

# **2007 Food Regulations Virginia Dept. Health**

## **Pocket Guide for Food Operators**



**Office of Environmental Health Services**

**NOTE TO THE READER:** This Pocket Guide for Food Operators is designed to give the reader a brief synopsis of the requirements in the 2007 Virginia Food Regulations, which became effective October 16, 2007. If the user wishes to view the full text of any requirements, please consult the following VDH website:

<http://www.vdh.virginia.gov/EnvironmentalHealth/Food/Regulations/index.htm>

For additional information, please contact your local health department.

Editors: State Food Committee and VDH OEHS

## Table of Contents

DEFINITIONS	5
1. DEMONSTRATION OF KNOWLEDGE	7
2. EMPLOYEE HEALTH	10
3. GOOD HYGIENIC PRACTICES	12
4. PREVENTING CONTAMINATION BY HANDS	12
▪ Hands Clean and Properly Washed	12
5. APPROVED SOURCES OF FOOD	13
▪ Food Obtained from Approved Sources	13
▪ Food Received at Proper Temperature	13
▪ Food in Good Condition, Safe and Unadulterated	13
▪ Shellfish	14
▪ Sushi and Other Raw Fish Products	14
6. PROTECTING FOOD FROM CONTAMINATION	15
▪ Food Separated and Protected	15
▪ Food Contact Surfaces Cleaned and Sanitized	15
▪ Food Returned or Previously Served	15
7. PHF COOKINGTIMES AND TEMPERATURES	16
8. FOOD TEMPERATURE CONTROLS	17
▪ Holding Temperatures	17
▪ Cooling Times and Temperatures	17
▪ Reheating for Hot Holding	18
▪ Temperature Measuring Devices	19
▪ Thawing Food	19
▪ Time Only As a Public Health Control	20
▪ Date Marking	20
9. CONSUMER ADVISORY	21
10. HIGHLY SUSCEPTIBLE POPULATIONS	21
11. CHEMICALS	22
12. VARIANCE, SPECIALIZED PROCESS AND HACCP	23
13. SAFE FOOD AND WATER	23

14. FOOD IDENTIFICATION	24
▪ Food Labels	24
15. PREVENTING FOOD CONTAMINATION	24
▪ Personal Cleanliness	24
▪ Preventing Contamination of Food	24
▪ Washing Fruits and Vegetables	25
▪ Animals	26
▪ Insect and Rodent Control	26
16. PROPER USE OF UTENSILS	27
▪ Storage of In-use utensils	27
▪ Utensils, Equipment, Single Use/Service Items Storage and Handling	28
17. UTENSILS AND EQUIPMENT	28
▪ Food and Non-Food Contact Surfaces	28
▪ Warewashing Facilities	28
18. PHYSICAL FACILITIES	29
▪ Hot and Cold Water Available, Adequate Pressure	29
▪ Plumbing Installed, Backflow Prevention	29
▪ Sewage and Waste Water Properly Disposed	29
▪ Toilet Facilities	30
▪ Garbage and Refuse Properly Disposed	30
▪ Physical Facilities Installed, Maintained and Clean	30
▪ Lighting and Ventilation	30

# KEY DEFINITIONS

## Duties of the Person in Charge (PIC)

Management Awareness: A primary responsibility of the person in charge is to ensure compliance with the Regulations. The PIC is in charge during all hours of operation and ensures the continuous presence of someone who is responsible for monitoring and managing all food establishment operations and who is authorized to take actions to assure food is safe.

## Active Managerial Control

To effectively reduce the occurrence of actions that can make people sick, operators of food establishments must focus their efforts on achieving active managerial control. Active managerial control describes the industry's responsibility for developing and implementing food safety management systems to prevent, eliminate, or reduce food safety problems.

Active managerial control means that the person in charge (PIC) has established policies and procedures that control the five recognized risk factors responsible for foodborne illness:

1. food from unsafe sources;
2. inadequate cooking;
3. improper holding/time-temperature;
4. contaminated equipment; and
5. poor personal hygiene

## Person In Charge (PIC)

The person in charge (PIC) of a food establishment is accountable for developing, carrying out, and enforcing procedures aimed at

preventing food-borne illness. Section 12VAC5-421-60 (2-102.11 of the 2005 FDA Model Food Code) states that one means by which a PIC may demonstrate required knowledge of food safety is through certification as a food protection manager by passing an examination that is part of an accredited program. Another means of demonstrating knowledge is to successfully answer questions posed by a health department representative.

