

## **Appendix D**

### **MDARD/FDA Report Marking Instructions**

#### **With 2009 FOOD CODE References**

The following provides guidance to the Candidate on marking the MDARD/FDA Standardization Report form.

#### **Compliance Status**

For each item on the form, indicate one of the following for **COMPLIANCE STATUS**

IN – Item found in compliance    N.O. – Not observed

OUT – Item found out of compliance    N.A. – Not applicable

Where no option occurs for marking N.O. or N.A., these have been removed from the marking instructions.

The MDARD Standard may mark an item “S” to reflect a disagreement in a case where the Candidate has the opportunity to make an observation or take a measurement and fails to do so, and intervention by the MDARD Standard would alert the Candidate to the missed opportunity.

#### **The Reliance of Statements made by the Person in Charge in Determining Compliance with the Provisions of the Food Code**

The FDA Procedures for Standardization of Food Safety Inspection Officers stresses open communication between the Candidate and Person in Charge and food employees. To be an effective communicator, the Candidate is expected to ask questions relative to the flow of food through the establishment, preparation and cooking procedures, as well as employee health and normal everyday operation of the facility. Responses to questions give the Candidate a better idea of the Foodborne Illness Risk Factors that could be present in the facility and allows for better budgeting of time while conducting the inspection. In addition, comments made by these individuals can often be used to support or augment direct observations and, in some very limited cases, can be used as the sole basis for determining compliance with provisions of the *Food Code*.

By assessing Foodborne Illness Risk Factors that are suspected of being uncontrolled at times other than the inspection (i.e., before or after the inspection), time can be better spent on troubleshooting problems and bringing the Foodborne Illness Risk Factors back under control through proper intervention strategies. The Candidate is expected to relay deficiencies in the operation to the Person in Charge so that on-site and long-term corrective action can be initiated.

#### **Guidelines for Using Statements Made by the Person in Charge or Food Employees to Determine Compliance (Further guidance is provided in the Marking Instructions)**

##### **• Marking IN and OUT of Compliance**

Generally, a mark of OUT must be based on actual observations noted in the facility at the time of the inspection. Regulatory action must be based on evidence gathered during an inspection and not based solely on a Person in Charge’s incorrect answer to a question asked by the Candidate. For instance, the Person in Charge tells the inspector, “I slice ham using my bare hands.” This would most definitely be an item for discussion with management but would not, in and of itself, justify a mark of OUT for no bare contact with RTE food. In this case, the Candidate must actually observe a food employee touching ready-to-eat food with his or her bare hands before marking OUT of compliance.

There are some items on the inspection report for which the Candidate may rely solely on discussions with management or food employees to determine the compliance status. These items relate to policies, including those that relate to the establishment's employee health policy and also those that address Part 3-8 of the *Food Code* (highly susceptible populations).

Frequently, observations are made while a food is undergoing a process, i.e. cooling and reheating, when the Candidate must ask the Person in Charge or food employees questions to support or augment actual observations made. For instance, if a food item is observed cooling in a walk-in cooler and a temperature check reveals a temperature greater than 41°F, questions should be asked regarding the length of time the food has been cooling to properly determine compliance with the time/temp requirements of the *Food Code*. Also, this information is vital to determine the most appropriate on-site corrective action.

• **Marking Not Observed (N.O.) or Not Applicable (N.A.)**

In order to fully complete the inspection form as required, the Candidate should question the Person in Charge and food employees, as appropriate, concerning the types of foods served and food preparation processes conducted in the establishment even at times when the inspector is not there. For instance, if thawing is not actually observed, the Candidate should ask questions about whether or not thawing is actually conducted in the facility at any time to properly mark thawing as either N.O. or N.A.

## **FOODBORNE ILLNESS RISK FACTORS AND FOOD CODE INTERVENTIONS**

### **Supervision**

#### **Status**

#### **1. Person in charge present, demonstrates knowledge, and performs duties**

This item must be marked IN or OUT of compliance. The person in charge (PIC) has three assigned responsibilities – Presence; Demonstration of Knowledge; and Duties.

