete immersion of equipment and utensils into the hot water,
3. Mechanical hot water operations by cycling through equipment that is used in accordance with the manufacturer's specifications and achieving a utensil surface temperature of 160°F as measured by

- an irreversible registering temperature indicator,
4. Other methods may be used if approved by the enforcement agency.

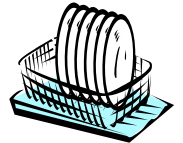


Testing equipment and materials, such as chlorine or quaternary ammonium test strips, must be provided to adequately measure the applicable sanitization method used during warewashing. The concentration of the sanitizing solution must be accurately determined to ensure proper dosage.



A temperature measuring device must be provided and readily accessible for frequently measuring the washing and sanitizing temperatures.

Final step: Air dry. After cleaning and sanitizing, equipment and utensils must be air dried or used after adequate draining before contact with food and must not be cloth dried. Thoroughly air-dried utensils may be polished with clean and dry cloths.



Alternative manual warewashing equipment may be used when there are special cleaning needs or constraints, such as when equipment is fixed or the utensils are large, and the enforcement agency has approved the use of the alternative equipment. Alternative manual warewashing equipment may include any of the following:

1. High-pressure detergent sprayers,
2. Low-or-line pressure spray detergent foamers,
3. Other task-specific cleaning equipment,
4. Brushes or other implements,
5. A two-compartment sink:
 - a. If the permit holder limits the number of utensils cleaned and sanitized in the two-compartment sink, and limits warewashing to batch operations for cleaning and sanitizing utensils, such as between cutting one type of raw meat and another or cleanup at the end of a shift, and must do all of the following:
 - i. Make up the cleaning and sanitizing solutions immediately before use and drain them immediately after use,
 - ii. Use a detergent sanitizer to clean and sanitize in accordance with the manufacturer's label instructions where there is no distinct water rinse between the washing and sanitizing steps. The agent applied in the sanitizing step must be the same detergent sanitizer that is used in the washing step,
 - iii. Use a hot water sanitization immersion step that incorporates a non-distinct water rinse,
 - b. A two-compartment sink must not be used for warewashing operations where cleaning and sanitizing solutions are used for a continuous or intermittent flow of utensils in an ongoing warewashing process.

A warewashing sink may not be used for handwashing unless the food facilities was not constructed or extensively remodeled since January 1, 1996, and where there are no facilities exclusively for handwashing in food preparation areas. If a warewashing sink is used to wash wiping cloths, produce, or thaw food, the sink must be cleaned and sanitized before and after each time it is used to wash wiping cloths or wash produce or thaw food.

Food preparation sinks, handwashing lavatories, and warewashing equipment must not be used for the cleaning of maintenance tools, the preparation or holding of maintenance materials, or the disposal of

mop water and similar liquid wastes.

Mechanical Machine Warewashing Requirements



Mechanical warewashing requires use of an approved machine installed and operated in accordance with the manufacturer's specifications. Soiled items to be cleaned must be loaded in racks, trays, or baskets or onto conveyors in a position that exposes the items to the unobstructed spray during all cycles and allows the items to drain.

The velocity, quantity, and distribution of the wash water, type, and concentration of detergent used, and the time the utensils are exposed to the water must be sufficient to clean the utensils.

Restricted food service facilities using a domestic or commercial dishwasher utilized for warewashing need only heat the surface of the utensils to a temperature of at least 160°F.

A warewashing machine must possess an easily accessible and readable data plate affixed to the machine by the manufacturer that indicates the machine's design and operating specifications, including the temperatures required for washing, rinsing, and sanitizing, the pressure required for the fresh water sanitizing rinse, and the conveyor speed for conveyor machines or cycle time for stationary rack machines.



A warewashing machine must be equipped with a temperature measuring device indicating the temperature of the water during washing and sanitizing stages. Sanitizer testing equipment and materials must also be provided and used daily to ensure proper dispensing of sanitizing solution.



Where an undercounter warewashing machine is used, there must be two metal drainboards, one for soiled equipment and utensils, and one for clean equipment and utensils, located adjacent to the machine. Using the drainboards that are part of the manual warewashing sinks if the facilities are located adjacent to the machine may satisfy this requirement.

Pot and pan washers must be equipped with drainboards as required, or must be equipped with approved alternative equipment that provides adequate and suitable space for soiled and clean equipment and utensils.

Cleaned-In-Place (CIP) Equipment



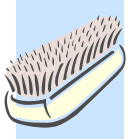
Unless in operation before July 1, 2007, CIP equipment must meet the characteristics of a food contact surface and must be designed and constructed so that cleaning and sanitizing solutions circulate throughout a fixed system and contact all interior food-contact surfaces. The system must be self-draining or capable of being completely drained of cleaning and sanitizing solutions. CIP equipment not designed for disassembling for cleaning must be designed with inspection access points to ensure that all interior food-contact surfaces throughout the fixed system are being effectively cleaned.

Criteria for use of Drying Agents

Drying agents used in conjunction with sanitization must contain only components that are listed as one of the following:

1. Generally Recognized as Safe for use in food,
2. Generally Recognized as Safe for the intended use,
3. Approved for use as a drying agent under a prior sanction,
4. Specifically regulated as an indirect food additive for use as a drying agent,
5. Approved for use as a drying agent.

Dry cleaning methods such as brushing, scraping, and vacuuming must contact only surfaces that are soiled with dry non-potentially hazardous food residues. Cleaning equipment used in dry cleaning food-contact surfaces must not be used for any other purpose. Food must only contact surfaces of equipment and utensils that are cleaned and sanitized.



Food Storage



Adequate and suitable space must be provided for the storage of food. Food must be protected from contamination by storing the food in a clean, dry location, where it is not exposed to splash, dust, vermin, or other forms of contamination or adulteration, and at least six inches above the floor.

Food in packages and working containers may be stored less than six inches above the floor on case lot handling equipment (dollies, pallets, racks, skids, etc.). Pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to moisture.



Food must not be stored in any of the following locations:

1. In locker rooms,
2. In toilet rooms,
3. In dressing rooms,
4. In refuse rooms,
5. In mechanical rooms,
6. Under sewer lines that are not shielded to intercept potential drips,
7. Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed,
8. Under open stairwells,
9. Under other sources of contamination.