### A “food establishment” is:

- an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.

### A “potentially hazardous food” (PHF) is:

- a food that is natural or synthetic and is in a form capable of supporting:
  1. the rapid and progressive growth of infectious or toxigenic microorganisms; or
  2. the growth and toxin production of *Clostridium botulinum*;  
or
  3. in raw shell eggs, the growth of *Salmonella enteritidis*.

### A “potentially hazardous food” (PHF) does NOT include:

- an air cooled hard boiled egg with shell intact; or a shell egg that is not hard-boiled, but has been treated to destroy all viable *Salmonellae*;
- a food with a water activity of .85 or less;
- a food with a pH of 4.6 or below when measured at 75°F;

- a food in a hermetically sealed container commercially processed to achieve and maintain commercial sterility;
- a food for which laboratory evidence has demonstrated that rapid and progressive growth of pathogens or the slower growth of *C. botulinum* cannot occur.

### A “ready-to-eat” (RTE) food includes:

- raw animal food that is cooked or frozen according to specifications;
- raw, washed, cut fruits and vegetables;
- fruits and vegetables cooked for hot holding;
- all potentially hazardous food cooked to its required temperature;
- plant food for which further washing, cooking, or other processing is not required for food safety, and from which rinds, peels, husks or shells are removed.
- substances derived from plants such as spices, seasonings,
- a bakery item for which further cooking is not required;
- dry, fermented sausages, salt-cured meat and poultry products, and dried meat and poultry products, which have all received lethality treatment for pathogens; and
- thermally processed low-acid foods packed in hermetically sealed containers.

## 1. DEMONSTRATION OF KNOWLEDGE BY PIC

The areas of knowledge include:

1. Describing the relationship between the prevention of foodborne disease and the personal hygiene of a food employee;
2. Explaining the responsibility of the person in charge for preventing the transmission of foodborne disease by a food employee who has a disease or medical condition that may cause foodborne disease;
3. Describing the symptoms associated with the diseases that are transmissible through food;
4. Explaining the significance of the relationship between maintaining the time and temperature of potentially hazardous food and the prevention of foodborne illness;
5. Explaining the hazards involved in the consumption of raw or undercooked meat, poultry, eggs, and fish;
6. Stating the required food temperatures and times for safely cooking potentially hazardous food, including meat, poultry, eggs, and fish;
7. Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of potentially hazardous food;
8. Describing the relationship between the prevention of foodborne illness and the management and control of the following:
  - a. Cross contamination,
  - b. Hand contact with ready-to-eat foods,
  - c. Handwashing, and
  - d. Maintaining the food establishment in a clean condition and in food repair.

9. Explaining the relationship between food safety and providing equipment that is:
  - a. Sufficient in number and capacity, and
  - b. Properly designed, constructed, located, installed, operated, maintained, and cleaned.
10. Explaining correct procedures for cleaning and sanitizing utensils and food-contact surfaces of equipment;
11. Identifying the source of water used and measures taken to assure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections;
12. Identifying poisonous and toxic materials in the food establishment and the procedures necessary to assure that they are safely stored, dispensed, used, and disposed of according to law;
13. Identifying critical control points in the operation from purchasing through sale or service that may contribute to foodborne illness and explaining steps taken to assure that the points are controlled in accordance with the requirements of the Regulations;
14. Explaining the details of how the PIC and food employees comply with the HACCP plan, if a plan is required by the Regulations or an agreement between the regulatory agency and the establishment.
15. Explaining the responsibilities, rights and authorities assigned by these Regulations to the:
  - a. Food employee;
  - b. Person in charge; and
  - c. Regulatory authority.

## 2. EMPLOYEE HEALTH - Overall Goals

The purpose of this section is to reduce the likelihood that certain viral and bacterial agents will be transmitted from infected food workers into food. Foodborne illness outbreaks have been linked to food workers preparing foods while they are sick. Outbreaks of illness have also been linked to workers experiencing symptoms of illness. These illnesses are then transferred to the food that the ill workers are preparing.