#### **IN OUT A. Assignment – PIC**

Person in charge is present. This item is marked OUT of compliance if there is no PIC per 2-101.11(A) and (B).

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

2-101.11 Assignment

#### **IN OUT B. Demonstration – Code compliance, certified via testing with accredited program, or responses to safety questions regarding operation**

The PIC has three options for demonstrating knowledge. This item is marked OUT of compliance if the PIC fails to meet at least **one** of the options. The three options for demonstration of knowledge allowed by the Food Code are:

1. Certification by an accredited program as specified in 2-102-20.
2. Complying with this Code by having no violations of critical items during the current inspection; or
3. Correct responses to the CANDIDATE's questions regarding public health practices and principles applicable to the operation. The inspector should assess this item by asking open-ended questions that would evaluate the PIC's knowledge in each of the areas enumerated in Subparagraphs 2-102.11(C) (1) and (4-16). Questions can be

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

**NA Do Not Mark** this item NA  
**NO Do Not Mark** this item NO

2-102.11(A)-(B) and (C) (1) and (4-16) Demonstration  
2-102.20 Food Protection Manager Certification

**NOTE:** "Incorrect" responses to questions regarding public health practices and Principles [except for Subparagraphs 2-102.11(C) (2)-(3), which are captured under Item 2], in and of themselves, are not sufficient for marking other items on this inspection form OUT. For instance, if the PIC does not know the *Food Code* requirement for cooling, yet no actual OUT of compliance observations are made with regard to cooling during the inspection, then OUT of compliance cannot be marked for Item 18.

#### **IN OUT C. Duties of PIC**

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

**NA Do Not Mark** this item NA  
**NO Do Not Mark** this item NO

2-103.11(A-L) Person in Charges-Duties

#### **Employee Health**

**NOTE:** One may rely solely on discussions, questions, and documentation to determine the compliance status of this item.

#### **IN OUT 2. Management, food employee and conditional employee; knowledge, responsibilities and reporting**

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

- The PIC is aware of his or her responsibility to inform food employees

and conditional employees of their responsibility to report certain symptoms or diagnosed diseases to the person in charge and for the PIC to report to the regulatory authority as specified under Food Code ¶2-103.11(M) and ¶¶2-201.11 (A) - (C), and (E); and

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

- In lieu of Form 1-B, compliance may be demonstrated by:

- a) Presenting evidence such as a curriculum and attendance rosters documenting that each employee has completed a training program which includes all the information required on Form 1-B regarding their reporting responsibilities; or

- b) Implementation of an employee health policy which includes a system of employee notification using a combination of training, signs, pocket cards, or other means to convey all of the required information on Form 1-B to all food employees and conditional employees. A signed acknowledgement by the employee should be part of any employee health policy.

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

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

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

2-102.11(C) (2)-(3) & (17) Demonstration

2-103.11(M) Person in Charge, Duties

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

### **IN OUT 3. Proper use of restriction and exclusion**

This item must be marked IN or OUT of compliance. To be marked IN there must be no ill employees, employees experiencing symptoms requiring reporting, or reason for the PIC to exclude or restrict an employee observed at the time of the inspection.

Compliance must be based on first hand observations or information and cannot be based solely on responses from the PIC to questions regarding hypothetical situations or knowledge of the Food Code. This item should be marked OUT or compliance when:

- The CANDIDATE observes a working employee with specific reportable symptoms [Subparagraph 2-201.11(A) (1)]; or

- The inspector becomes aware that an employee has reported information about his or her health and activities as it relates to diseases that are transmissible through food and

the PIC has not acted to restrict or exclude an employee as required by the Food Code (§2-201.12) & (§2-201.13); or

- The inspector becomes aware that the PIC has not notified the regulatory authority that an employee is jaundiced or diagnosed with an illness due to a pathogen as specified under Subparagraphs 2-201.11(A)(2)(a)-(e) of the *Food Code*.