Working containers holding food or food ingredients that are removed from their original packages for use in the food facility, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar, must be identified with the common name of the food, unless the food can be readily and unmistakably recognized, such as dry pasta.



Prepackaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water due to the nature of its packaging or container, or its positioning in the ice or water.



Non-prepackaged food (except whole raw fruits or vegetables, cut raw vegetables, and tofu) may not be stored in direct contact with undrained ice. Raw chicken and raw fish that are received immersed in ice in shipping containers may remain in that condition while in storage

awaiting preparation, display, service, or sale.

Products that are held by the permit holder for credit, redemption, or return to the distributor, such as damaged, spoiled, or recalled products, must be segregated and held in designated areas that are separated from food, equipment, utensils, linens, and single-use articles.

All returned or damaged food products and food products from which the label has been removed must be separated and stored in a separate area and in a manner that must prevent adulteration of other foods and must not contribute to a vermin problem.

Food and Utensil Display



Except for nuts in the shell and whole raw fruits and vegetables that are intended for hulling, peeling, or washing by the consumer before consumption, food on display must be protected from contamination by the use of packaging, counter, service line, or sneeze guards that intercept a direct line between the consumer's mouth and the food being displayed, containers with tight-fitting securely attached lids, display cases, mechanical dispensers, or other effective means.

Non-prepackaged food may be displayed and sold in bulk in other than self-service containers if both of the following conditions are satisfied:

1. A food employee serves the food directly to a consumer,
2. The food is displayed in clean, sanitary, and covered, or otherwise protected, containers.

Bulk milk container dispensing tubes must be cut on the diagonal leaving no more than one inch protruding from the chilled dispensing head.

If tableware is preset, exposed, and unused, extra settings must either be removed when a consumer is seated or cleaned and sanitized before further use.



Single-use articles and cleaned and sanitized multi-service utensils must be handled, displayed, and dispensed so that contamination of food and lip-contact surfaces is prevented. Knives, forks, and spoons that are not pre-wrapped must be presented so that employees and consumers (if consumer self-service is provided) touch the only handles.

Single-use articles that are intended for food or lip-contact must be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser. Single-use articles must not be reused. Soiled tableware must be removed from consumer eating and drinking areas and handled so that clean tableware, food, and food-contact surfaces are not contaminated.



Outdoor Food Displays



Only prepackaged non-potentially hazardous food or uncut produce may be displayed or sold outdoors when all of the following conditions are met:

1. Outdoor displays have overhead protection that extends over all food items,

2. Food items from the outdoor display are stored inside the fully enclosed food facility at all times other than during business hours,
3. Outdoor displays that have been approved by the enforcement agency,
4. Outdoor displays are under the control of the permit holder of the fully enclosed food facility and are checked periodically on a regular basis.

Condiment Protection and Reservice of Returned Food



Condiments must be protected from contamination by:

1. Being kept in dispensers that are designed to provide protection,
2. Have protected food displays provided with the proper utensils,
3. Are in original containers designed for dispensing, or individual packages or portions.

After being served or sold and in the possession of a consumer, food that is unused or returned by the consumer must not be offered as food for human consumption.

A container of non-potentially hazardous food may be transferred from one consumer to another if the food is dispensed so that it is protected from contamination and the container is closed between uses, such as a bottle containing catsup, steak sauce, or wine, or if the food, such as crackers, is in an unopened original package and is maintained in sound condition. The food must be checked on a regular basis.

Food Service



Food employees may not use tableware, including single-use articles, soiled by the consumer, to provide second portions or refills. Food employees may refill a consumer's drinking cup or container as long as there is no contact between the pouring utensil and the lip-contact area of the drinking cup or container.

Returnables, Cleaning for Refilling

Returned empty containers intended for refilling with food or beverage must be cleaned and refilled in an approved facility. Consumer-owned containers returned to the food facility for refilling may be refilled and returned to the same consumer if the container is refilled by an employee of the food facility or the owner of the container if the dispensing system includes a contamination free transfer process. Consumer-owned containers that are not food specific may be filled at a water vending machine or system.

Customer Self-Service Operations



Self-service consumers must not be allowed to use soiled tableware, including single-use articles, to obtain additional food from the display and serving equipment. Consumers must be notified to use clean tableware when they return to self-service areas such as salad bars and buffets.


Raw, non-prepackaged food of animal origin, such as beef, lamb, pork, poultry, and eviscerated fish, must not be offered for consumer self-service, unless the consumer self-service meets the following conditions:



1. Buffets or salad bars that serve ready-to-eat foods such as sushi or raw shellfish offered for

- consumer self-service,
- 2. Ready-to-cook individual portions for immediate cooking and consumption on the premises, such as consumer-cooked meats or consumer-selected ingredients for Mongolian barbecue,
- 3. Consumer self-service of raw, frozen shrimp, lobster, finfish, or scallop abductor muscle, or frozen breaded seafood.

Non-prepackaged food may be displayed in bulk for consumer self-service if all of the following conditions are satisfied:

- 1. Produce and food requiring further processing, except raw food of animal origin, may be displayed on open counters or in containers, 
- 2. Except for salad bar and buffet-type food service, a label must be conspicuously displayed in plain view of the consumer and securely attached to each self-service container, or in clear relationship to it, and must contain the information required for consumer labeling,
- 3. Nonfood items must be displayed and stored in an area separate from food.

Consumer self-service operations for ready-to-eat foods such as buffets and salad bars must be provided with a suitable food-dispensing utensil or method for each container displayed that protects the food from contamination. Food employees trained in safe operating procedures must check consumer self-service operations such as buffets and salad bars on a regular basis.




Self-service consumers may reuse drinking cups and containers if refilling of a consumer's drinking cup is done without contact between the pouring utensil and the lip contact area of the cup or container.

Employees or the consumer may refill personal take-out beverage containers, such as thermally insulated bottles, non-spill coffee cups, and promotional beverage glasses, if refilling is a contamination-free process as specified above.