### Exclusion and Restriction of Ill Workers

1. Employees who have specific symptoms (e.g., vomiting, diarrhea, jaundice) while in the workplace must be either excluded or restricted from food handling, depending upon the type of facility.
2. Employees who have been diagnosed with one of the following: *Salmonella Typhi*, *Shigella spp.*, Shiga toxin-producing *Escherichia coli* or Hepatitis A virus must be excluded.
3. Employees, who have been exposed to these specific agents by a family member or someone who lives in their household, or because of an outbreak, must be restricted or excluded, depending upon the type of facility.
4. Employee with a lesion containing pus or an infected wound must be evaluated.

### Management Responsibility

- Management must be aware that an Employee Health Policy is required, and they must have such a policy in place. While a written policy is not required at this time, it is recommended so that record keeping and training is easier to manage.

- The person in charge is responsible for ensuring all food employees and conditional employees are knowledgeable and understand their responsibility to report whenever they fall into one of the illness risk levels listed above.
- Management must ensure newly hired and current employees are interviewed so that it is clear whether or not the employee has experienced any of the illness risk levels listed.
- The person in charge must also know when an employee might be experiencing symptoms or illness. When an employee does report one of the 4 listed illnesses or exhibits symptoms, the PIC is responsible for knowing whether to restrict or exclude the employee, and to know when it is safe for the employee to be removed from a restriction or exclusion.

## Responsibility of the PIC and Food Employees

Food employees and conditional employees (a person management has decided to hire) share a responsibility. Food employees and conditional employees must report whenever they fall under one of the four illness risk levels, and must comply with restrictions or exclusions imposed upon them.

## Reporting Symptoms

- The symptoms of vomiting, diarrhea, or jaundice serve as an indication that an individual may be infected with something that can be transmitted to food and make other people sick.
- A food employer may exclude any employee upon initially learning that the employee has *Salmonella* Typhi, or has a gastrointestinal symptom listed in 12 VAC 5-421-80 (Section 2-201.11 of the 2005 FDA Model Food Code). For more information on this Section, please contact your Environmental

Health Specialist, or consult Sections 12VAC -421-80, -90 and -100 (Food Code Sections 2-201.11, 2-201.12, and 2-201.13).

### 3. GOOD HYGIENIC PRACTICES

#### Eating, Drinking and Tobacco Use

An employee shall eat, drink, or use any form of tobacco only in designated areas where they could not contaminate exposed food, clean equipment, utensils, linens, unwrapped single-service and single-use articles, and other items needing protection. Covered drinking containers with straws are approved in food prep areas, if they are handled in a way that does not present a source of contamination.

#### Discharges from the Eyes, Nose, and Mouth

Discharges from the eyes, nose, or mouth through persistent sneezing or coughing by food employees can directly contaminate exposed food and equipment. When these poor hygienic practices cannot be controlled, the employee must be assigned to duties that minimize the possibility of contaminating food and the surroundings.

### 4. PREVENTING CONTAMINATION BY HANDS

#### Hands Clean and Properly Washed

Food employees must clean their hands and exposed portions of their arms by vigorous lathering for **10-15 seconds** at the following times:

- A. After touching bare human body parts or hair, other than clean hands and clean, exposed portions of arms;
- B. After using the toilet room;

- C. After caring for or handling support animals listed under 12VAC5-421-250/2-403.11;
- D. After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating or drinking;
- E. After handling soiled equipment or utensils;
- F. During food preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks;
- G. When switching between working with raw foods and working with ready-to-eat foods;
- H. Before donning gloves for working with food; and
- I. After engaging in other activities that contaminate hands.

## 5. APPROVED SOURCES OF FOOD

### Food Obtained From an Approved Source

Food shall be obtained from sources that comply with the law. Fresh produce may be obtained from local sources.

### Food Received at Proper Temperature

Food must be received at proper temperature as required by law. This means **41°F** for cold foods, frozen solid for frozen foods, and **135°F** or above for hot foods. Some foods, such as raw shell eggs, shellfish and milk can be received at **45°F**.

### Food in Good Condition, Safe and Unadulterated

Received food must be in good condition, safe and unadulterated.

## Shellfish (live clams, oysters, and mussels)

Raw shellfish:

- Must be live and obtained from approved sources listed on the Interstate Certified Shellfish Shippers List.
- Must have shellstock tags attached to each bag which includes harvest site, harvest date, shipper name and plant identification number. These tags must be retained for **90 days**.