- There are food employees working in the food establishment that have been diagnosed with norovirus, hepatitis A virus, shigellosis, *E. coli* O157:H7, (or other EHEC), or typhoid fever; or with active symptoms of vomiting and/or diarrhea; or working with food, food-contact equipment, utensils, or single-service articles with an open, uncovered infected wound or pustule, or with a sore throat with a fever.

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

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

2-201.11(D) and (F) Responsibility of Permit Holder, Person in Charge & Conditional Employees

2-201.12 Exclusions and Restrictions

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

### **Good Hygienic Practices**

#### **IN OUT 4. Proper eating, tasting, drinking, or tobacco use**

This item should be marked IN or OUT of compliance based on direct observations of the appropriate hygienic practices of food employees. This item should be marked IN compliance when a food employee is observed drinking from a closed beverage container subsequently stored on a non-food contact surface and separate from exposed food, clean equipment, and unwrapped single-service and single-use articles. This item should be marked OUT of compliance when food employees are observed improperly tasting food, eating, drinking, or smoking, or there is supporting evidence of these activities taking place in non-designated areas of the establishment. An open container of liquid in the kitchen preparation area does not necessarily constitute marking this item OUT.

Further discussion with a food employee or the PIC may be needed to determine if the liquid, if labeled, is used as an ingredient in food or may be an employee beverage that is consumed in another designated area. If the liquid is an open beverage that is consumed in a designated area, it must still be stored in a manner to prevent the contamination of food, equipment, utensils, linens and single-service/single-use articles.

**NA Do Not Mark** this item NA

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

2-401.11 Eating, Drinking or Using Tobacco

3-301.12 Preventing Contamination When Tasting

#### **IN OUT 5. No discharge from eyes, nose, and mouth**

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

**NA Do Not Mark** this item NA

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

2-401.12 Discharges from the Eyes, Nose and Mouth

### **Control of Hands as a Vehicle of Contamination**

#### **IN OUT 6. Hands clean & properly washed**

**NOTE:** You must be in the establishment long enough to make an observation for all sections of Personnel. One should rely only on actual observations to mark Section 6 of the inspection form.

This item should be marked IN or OUT of compliance. This item is marked IN compliance only when employees are observed using proper handwashing techniques at appropriate times and places.

**NA Do Not Mark** this item NA

**NO** This item may be marked NO for retail operations only in the RARE case when there are no food workers present at the time of inspection. (If there are no food workers present, but the PIC accompanies the inspector on the inspection and touches food, clean equipment, or utensils without washing his/her hands, this item is marked OUT.)

2-301.11 Clean Condition-Hands and Arms

2-301.12 Cleaning Procedure

2-301.14 When to Wash

2-301.15 Where to Wash

2-301.16 Hand Antiseptics

#### **IN OUT 7. No bare hand contact with RTE foods or a pre-approved alternative procedure properly followed**

This item should be marked IN or OUT of compliance. This item is marked IN compliance only when employees are observed using suitable utensils or gloves to prevent bare hand (or arm) contact with ready-to-eat foods or are observed properly following a pre-approved alternative procedure to no bare hand contact. This item should be marked OUT of compliance if one person is observed touching ready-to-eat food with their bare hands in the absence of a prior approval and written procedures for bare hand contact. Refer to Subparagraphs 3-301.11(D) (1)-(7) for a listing of conditions that must be met in order to receive prior approval by the Regulatory Authority. Bare hand contact by food employees serving a Highly Susceptible Population is prohibited and no alternative to bare hand contact is allowed.

**NA** This item may be marked NA for establishments that provide only

packaged, or bulk food items that are not ready-to-eat.

**NO** This item may be marked NO for establishments that prepare ready-to-eat foods only, but no food preparation is performed at the time of inspection.