Consumer self-service of non-potentially hazardous bulk beverage dispensing operations do not require enclosure during operating hours if:

- 1. The dispensing operation is installed contiguous with a permanent food facility and is operated by the food facility,
- 2. The beverages are dispensed from enclosed equipment that precludes exposure of the beverages until they are dispensed at the nozzles. The dispensing equipment actuating lever or mechanism and filling device of consumer self-service beverage dispensing equipment must be designed to prevent contact with the lip-contact surface of glasses or cups that are refilled, 
- 3. Ice and ice product are dispensed only from an ice product dispenser. Ice and ice product are not scooped or manually loaded into a dispenser out-of-doors,
- 4. Single-use utensils are protected from contamination and are individually wrapped or dispensed from approved sanitary dispensers,
- 5. The dispensing operations have overhead protection that fully extends over all equipment associated with the facility,
- 6. During non-operating hours the dispensing operations are fully enclosed so as to be protected from contamination by vermin and exposure to the elements,
- 7. The permit holder of the permanent food facility demonstrates to the enforcement agency that adequate methods are in place to properly clean and sanitize the beverage dispensing equipment,

8. Beverage dispensing operations are in compliance and have been approved by the enforcement agency,
9. Beverage dispensing operations are under the constant and complete control of the person in charge of the permanent food facility who is operating the dispensing equipment.

Consumer Information



Food must be honestly presented in a way that is not misleading or misinforming or misrepresenting the true appearance, color, or quality of the food. No misleading artificial methods such as food or color additives, colored overwraps, or lights may be used.

Food prepackaged in an approved food facility must bear a label that complies with the labeling requirements prescribed by the Sherman Food, Drug, and Cosmetic Law.

Label information must include the following:

1. The common name of the food, or absent a common name, an adequately descriptive identity statement,
2. If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the food,
3. An accurate declaration of the quantity of contents,
4. The name and place of business of the manufacturer, packer, or distributor.
5. Nutrition labeling,
6. Safe handling instructions (raw meat, poultry, and shell eggs), if applicable,
7. Identification of major allergens (if an ingredient). Listed below:

Milk	Crustacean Shellfish	Peanuts
Eggs	Tree nuts	Soybean
Fish	Wheat	



Bulk food that is available for consumer self-service must be prominently labeled with the following information in plain view of the consumer:

1. The manufacturer's or processor's label that was provided with the food,
2. A card, sign, or other method of notification that includes the information specified above.

If required by law, consumer warnings must be provided. Food facility's or manufacturer's dating information on foods may not be concealed or altered.

Every bakery product must have a protective wrapping bearing a label consistent with the above labeling requirements. Bakery products sold directly to a restaurant, catering service, retail bakery, or sold over the counter directly to the consumer by the manufacturer or bakery distributor are exempt from the labeling provisions of this section.



French style, hearth-baked, or hard-crust loaves and rolls are considered properly wrapped if contained in an open-end bag that encloses the loaves or rolls.

Chain/Franchised Establishments

Food facilities within the same state in which 20 or more establishments operate under common ownership or control or as franchised outlets of a parent company must provide menu labeling and nutritional information.

	NUTRITIONAL ANALYSIS									
	Calories	Total Fat (g)	Sodium (mg)	Total Crap (g)	Total Sugar (g)	Total Protein (g)	Total Fiber (g)	Total Fat (g)	Total Crap (g)	Total Sugar (g)
TACOS										
CARNE ASADA	57	120	30	3.5	1.5	0	150	13	9	
AL PASTOR	57	150	60	7	2.5	0	210	14	8	
CARNITAS	57	150	60	7	2.5	0	115	13	10	
CAMEZA	57	130	45	5	2	0	150	13	8	
LEONORA	57	140	60	6	2.5	0	110	13	8	
CHICKEN	57	120	35	4	1.5	0	120	13	9	
BUCHE	57	120	40	4.5	2	0	170	13	8	
MOLLEJA	57	120	40	4.5	2	0	160	13	8	
SUADERO	57	150	60	6	2	0	180	14	11	
CLAVES/VIVOS (OPTIONAL)	0	0	0	0	0	0	0	0	0	
GREEN SALSA (OPTIONAL)	7	5	0	0	0	0	60	0	0	
RED SALSA (OPTIONAL)	7	5	0	0	0	0	70	1	0	

Molluscan Shellfish

Shellstock must be obtained in containers bearing legible source identification tags or labels affixed by the harvester or each dealer that deperates, ships, or reships the shellstock.

Raw shucked shellfish must be obtained in non-returnable packages bearing a legible label identifying the name, address, and certification number of the shucker-packer or repacker of the molluscan shellfish, and for packages with a capacity of less than ½ gallon, a "sell by" or "best if used by" date, and for packages with a capacity of ½ gallon or more, the date shucked.

A package of raw shucked shellfish that does not bear a label or that bears a label that does not contain all the information required will be subject to impound. Individual dealer labels are unnecessary if the harvester's tag or label is designed to accommodate each dealer's identification.

The following information must be listed in the following order on the harvester's or dealer's tag or label:

1. The harvester's or dealer's name and address.
2. The harvester's certification number as assigned by the authority and the original shellstock shipper's certification number,
3. The date of harvesting,
4. The most precise identification of the harvest location or aquaculture site that is practicable based on the system of harvest area designations that is in use by the shellfish control authority and including the abbreviation of the name of the state or country in which the shellfish are harvested,
5. The type and quantity of shellfish,
6. The following statement in bold, capitalized type: "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY OR RETAGGED AND THEREAFTER KEPT ON FILE FOR 90 DAYS."
7. The dealer's tag or label must also indicate the original shipper's certification number, including the abbreviation of the name of the state or country in which the shellfish are harvested.



When received by a food facility, shellstock must be reasonably free of mud, dead shellfish, and shellfish with broken shells. Dead shellfish or shellstock with badly broken shells must be discarded. Molluscan shellfish must not be removed from the container in which they are received other than immediately before sale or preparation for service.



Shellstock tags must remain attached to the container in which the shellstock are received until the container is empty. If shellstock are removed from their tagged or labeled container, the identity of the source of shellstock that are sold or served must be maintained by:

1. Using a record-keeping system as required.
2. Ensuring that shellstock from one tagged or labeled container are not commingled with shellstock

from another container with different certification numbers, harvest dates, or growing areas as identified on the tag or label before being ordered by the consumer.