## Sushi and Other Raw Fish Products

If raw fish such as sushi is served, the fish must be frozen and stored at specific temperatures and for specific times to kill parasites that may be present. These temperatures and times include:

- **-4°F for 7 days** or
- **-31° F for 15 hours**

Or the establishment can use certain species of tuna without freezing (Yellowfin; Bluefin, Southern; Bluefin, Northern, Bigeye).

You can reference Section 12 VAC 5-421-730 for additional information, or see 3-402.11 of the 2005 FDA Model Food Code for additional freezing times and fish that may be approved.

The operator must provide documentation from the distributor certifying that purchased frozen fish meet the Regulations. If fish are frozen on site these records must be retained for 90 calendar days.

## 6. PROTECTING FOOD FROM CONTAMINATION

### Food Separated and Protected

Raw animal foods can contaminate ready-to-eat foods and other raw animal foods.

- Raw animal foods must be separated from fruits and vegetables, and other ready-to-eat foods, including cooked ready-to-eat foods.
- Raw animal foods should also be stored separately by species.
- Store foods in covered containers.
- Store damaged or spoiled foods separately.

### Food Contact Surfaces Cleaned and Sanitized

Food contact surfaces must be:

- Clean to sight and touch.
- Cleaned and sanitized before use
- Cleaned and sanitized as often as necessary
- Equipment and utensils used with potentially hazardous foods in continuous use areas such as the cutting boards and utensils at a sandwich prep unit shall be cleaned every 4 hours.

Equipment used to clean and sanitize food contact surfaces must be maintained in good working order and properly operated.

### Food Returned or Previously Served Food

- Unpackaged food that has already been served may not be re-served.
- Packaged non-potentially hazardous food such as crackers and jelly that has been served and unopened, and where the

packaging is intact and has not been contaminated with food residues and other visible materials, may be re-served.

## 7. PHF COOKING TIMES AND TEMPERATURES

### Cooking Temperatures and Times.

To be considered fully cooked raw animal foods must be heated- treated in all parts to these minimum internal temperatures and times:

- Eggs cooked for an individual, immediate order:  
**145°F for 15 seconds**
- Fish, meat, pork and commercially raised game animals:  
**145°F for 15 seconds**
- Comminuted fish, meat, game animals, and ratites, injected meats and eggs for hot holding:  
**155°F for 15 seconds,**
- Poultry, and stuffed poultry, fish, meat, pasta or ratites, and wild game animals:  
**165°F for 15 seconds**
- Stuffing containing fish, meat, poultry or ratites:  
**165°F for 15 seconds**
- Beef and pork roasts (holding time may include post-oven heat rise):  
**130°F for 112 minutes and up to 158°F for 0 seconds\***  
(\*Please see Section 12VAC5-421-700/3-401.11 for more details.)
- Microwave cooking of any raw animal food:  
**165°F in all parts of the food, and allowed to stand for 2 minutes.**

## 8. FOOD TEMPERATURE CONTROLS

### Holding Temperatures

- Refrigerated foods - 41°F
- Cooked and received hot foods - 135°F
- Raw shell eggs - 45°F

### Cooling PHF's

Strategies for rapidly cooling include:

- Placing food in shallow pans
- Separating food into smaller portions
- Using rapid cooling equipment (blast chiller)
- Stirring food in a container placed in an ice bath
- Adding ice as an ingredient
- Arranging foods in refrigerators so that maximum heat transfer is achieved
- Leaving food uncovered during the cooling process in a protected area or on a speed rack

### Cooling Times and Temperatures

- Cooked PHF's must be cooled:
  1. Within **2 hours** from 135°F to 70°F, and
  2. from 70°F to 41°F within an additional **4 hours**.
- PHF's prepared from ambient temperature ingredients must be cooled to 41°F within 4 hours.

## Reheating Food for Hot Holding

- PHF that is cooked, cooled, and reheated for hot holding must be reheated so that all parts of the food reach:  
**165°F for 15 seconds.**
- PHF reheated in a microwave oven for hot holding must be reheated so that all parts of the food reach **165°F**, and the food must be rotated or stirred, covered, and allowed to stand covered for **2 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 that is inspected by the food regulatory authority that has jurisdiction over the plant, must be heated to a temperature of at least **135°F** for hot holding.
- Reheating for hot holding must be done rapidly and the time the food is between the temperature of **41°F** and **135 °F** may not exceed **2 hours**.