3-301.11 Preventing Contamination from Hands

3-801.11(D) Pasteurized Foods, Prohibited Re-Service, and Prohibited Food

## **8. Handwashing sinks properly supplied and accessible**

### **IN OUT A. Handwashing sinks conveniently located and accessible for employees**

This item must be marked IN or OUT of compliance based on observations in determining that handwashing sinks are conveniently located for food employee use. If the handwashing sink is not accessible to food employees who are working in food preparation, food dispensing and warewashing areas, is blocked by portable equipment or stacked full of soiled utensils or other items, or the facility is unavailable for regular employee use, this item must be marked OUT of compliance.

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

5-202.12 Handwashing Sink, Installation

5-203.11 Handwashing Sinks-Numbers and Capacities

5-204.11 Handwashing Sinks-Location and Placement)

5-205.11 Using a Handwashing Sink-Operation and Maintenance

### **IN OUT B. Handwashing sinks supplied with hand cleanser/sanitary towels/hand drying devices/ signage**

This item must be marked IN or OUT of compliance. based on observations in determining that handwashing sinks are properly equipped for food employee use. This item must be marked OUT of compliance when the facility is not stocked with soap, hand drying provisions or equipped with the required signage.

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

6-301.11 Handwashing Cleanser, Availability

6-301.12 Hand Drying Provision

6-301.13 Handwashing Aids and Devices, Use Restrictions

6-301.14 Handwashing Signage

## **Approved Source**

## **9. Food obtained from approved source**

### **IN OUT A. All food from regulated food processing plants/no home prepared or canned foods/standards for eggs, milk, juice**

This item must be marked IN or OUT of compliance based on direct observations of food products, food labels and packaging, water analyses, and discussion with the PIC or other food employees. This item must be marked IN compliance when the regulatory authority is able to determine approved food sources. A review of supplier names, shipment invoices, buyer specification plans, proof of regulatory permit/licensure of a

food source, etc. can be used to document approved food sources. Milk and milk products must comply with Grade A Standards. This item must be marked OUT of compliance when an approved food source cannot be determined.

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

- 3-201.11 Compliance with Food Law
- 3-201.12 Food in a Hermetically Sealed Container
- 3-201.13 Fluid Milk and Milk Products
- 3-202.13 Eggs
- 3-202.14 Eggs and Milk Products, Pasteurized
- 3-202.110 Juice Treated-Commercially Processed
- 5-101.13 Bottled Drinking Water

**IN OUT B. All Molluscan shellfish from ICSSL listed sources/no recreationally caught shellfish received or sold/all fish commercially caught/raised or approved by the Regulatory Authority.**

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

**NA** This item may be marked NA if shellstock, are not used/offered in the establishment.

**NO** This item may be marked NO if shellstock, are sold periodically in the establishment but are not being sold at the time of the inspection and you are unable to determine prior compliance through tags, invoices or purchase records.

- 3-201.14 Fish
- 3-201.15 Molluscan Shellfish

**IN OUT C. Game animals and wild mushrooms approved by regulatory authority**

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

**NA** This item may be marked NA if game animals or wild mushrooms are not used/offered in the establishment.

**NO** This item may be marked NO if game animals or wild mushrooms are sold

periodically in the establishment but are not being sold at the time of the inspection and you are unable to determine prior compliance through invoices or purchase records.

3-201.16 Wild Mushrooms

3-201.17 Game Animals

**IN OUT 10. Food received at proper temperature**

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

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

**NO** This item may be marked NO if food is not received during the inspection.

3-202.11 Temperature

**IN OUT 11. Food in good condition, safe, and unadulterated**

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

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

3-101.11 Safe, Unadulterated, and Honestly Presented

3-202.15 Package Integrity

**12. Required records available: shellstock tags, parasite destruction**

**IN OUT A. Written documentation of parasite destruction maintained for 90 days for fish products that are intended for raw or undercooked consumption**

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

**NA** This item may be marked NA when no raw, raw-marinated, or undercooked fish are sold or served in RTE form or the only fish sold as raw, raw-marinated are tuna species such as Yellowfin, Southern and Northern Bluefin and Bigeye, or molluscan shellfish or fish eggs removed from their skein and rinsed, or aquacultured fish such as salmon that are exempted from freezing because they are fed formulated feed that does not contain live parasites infective to that fish.