3. If shellstock are portioned and prepackaged, including a copy of the corresponding shellstock tag or properly labeling the package with the required shellfish information.



The identity of the source of shellstock that are sold or served must be maintained for **90 calendar days** from the dates of harvest by using an approved record-keeping system that keeps the tags or labels in **chronological order** correlated to the date or dates the shellstock are sold or served.

Unshucked and shucked shellstock may be removed from its original packaging container and displayed on drained ice or held in a display container for dispensing upon a consumer's request if the source of the shellstock on display is identified and recorded as specified above, is retained and correlated to the date when, or dates during which, the shellstock are sold or served, and the shellstock are protected from contamination.



Molluscan shellfish life-support system display tanks may not be used to display shellfish that are offered for human consumption unless the tank is operated and maintained in accordance with a HACCP plan ensuring the following:

1. Water used with fish other than molluscan shellfish does not flow into the molluscan tank.
2. Use of the tank will not compromise the safety and quality of the shellfish as received.
3. The identity of the source of the shellstock is retained.

Molluscan shellfish life support system display tanks that were in operation prior to July 1, 2007, do not need a HACCP plan.

Molluscan shellfish life-support system display tanks holding molluscan shellfish not intended for consumption must be conspicuously marked that the shellfish are for display only.

Raw, untreated, Gulf Oysters may not be offered for sale between the months of April 1 – October 31. Warning signs must be posted of if untreated raw Gulf Oysters are offered for sale between the months of November 1 – March 31. Only treatment methods approved by the California Department of Health Services Food and Drug Branch are acceptable and proof of treatment is required.

Equipment and Utensil Standards



Equipment and utensils must be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.

All new and replacement food-related and utensil-related equipment must be certified or classified for sanitation by an American National Standards Institute (**ANSI**) accredited certification program. In the absence of an applicable **ANSI** certified sanitation standard, the department will evaluate the food-related and utensil-related equipment for approval.



Restricted food service facilities are exempt from the above requirements, depending on the extent of the food service activities, and if the enforcement officer makes a determination that the equipment meets the characteristics listed above. All new and replacement electrical

appliances must meet applicable **Underwriters Laboratories (UL)** standards for electrical equipment as determined by an **ANSI** accredited certification program.

Materials used in the construction of utensils and food-contact surfaces of equipment or used to make single-use articles must not allow the migration of deleterious substances or impart colors, odors, or tastes to food and under normal use conditions must be safe, durable, corrosion-resistant, and nonabsorbent, sufficient in weight and thickness to withstand repeated warewashing, finished to have a smooth, easily cleanable surface, and resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition.

Electrical power must be supplied at all times to operate the approved exhaust, lighting, electric water heaters and refrigeration units, and any other accessories and appliances that may be installed in a food facility.

Food Contact Surfaces



Multiuse food-contact surfaces must be all of the following:

1. Smooth,
2. Free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections,
3. Free of sharp internal angles, corners, and crevices,
4. Finished to have smooth welds and joints,
5. Accessible for cleaning and inspection by one of the following methods (does not apply to cooking oil storage tanks, distribution lines for cooking oils, or beverage syrup lines or tubes):
 - a. Without being disassembled,
 - b. By disassembling without the use of tools,
 - c. By easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, open-end wrenches, and Allen wrenches.



Equipment and utensils must be kept clean, fully operative, and in good repair. Surfaces such as cutting blocks and boards that are subject to scratching and scoring must be resurfaced if they can no longer be effectively cleaned and sanitized, or discarded if they are not capable of being resurfaced.

Wood and wood wicker may not be used as a food-contact surface. Hard maple or an equivalently hard, close-grained wood may be used for cutting boards, cutting blocks, bakers' tables, utensils (rolling pins, doughnut dowels, salad bowls, chopsticks, etc.), cedar planks used for grilling or baking seafood, and wooden paddles used in confectionery operations.



Whole, uncut, raw fruits and vegetables and nuts in the shell may be kept in wood shipping containers until the fruits, vegetables, or nuts are used. Wood or wood shipping containers must be refurbished or replaced when cracked, splintered, or otherwise damaged.

Copper and copper alloys such as brass may not be used in contact with a food that has a pH below six, such as vinegar, fruit juice, or wine, or for a fitting or tubing installed between a backflow prevention device and a carbonator. Copper and copper alloys may be used in contact with beer brewing ingredients that have a pH below six in the pre-fermentation and fermentation steps of a beer brewing operation, such as a brewpub or microbrewery.

Except for hot oil cooking or filtering equipment, "V" type threads must not be used on food-contact surfaces. Cutting or piercing parts of can openers must be readily removable for cleaning and for replacement.



Food grade lubricants may only be applied to food-contact surfaces requiring lubrication in a manner that does not contaminate food or food-contact surfaces. Equipment must be reassembled after lubrication so that food contact surfaces are not contaminated.

Nonfood-Contact Surfaces

Nonfood-contact surfaces of equipment must be kept free of accumulated dust, dirt, food residue, and other debris and, when exposed to food soiling so that frequent cleaning is required, must be constructed of a corrosion-resistant, nonabsorbent, smooth material and free of unnecessary ledges, projections, and crevices to allow for easy cleaning.

All premises of a food facility must be kept clean fully operative, in good repair and must be free of litter and items unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.

Equipment: Maintenance and Operation, and Installation and Location

Clean equipment, utensils, and linens, and single-use articles must be stored in a clean, dry location where they are not exposed to splash, dust, or other contamination, and at least six inches above the floor. Items that are kept in closed packages may be stored less than six inches above the floor on dollies, pallets, racks, and skids that are designed as to be easily movable. **Single-use articles must be kept in the original protective package or stored to ensure protection from contamination.**

Equipment, cabinetry used for the storage of food, or cabinetry used to store cleaned and sanitized equipment, utensils, laundered linens, and single-use articles that are not packaged or in storage compartments may not be in located any of the following areas:

1. In locker rooms,
2. In toilet rooms,
3. In refuse rooms,
4. In mechanical rooms,
5. Under sewer lines that are not shielded to intercept potential drips,
6. Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed,
7. Under open stairwells,
8. Under other sources of contamination.