## Cooling, Heating and Holding Capacities

Equipment for cooling and heating food and holding cold and hot food must be sufficient in number and capacity to provide food temperatures specified in this booklet.

## Temperature Measuring Devices

- Approved temperature measuring devices must be provided so that food receiving, holding, and cooking temperatures can be measured.
- A temperature measuring device with a suitable small diameter probe that is designed to measure the temperature of thin masses shall be provided and readily accessible to accurately measure the temperature of thin foods such as meat patties and fish fillets.
- The devices must be accurate, and properly calibrated.
- Devices such as ambient air temperatures shall be available for hot and cold holding equipment, and properly placed in such equipment to ensure accurate readings.

## Fruits and Vegetables Cooking

Fruits and vegetables that are cooked for hot holding must be cooked to **135°F**.

## Thawing Foods

Foods must be thawed:

- Under refrigeration that maintains the food temperature at **41°F** or below
- Completely submerged in **70°F** or less running water and so that the food temperature does not exceed **41°F**, or
- As part of the cooking process, or
- Using any procedure if a portion of frozen ready-to-eat food is thawed and prepared for immediate service in response to an individual consumer order.

## Time Only As a Public Health Control

If time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of PHF before cooking, or for RTE PHF that is displayed or held for service for immediate consumption:

1. The food shall 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 shall be cooked and served, served if RTE 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 shall be discarded; and
4. Written procedures shall be maintained in the food establishment and made available to the regulatory authority upon request.

## Date Marking Foods

Ready to eat PHF prepared and held in the food establishment for more than **24 hours** must be date-marked. This includes commercially prepared and packaged PHF's once the package has been opened, and if held more than 24 hours.

Date marking:

- May not exceed **7 days**, with the day of preparation counting as day 1,
- Must be clearly visible on the container used to store the food
- Can be a use-by, sell-by or discard-by date, or may be the date of preparation.
- Foods with date-marking that has been exceeded must be discarded.

## 9. CONSUMER ADVISORY

If an animal food such as beef, eggs, fish, lamb, pork, poultry or shellfish that is raw, undercooked, or not otherwise processed to eliminate pathogens is offered in a RTE form as a deli, menu or other item then specific consumer advisory notifications must be provided. The consumer advisory informs customers that consuming raw animal foods can be hazardous to their health, especially if certain medical conditions exist. The consumer advisory on the menu also tells customers which menu items foods may contain raw or undercooked animal foods.

Disclosure of raw or undercooked animal-derived foods or ingredients and reminders about the risk of consuming such foods belong at the point where the food is selected by the consumer. Both the disclosure and the reminder need to accompany the information from which the consumer makes a selection. That information could appear in many forms such as a menu, a placarded listing of available choices, or a table tent.

## 10. HIGHLY SUSCEPTIBLE POPULATIONS

Establishments that serve certain populations must be especially concerned about food safety. Highly susceptible populations (HSP) are defined as people who are more likely than others in the general population to experience foodborne disease because they have compromised immune systems, preschool age children, or older adults and are obtaining food at a facility that provides some type of care. These include child or adult day care centers, kidney dialysis centers, hospital or nursing home, senior centers, or elementary schools.

The following restrictions apply:

- Prepackaged juice or a prepackaged beverage containing juice that bears the following warning label may not be served:  
WARNING: This product has not been pasteurized and, therefore may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.
- Freshly squeezed juice must be prepared following an approved HACCP plan.
- Pasteurized shell eggs or pasteurized liquid, frozen or dry eggs shall be substituted for raw shell eggs in the preparation of foods such as Caesar salad, hollandaise sauce, mayonnaise, eggnog, ice cream, and in recipes where more than one egg is broken and combined, with the following exceptions:
  1. The raw eggs are combined immediately before cooking for one consumer order and served immediately;
  2. The raw eggs are combined as an ingredient immediately before baking and the eggs are thoroughly cooked to a RTE form;
  3. The preparation is conducted using an approved HACCP plan.
- Raw animal food, and partially cooked animal food such as soft-cooked raw shell eggs, raw molluscan shellfish and steak tartare may not be served.
- Raw seed sprouts may not be served.