Equipment that is fixed because it is not easily movable must be installed so that it is:

1. Spaced to allow access for cleaning along the sides, behind, and above the equipment.
2. Spaced from adjoining equipment, walls, and ceilings a distance of not more than one millimeter or 1/32 inch.
3. Sealed to adjoining equipment or walls, if the equipment is exposed to spillage or seepage.

Non-easily movable, floor-mounted equipment must be sealed to the floor or elevated on legs providing a minimum six-inch clearance from the floor to the equipment base.

The above does not apply to display shelving units, display refrigeration units, and display freezer units located in the consumer shopping areas of a food facility if the floor under the units is maintained clean.

Non-easily movable, table-mounted equipment must be installed to allow cleaning of the equipment and areas underneath and around the equipment by being sealed to the table or elevated on legs providing a minimum four-inch clearance from the table to the equipment base.



Dollies, pallets, racks, and skids used to store and transport large quantities of prepackaged foods received from a supplier in a cased or overwrapped lot must be easily movable by hand or conveniently available hand trucks or forklifts.

Beverage tubing and cold-plate beverage cooling devices may not be installed in contact with stored ice intended for consumption in food or beverages unless the cold plates is constructed integrally with an ice storage bin.

Liquid waste drain lines must not pass through an ice machine or ice storage bin.

All pressurized cylinders must be securely fastened to a rigid structure.

No fogging devices installed after July 1, 2007 may use a reservoir for holding water for fogging, but must employ water under pressure for fogging or misting of foods.

Linens



Adequate and suitable space must be provided for the storage of clean linens. Soiled linens must be kept in clean, nonabsorbent receptacles or clean, washable laundry bags and stored and transported to prevent contamination of food, clean equipment, clean utensils, and single-use articles.

Linens must not be used in contact with food unless they are used to line a container for the service of foods and the linens are replaced each time the container is refilled for a new consumer and laundered prior to reuse.

Linens that do not come in direct contact with food must be laundered when they become wet, sticky, or visibly soiled. Cloth napkins must be laundered between each use.

Laundry facilities on the premises of a food facility may be used only for the washing and drying of items used in the operation of the establishment.



If work clothes or linens are laundered on the premises, a mechanical clothes washer and dryer must be provided and used. The location must secure protection from contamination and may only be located where there is no exposed food, clean equipment, utensils, and linens, or unwrapped single-use articles.

Structural Requirements

A permanent food facility must be fully enclosed by permanent floors, walls, and overhead structure that meets the minimum standards described below, unless the operation is approved for outdoor food service.

Floors



Floor surfaces in all areas in which food is prepared, prepackaged, or stored, where any utensil is washed, where refuse or garbage is stored, where janitorial facilities are located, in all toilet and handwashing areas, and in employee change and storage areas must be smooth and of durable construction and nonabsorbent material that is easily cleanable.

Floor surfaces must be coved at the juncture of the floor and wall with a 3/8-inch minimum radius coving and must extend up the wall at least 4 inches, except in areas where food is stored only in unopened bottles, cans, cartons, sacks, or other original shipping containers.

Sales areas, areas relating to guestroom accommodations, and the private accommodations of owners and operators in restricted food service facilities are exempt from the above requirement.

Only dustless methods of cleaning may be used in food facilities. Spills or drippage on floors that occur between normal floor cleaning times may be cleaned without the use of dust-arresting compounds and, in the case of liquid spills or drippage, with the use of a small amount of absorbent compound such as sawdust or diatomaceous earth applied immediately before spot cleaning.

Upon new construction or extensive remodeling, floor drains must be installed in floors that are water-flushed for cleaning and where pressure spray methods for cleaning equipment are used. Floor surfaces in areas with floor drains must be sloped 1:50 to the drain. Floor sinks or equivalent devices must be installed to receive discharges of water or other liquid waste from equipment.

Walls and Ceilings



The walls and ceilings of all rooms must have durable, smooth, nonabsorbent, and easily cleanable surfaces.

The following areas are exempt from the above requirements:

1. Walls and ceilings of bar areas in which alcoholic beverages are sold or served directly to the consumers, except wall areas adjacent to bar sinks and areas where food is prepared,
2. Areas where food is stored only in unopened bottles, cans, cartons, sacks, or other original shipping containers,
3. Dining and sales areas,
4. Offices,
5. Restrooms that are used exclusively by the patrons, except that the walls and ceilings in the restrooms must be of a nonabsorbent and washable surface.

Approved acoustical paneling may be used if installed a minimum of six feet above the floor. Conduits must be installed within walls or be mounted or enclosed so as to facilitate cleaning.

Attachments to walls and ceilings, such as light fixtures, mechanical room ventilation system components, vent covers, wall mounted fans, decorative items, etc., must be easily cleanable.

Open-Air Barbecue



An enclosure of an open-air barbecue or outdoor wood-burning oven is not required if the enforcement officer determines that the barbecue or wood-burning oven meets all of the following requirements:

1. The open-air barbecue or outdoor wood-burning oven is operated on the same premises as, in reasonable proximity to, and in conjunction with, a permanent food facility that is approved for food preparation, or a temporary food facility or a mobile food facility operating at a community event, and must be operated under the same permit. The permit holder must be responsible for ensuring that it is operated in full compliance,
2. The open-air barbecue or outdoor wood-burning oven is not operated in, or out of, any motor vehicle, or in any area or location that may constitute a fire hazard,
3. The open-air barbecue or outdoor wood-burning oven is separated from public access to prevent food contamination or injury to the public by using ropes or other approved methods,
4. If the open-air barbecue or outdoor wood-burning oven is a permanent structure, it must be equipped with an impervious and easily cleanable floor surface that extends a minimum of five feet from the open-air barbecue or outdoor wood-burning oven facility on all open sides,
5. Sanitary facilities, including, but not limited to, toilet facilities and handwashing facilities must be available for use within 200 feet in travel distance of the open-air barbecue or outdoor wood-burning oven and must comply with all provisions listed.