## 11. CHEMICALS

### Toxic Materials Storage and Separation

- Poisonous or toxic materials must be stored so they cannot contaminate food, or equipment.
- Separate poisonous or toxic materials by spacing or partitioning and locate these products in an area that is not above food, equipment, utensils or linens.
- Make sure that all containers holding working solutions (spray bottles) of any chemicals are properly labeled.

## 12. COMPLIANCE WITH VARIANCE, SPECIALIZED PROCESS, AND HACCP PLAN

See Sections 12 VAC 5-421-860, 12 VAC 5-421-3570, 12 VAC 5-421-3620 A and 12 VAC 5-421-3630 for these requirements.

## 13. SAFE FOOD AND WATER

### Water

Water and ice used in a food establishment must be from an approved source. Water systems must be maintained and kept in good repair. Adequate water pressure must be maintained. Hot water must be at least **100°F** at handwashing sinks and at least **110°F** at warewashing sinks.

### Specialized Food Processing Methods

If an operator wishes to engage in specialized food processing methods such as smoking, curing, using additives and preservatives, or using reduced oxygen packaging, in an establishment, special approval from the health director is required.

## 14. FOOD IDENTIFICATION

### Food Labels

Food or food ingredients removed from original packaging and stored in working containers, such as cooking oils, flour, herbs, potato flakes, and sugar, must be labeled with the common name of the food if it is not unmistakably recognizable.

## 15. PREVENTING FOOD CONTAMINATION

### Personal Cleanliness

- Fingernails must be kept trimmed, filed and maintained.
- Unless wearing intact gloves in good repair, a food employee may not wear fingernail polish or artificial fingernails when working with exposed food.
- Jewelry is not permitted to be worn while working with exposed foods except for a plain ring such as a wedding band.
- Food employees shall wear clean outer clothing to prevent contamination of food and equipment.
- Effective hair restraints such as hats, hair coverings, or nets must be worn when necessary to keep hair from falling into food or contacting clean equipment.

### Preventing Contamination of Food During Preparation, Storage and Display

- Ice used to cool food containers may not be used for food.
- Food is to be stored at least 6 inches off the floor and in a clean dry location where it is not exposed to splash, dust or

other contamination.

- Food may not be stored in locker rooms, toilet rooms, dressing rooms, garbage rooms, mechanical rooms or under sewer lines, leaking water lines, open stairwells, or any other sources of contamination.
- During preparation, unpackaged food must be protected from contamination.
- Food on display must be protected from contamination by using packaging, a counter, service line, salad bar food guards, display cases, or other effective means.

## Washing Fruits and Vegetables

- Raw fruits and vegetables must be thoroughly washed in water to remove soil and other contaminants before being cut, combined, cooked, served, or offered for human consumption.

## Wiping Cloths

- Wiping cloths used for wiping food from counters and other equipment surfaces must be stored in a properly mixed chemical sanitizer, and washed daily.
- Wiping cloth solutions must be remixed when food debris and visible soil is in the solution.
- The containers for storing wet wiping cloths must be stored off the floor and in a manner that prevents contamination of food and food equipment.

## Gloves

- If used, single-use disposable gloves can be used for only one task and no other purpose, and discarded when damaged or

soiled. Cloth gloves cannot be used in direct contact with food.

## Sponges

- Sponges cannot be used in contact with cleaned and sanitized or in-use food contact surfaces.

## Animals

- With some specific exceptions (see Section 12 5-421-3310/6-501.115), live animals are not allowed on the premises of a food establishment.
- Employees may not handle or care for service animals that may be present as allowed.

## Insects and Rodents

- Insect control devices must be approved and cannot be installed or used in a manner which might contaminate food or food equipment.
- Outer openings are to be protected from vermin entry, and outer doors rendered self-closing.
- Screens may be installed to prevent vermin entry if doors or windows are left open. Air curtains are acceptable alternatives for insect control.
- Exterior walls and roofs are to be in good repair and maintained to prevent vermin entry or harborage.
- Pests must be controlled by effective means in the establishment. Pesticides can only be applied by a licensed pest control operator.
- Incoming shipments and the establishment must be inspected

frequently for pests, and effective measure taken to control pests if found.