Ventilation



The food facility must have sufficient ventilation to facilitate proper food storage and to provide a reasonable condition of comfort for employees, consistent with the job performed.

Mechanical exhaust ventilation must be provided over all cooking equipment to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.

All mechanical exhaust ventilation equipment must be installed and maintained in accordance with the California Mechanical Code. Makeup air must be provided at the rate of that exhausted.

Restricted food service facilities are exempt, but must still provide ventilation to remove gases, odors, steam, heat, grease, vapors and smoke from the food facility. In the event that the department determines that the ventilation must be mechanical in nature, the ventilation must be accomplished by methods approved by the department.

Equipment submitted to the local health department for evaluation, and determined by the department to not produce toxic gases, smoke, grease, vapors, or heat when operated per manufacture recommendation, may be exempt from the above ventilation requirements. The local enforcement agency may recognize a

testing organization to perform any necessary evaluations.

Hood design must ensure prevention of condensation or grease from draining or dripping onto food, equipment, utensils, linens, and single-use articles and installation must provide for thorough cleaning of all interior and exterior surfaces.



Filters or other grease extracting equipment must be readily removable for cleaning and replacement if not designed for cleaning in place. Every joint and seam must be substantially tight. No solder must be used, except for sealing a joint or seam. When grease gutters are provided they must drain to a collecting receptacle readily accessible for cleaning.

Exhaust hood ducting must meet the following requirements:

1. All seams in the duct must be completely tight to prevent the accumulation of grease,
2. The ducts must have sufficient clean-outs to make the ducts readily accessible for cleaning,
3. All ducts in the exhaust system must be properly sloped,
4. Intake and exhaust air ducts must be cleaned and filters changed so they are not a source of contamination by dust, dirt, and other materials.

Heating, ventilating, and air conditioning systems must be designed and installed so that make-up air intake and exhaust vents do not cause contamination of food, food-contact surfaces, equipment, or utensils and do not create air currents that cause difficulty in maintaining the required temperatures of potentially hazardous foods.

Lighting



In rooms and areas where food is prepared, manufactured, processed, or prepackaged, or where equipment or utensils are cleaned, sufficient natural or artificial lighting must be provided to produce the following light intensity, while the area is in use:

1. At least 10-foot candles at a distance of 30 inches above the floor, in walk-in refrigeration units and dry food storage areas.
2. At least 20-foot candles for the following:
 - a. At a surface where food is provided for consumer self-service or where fresh produce or prepackaged foods are sold or offered for consumption.
 - b. Inside equipment such as reach-in and under-counter refrigerators.
 - c. At a distance of 30 inches above the floor in areas used for handwashing, warewashing, and equipment and utensil storage, and in toilet rooms.
3. At least 50-foot candles at a surface where a food employee is working with food or working with utensils or equipment such as knives, slicers, grinders, or saws where employee safety is a factor and in other areas and rooms during periods of cleaning.



Light bulbs must be shielded, coated, or otherwise shatter-resistant in areas where there is non-prepackaged ready-to-eat food, clean equipment, utensils, and linens, or unwrapped single-use articles.

Shielded, coated, or otherwise shatter-resistant bulbs need not be used in areas used only for storing prepackaged food in unopened packages, if the integrity of the packages cannot be affected by broken glass

falling onto them and the packages are capable of being cleaned of debris from broken bulbs before the packages are opened.

Infrared and other heat lamps must be protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed, or by using approved coated shatter resistant bulbs.

Employee Storage Areas

Areas designated for employees to eat and drink must be located so that food, equipment, linens, and single-use articles are protected from contamination. Lockers or other suitable facilities must be located in a designated room or area where contamination of food, equipment, utensils, linens, and single-use articles cannot occur.

Lockers or other suitable facilities must be provided and used for the orderly storage of employee clothing and other possessions. Restricted food service facilities and nonpermanent food facilities must not be required to comply, but no person must store clothing or personal effects in any area used for the storage and preparation of food. Dressing rooms or dressing areas must be provided and used by employees if the employees regularly change their clothes in the facility.



First Aid Supplies



Medicines that are in a food facility for the employees' use must be labeled and stored so as to prevent the contamination of food, equipment, utensils, linens, and single-use articles. This section does not apply to medicines that are stored or displayed for retail sale.

First aid supplies that are in a food facility for the employees' use must be labeled with a legible manufacturer's label and stored in a kit or a container that is located to prevent the contamination of food, equipment, utensils, linens, and single-use articles.

Vermin and Animals



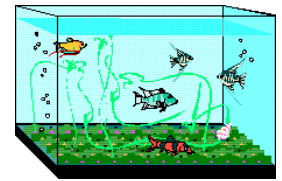
The premises of each food facility must be kept free of vermin (rodents and insects) and must be constructed, equipped, maintained, and operated at all times as to prevent the entrance and harborage of animals, birds, and vermin.

Passthrough window service openings must be limited to 1.5 square feet each. The service openings must not be closer together than 18 inches. Each opening must be provided with a solid or screened window, equipped with a self-closing device. Screening must be at least 16 mesh per square inch. Passthrough windows of up to 3 square feet are approved if equipped with an air curtain device. The counter surface of the service openings must be smooth and easily cleanable.



Insect control devices that are used to electrocute or stun flying insects must be designed to retain the

insect within the device. Insect control devices must be installed so that the devices are not located over a food or utensil handling area and dead insects and insect fragments are prevented from being impelled onto or falling on non-prepackaged food, clean equipment, utensils, linens, and unwrapped single-use articles.



Live animals may not be allowed in a food facility except in any of the following situations, if the contamination of food, clean equipment, utensils, linens, and unwrapped single-use articles cannot result:

1. Edible fish or decorative fish in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacean in display tank systems,
2. Live animals intended for consumption if kept separate from all food and utensil handling areas, held in sanitary conditions, are slaughtered in a separate room designed solely for that purpose and separated from other food and utensil handling areas, and are maintained in an area that has ventilation separate from food and utensil handling areas,
3. Dogs under the control of a uniformed law enforcement officer or of uniformed employees of private patrol operators and operators of a private patrol service who are licensed, while acting within the course and scope of their employment as private patrol persons,
4. In areas not used for food preparation and usually open for consumers, such as dining and sales areas, service animals that are controlled by a disabled employee or person, if no health or safety hazard will result from the presence or activities of the service animal,
5. Pets in the common dining areas of restricted food service facilities at times other than during meals if all of the following conditions are satisfied:
 - a. Effective partitioning and self-closing doors separate the common dining areas from food storage or food preparation areas,
 - b. Condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining areas when pets are present,
 - c. Dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service.
6. In areas not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly restricted, such as in a variety store that sells pets or a tourist park that displays animals,
7. If kept at least 20 feet (6 meters) away from any mobile food facility, temporary food facility, or certified farmers' market.



Those persons and operators described in paragraphs (3) and (4) are liable for any damage done to the food facility by the dog. Live or dead fish bait may be stored if food, clean equipment, utensils, linens, and unwrapped single-use articles contamination cannot result.

Food employees may not care for or handle animals that may be present, such as patrol dogs, service animals, or allowed pets. Food employees may care for fish in aquariums or molluscan shellfish or crustacea in display tanks and employees with service animals may handle or care for their service animals if they wash their hands as required.

Toilet Facilities



Clean toilet rooms with handwashing facilities in good repair must be provided, conveniently located and accessible for use by employees during all hours of operation. When there is onsite consumption of foods, clean toilet facilities in good repair must

also be provided for consumers, guests, or invitees.

A food facility constructed before January 1, 2004 with onsite food consumption is not required to provide toilet facilities for consumer, guest or invitee use as long as a sign stating that toilet facilities are not provided is prominently posted in a public area.

Toilet facilities that are provided for use by consumers, guests, or invitees must be in a location where consumers, guests, and invitees do not pass through food preparation, food storage, or utensil washing areas to reach the toilet facilities.



The number of toilet facilities required is dependent applicable local building and plumbing ordinances. Toilet tissue must be provided in a permanently installed dispenser at each toilet.

Doors leading into toilet rooms must be well fitted and self-closing to prevent the passage of flies, dust, or odors and must be kept closed except during cleaning and maintenance operations. Toilet rooms may not be used for the storage of food, equipment, or supplies.

Toilet rooms must be vented to the outside air by means of an openable, screened window, an airshaft, or a light-switch-activated exhaust fan.



A food facility with more than 20,000 square feet of floor space must provide at least one separate toilet facility for men and for women.



Food facilities located within amusement parks, stadiums, arenas, food courts, fairgrounds, and similar premises are not required to provide toilet facilities for employee use within each food facility if approved toilet facilities are located within 200 feet in travel distance of each food facility and are readily available for use by employees. Food facilities subject to this section must be provided with approved handwashing facilities for employee use.

Poisonous and Toxic Materials



Only those insecticides, rodenticides, and other pesticides that are necessary and specifically approved for use in a food facility may be used. The use must be in accordance with the manufacturer's instructions.

Containers of poisonous or toxic materials and personal care items must bear a legible manufacturer's label. Working containers used for storing poisonous or toxic materials such as cleaners and sanitizers taken from bulk supplies must be clearly and individually identified with the common name of the material.

Poisonous or toxic materials must be stored or displayed so they can not contaminate food, equipment, utensils, linens, and single-use articles by separating the poisonous or toxic materials by spacing or partitioning and locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-use articles.

Equipment and utensil cleaners and sanitizers may be stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and

single-use articles. A container used to store poisonous or toxic materials may not be reused to store, transport, or dispense food, utensils, or single-use articles.

Janitorial Facilities



At least one curbed cleaning facility or janitorial sink equipped with a drain must be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.

Restricted food service facilities are exempt, if hot water is available for janitorial purposes and wastewater from janitorial activities is disposed of through an approved sewage disposal system.

A room, area, or cabinet separated from any food preparation or storage area, or warewashing or storage area must be provided for the storage of cleaning equipment and supplies. After use, mops must be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.



Water, Plumbing and Waste

An adequate, protected, pressurized, potable supply of hot water and cold water must be provided. The water supply must be from a water system approved by the health officer or the local enforcement agency.



The water source and system must be of sufficient capacity to meet the peak water demands of the food facility. Hot water generation and distribution systems must be sufficient to meet the peak hot water demands throughout the food facility.



Hot water must be supplied at a minimum temperature of at least 120°F measured from the faucet. A food facility may provide only warm water (100°F) if the water supply is used only for handwashing.

Water under sufficient pressure must be permanently plumbed to all fixtures, equipment, and nonfood equipment requiring the use of water.

All plumbing and plumbing fixtures must be installed in compliance with applicable local plumbing ordinances, must be maintained so as to prevent any contamination, and must be kept clean, fully operative, and in good repair.

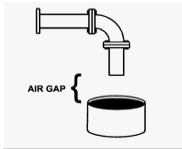
The potable water supply must be protected with a backflow or back siphonage protection device when required by applicable plumbing codes. Exposed piping of a non-potable water system must be identified so that it is readily distinguishable from piping that carries potable water.



All steam tables, ice machines and bins, food preparation sinks, warewashing sinks, display cases, walk-in refrigeration units, reach-in refrigeration units (without installed and functioning evaporators) and other similar equipment that discharge liquid waste must be sloped to an outlet that allows for complete draining by means of indirect waste pipes, and all wastes drained by them must discharge through an air gap into a floor sink or other approved type of receptor. Indirect waste receptors must be located to be



readily accessible for inspection and cleaning.



An air gap between the water supply inlet or waste drain line and the flood level rim of the plumbing fixture, equipment, or nonfood equipment must be at least twice the diameter of the inlet or drainage pipe and may not be less than one inch.

Warewashing machines may be connected directly to the sewer immediately downstream from a floor drain, or they may be drained through an approved indirect connection. Warewashing sinks will not be required to be indirectly plumbed when the local building official determines that the sink should be directly plumbed.

Liquid Waste

Liquid waste must be disposed of through the approved plumbing system and must discharge into the public sewer or into an approved private sewage disposal system.

If provided, a grease trap or grease interceptor may not be located in a food or utensil handling area unless specifically approved by the enforcement agency. Grease traps and grease interceptors must be easily accessible for servicing.