## 16. PROPER USE OF UTENSILS

### Storage of In-Use Utensils

During pauses in food preparation or dispensing, food utensils may be stored in many ways:

1. In the food with their handles above the top of the food and container,
2. On a clean portion of a food preparation table or cooking equipment,
3. In running water,
4. In a clean, protected location or,
5. In a container of water that is maintained at 135°F or above.

### Utensils, Equipment Single Use/Service Items Storage and Handling

- Equipment and utensils must be air-dried after being properly washed, rinsed and sanitized. Stack equipment to allow it to air-dry.
- Store cleaned equipment and utensils 6 inches off the floor and in a clean dry location and where they will not be exposed to splash, dust or other contamination.
- Store clean equipment and utensils in a self-draining position that allows air drying and cover or invert to protect from contamination.
- Single service articles must be stored in their original packaging or by other means to protect from contamination

until used.

- Equipment and utensils may not be stored in locker rooms, toilet rooms, dressing rooms, garbage rooms, mechanical rooms, or under sewer lines, leaking water lines, open stairwells, or any other sources of contamination.
- Clean utensils and single use articles must be handled, displayed and dispensed so that contamination of food and lip contact surfaces is prevented. Store knives, forks and spoons so that only handles are touched by employees and customers.

## 17. UTENSILS AND EQUIPMENT

### Food and Non-food Contact Surfaces

Materials used to construct food equipment must be:

- Safe
- Durable, corrosion resistant and non-absorbent
- Sufficient in weight and thickness to withstand repeated washing
- Have a smooth and easily cleanable surface and
- Be resistant to pitting, chipping, crazing, scratching, scoring, distortion and decomposition.
- Cutting boards must not have deep scores or be badly stained.
- Food equipment shall be maintained in good repair.

There are numerous other requirements for this section, please refer to Part 4 of the Regulations for more information.

### Warewashing Facilities

Warewashing facilities, whether they are mechanical or manual, must

be maintained in good repair, used properly, cleaned, and frequently monitored and tested to ensure food equipment and utensils are being properly washed, rinsed and sanitized. For manual warewashing in a 3-compartment sink there shall be separate wash, rinse, and sanitize steps.

## **Non-food Contact Surfaces Clean**

Non-food contact surfaces must be constructed of approved materials, maintained in good repair, and cleaned as often as necessary to prevent accumulation of soil and debris.

## **18. PHYSICAL FACILITIES**

### **Hot and Cold Water Available, Adequate Pressure**

- Hot and cold running water shall be provided during all hours of operation.
- Water pressure must be maintained so that required cleaning can be properly performed.

### **Plumbing Installed, Backflow Prevention**

- Plumbing must be constructed of approved materials, installed properly, and maintained in good repair.
- Leaks must be repaired.
- No equipment may be directly connected to the water supply without an approved and properly functioning backflow prevention device. This device shall be properly installed and maintained.

### **Sewage and Waste Water Properly Disposed**

- Sewage and waste water must be properly disposed of through an approved, maintained sanitary sewer system.
- A direct connection may not exist between a sewage system and a drain originating from equipment used for food, equipment or utensils.
- Grease traps, if required, must be easily accessible for cleaning and must be cleaned as frequently as necessary.

## Toilet Facilities

- At least one toilet must be provided.
- Customers may not go through a food preparation area in order to access toilet facilities.

## Garbage and Refuse Properly Disposed

Garbage and refuse must be properly disposed of in approved waste containers, covered when required, stored properly, and emptied often enough so that it does not create a health hazard or nuisance.

## Physical Facilities Installed, Maintained and Clean

Floors, walls, ceilings and other physical facilities must be of proper construction materials, installed properly, maintained in good working order, and must be cleaned as frequently as necessary to preclude the accumulation of soil.

## Lighting

- On a surface where a food employee is working with equipment such as knives, slicers, grinders or saws where employee safety is a factor at least 50 foot candles of light are to be provided.
- In customer self service areas such as buffets or salad bars,

inside equipment such as reach-in refrigerators, and in areas used for handwashing, warewashing, and equipment/utensil storage, and in toilet rooms, at least 20 foot candles of light is to be provided.

- In dry storage areas and in walk-in refrigeration units the lighting must be at least 10 foot candles.

## Ventilation

If necessary to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes, mechanical ventilation of sufficient capacity must be provided.