Refuse



Each food facility must be provided with facilities and equipment necessary to store and dispose of all waste material. Waste receptacles must be provided in each area of the food facility where refuse is generated or commonly discarded, or where recyclables or returnables are placed, and must be provided for consumers use.

All refuse, recyclables, and returnables must be kept in nonabsorbent, durable, cleanable, leak-proof, and rodent-proof containers and must be contained so as to minimize odor and insect development by covering with close-fitting lids and placement in a disposable bag that is impervious to moisture and then sealed.

Refuse containers inside a food facility need not be covered during periods of operation. All refuse must be removed and disposed of in a sanitary manner as frequently as may be necessary to prevent the creation of a nuisance.



Cardboard or other packaging material not containing food residues that is awaiting regularly scheduled disposal may be stored outside without being in a covered receptacle if it is stored so that it does not create a rodent harborage problem.

Storage areas, enclosures, and receptacles for refuse, recyclables, and returnables must be maintained in good repair. Refuse, recyclables, and returnables must be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

The area designated for refuse, recyclables, returnables, and a redeeming machine for recyclables or returnables must be located so that it:

1. Is separate from food, equipment, utensils, linens, and single-service and single-use articles
2. Will not interfere with the cleaning of adjacent space,

3. Will not create a public health hazard or nuisance.



Receptacles and waste handling units for refuse and recyclables must be installed so that accumulation of debris and insect and rodent attraction and harborage are minimized and effective cleaning is facilitated around and under the unit, unless the unit is installed flush with the base pad.

Storage areas for refuse, recyclables, and returnables located within the food facility must meet the requirements for floors, walls, ceilings, and vermin exclusion as specified above.

Outdoor storage areas and enclosures used for refuse, recyclables, and returnables must be constructed of nonabsorbent material such as concrete or asphalt and must be easily cleanable, durable, and sloped to drain.

Soiled receptacles and waste handling units for refuse, recyclables, and returnables must be thoroughly cleaned:

1. In a way that does not contaminate food, equipment, utensils, linens, or single-service and single-use articles,
2. At a frequency necessary to prevent them from developing a buildup of soil or becoming attractants for insects and rodents,
3. In a way that ensures wastewater is disposed of into a sanitary sewer system.

Suitable cleaning implements must be provided for effective cleaning of receptacles and waste handling units for refuse, recyclables, and returnables.

All animal byproducts and inedible kitchen grease disposed of by any food facility must be transported by a licensed renderer or a registered transporter of inedible kitchen grease. A food facility may transport its own animal byproducts in its own vehicles to a central collection point.

Private Homes and Living or Sleeping Quarters



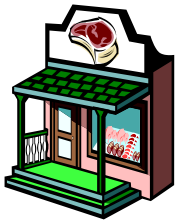
A private home, a room used as living or sleeping quarters, or an area directly opening into a room used as living or sleeping quarters may not be used for conducting food facility operations, with the exception of registered/permitted Cottage Food Operations meeting all applicable requirements.

Nonperishable, prepackaged food may be given away, sold, or handled from a private home. Nonperishable food does not include food that has exceeded the labeled shelf life date recommended by the manufacturer. "Nonperishable food" is a food that is not a potentially hazardous, and does not show signs of spoiling, becoming rancid, or developing objectionable odors during storage at ambient temperatures.

Restricted food service facilities are exempt provided that no sleeping accommodations must be allowed in any area where food is prepared or stored.

No sleeping accommodations may be maintained or kept in any room where food is prepared, stored, or sold. Living or sleeping quarters located on the premises of a food facility must be separated from rooms and areas used for food facility operations by complete partitioning and solid self-closing doors.

Satellite Food Service



Satellite food service is restricted to limited food preparation. Satellite food service may only be operated and serviced by a fully enclosed permanent food facility meeting the requirements for food preparation and service and under the constant and complete control of the permit holder. During non-operating hours and periods of inclement weather, satellite food service operations must be completely enclosed to exclude vermin, or stored inside the fully enclosed permanent food facility.

Prior to conducting satellite food service, the permit holder of the permanent food facility associated with the satellite food facility must provide the enforcement agency written standard operating procedures that include all of the following information:

1. All food products that will be handled and dispensed.
2. The proposed procedures and methods of food preparation and handling.
3. Procedures, methods, and schedules for cleaning utensils, equipment, structures, and for the disposal of refuse.
4. How food will be transported to and from the permanent food facility and the satellite food service operation, and procedures to prevent contamination of foods.
5. How potentially hazardous foods will be maintained at or above 135°F or at or below 41°F.

All food preparation must be conducted within a food compartment or fully enclosed facility approved by the enforcement officer. Satellite food service areas must have overhead protection that extends over all food handling areas.

Satellite food service operations that handle non-prepackaged food must be equipped with approved, permanently plumbed handwashing facilities and warewashing facilities. The local enforcement agency may approve the use of alternative warewashing facilities. Food and utensils must be stored inside the fully enclosed permanent food facility when satellite food service is not being conducted.

Vending Machines



Vending machines must comply with the following:

1. Each vending machine or machine location must have posted in a prominent place a sign indicating the owner's name, address, and telephone number.
2. Wet storage of prepackaged products is prohibited.
3. Potentially hazardous food must be dispensed to the consumer in the original package into which it was placed at the commissary or food processing plant. Bulk potentially hazardous food is prohibited.
4. Single-use articles that are used in machines dispensing products in bulk must be obtained in sanitary packages. The single-use articles must be stored in the original package until introduced into the container magazine or dispenser of the vending machine.
5. A record of cleaning and sanitizing must be maintained by the operator in each machine and must be current for at least the past 30 days.

6. All vending machines must be constructed in accordance with applicable NSF International or National Automatic Merchandizing Association standards, or the equivalent thereof.
7. If located outside, a vending machine must be provided with overhead protection.
8. The dispensing compartment of a vending machine must be equipped with a self-closing door or cover if the machine is located in an outside area that does not otherwise afford the protection of an enclosure against the rain, windblown debris, insects, rodents, and other contaminants that are present in the environment, or if the machine is available for self-service during hours when it is not under the full-time supervision of an employee.