**NO** This item may be marked NO when fish or raw, raw-marinated and undercooked fish are sold periodically in the establishment, but are not being sold at the time of inspection and prior compliance through tags, invoices, or purchase records cannot be verified.

3-402.11 Parasite Destruction

3-402.12 Records, Creation and Retention

**IN OUT B. Shellstock tags maintained for 90 days and in chronological order**

This item must be marked IN or OUT of compliance based on direct observations of shellstock tags. This item must be marked OUT of compliance if there are no shellstock tags available, when the shellstock tags are incomplete, when there is evidence of commingling of shellstock, when no date is recorded to indicate the last day the shellstock is sold or served

**NA** This item may be marked NA when shellstock are not used in the establishment.

**NO** This item may be marked NO when shellstock are sold periodically in the establishment, but are not being sold at the time of inspection and prior compliance through tags, invoices, buyer specifications, or purchase records cannot be verified.

3-202.18 Shellstock Identification

3-203.12 Shellstock, Maintaining Identification

**Protection from Contamination**

**13. Food separated & protected**

**IN OUT A. Separating raw animal foods from raw RTE food and separating Raw animal food from cooked RTE food**

This item should be marked IN or OUT of compliance based on direct observations of food storage and food handling practices. Frozen, sealed/intact commercially packaged raw animal food stored or displayed with or above frozen, sealed/intact commercially packaged RTE foods should be marked IN compliance. This item should be marked OUT of compliance when raw animal food is not separated from raw or cooked RTE food.

**NA** This item may be marked NA when there are no raw animal foods used in the facility and only prepackaged foods are sold.

**NO** This item is marked NO when raw animal foods are used or served seasonally and you are unable to determine compliance.

3-302.11(A) (1) Packaged and Unpackaged Food-Separation, Packaging and Segregation

**IN OUT B. Raw animal foods separated from each other during storage, preparation, holding, and display**

This item should be marked IN or OUT of compliance based on direct observations of food storage and food handling practices. This item should be marked OUT of compliance when raw animal foods are subject to potential contamination by raw animal foods; or raw animal foods are observed not separated by type based on minimum cook temperatures by spacing or placing in separate containers.

**NA** This item may be marked NA when there are no raw animal foods used in the facility or only one raw animal species or only prepackaged foods are sold.

**NO** This item is marked NO when raw animal foods are used or served seasonally and you are unable to determine compliance.

3-302.11(A) (2) Packaged and Unpackaged Food-Separation, Packaging and Segregation

**IN OUT C. Food protected from environmental contamination – critical items**

This item must be marked IN or OUT of compliance based on direct observations of food storage and food handling practices. This item must be marked OUT of compliance if food is not packaged or covered during storage (unless in the process of cooling); or food is in contact with soiled equipment and utensils; or single-use gloves used for more than one task.

**NA Do not Mark** this item NA

**NO Do not Mark** this item NO.

3-302.11(A) (3-8) Packaged and Unpackaged Food-Separation, Packaging and Segregation

3-304.11 Food Contact with Equipment and Utensils

3-304.15(A) Gloves, Use Limitation

3-306.13(A) Consumer Self-Service Operations

**IN OUT 14. Food-contact surfaces: cleaned & sanitized**

**NOTE:** This item will require some judgment to be used when marking it IN or OUT of compliance. You must provide notes concerning the reason it is marked OUT of compliance.

This item must be marked IN or OUT of compliance based on direct observations of food-contact surfaces of equipment and utensils; actual measurements/readings of chemical sanitizer concentration, hot water sanitizing temperature, pH, hardness, water pressure, etc. using test strips, heat-sensitive tapes, and equipment gauges; observations of cleaning and sanitizing procedures; and discussion of cleaning and sanitizing procedures and frequency with the PIC or other food employees. This item must be marked IN compliance when manual and/or mechanical methods of cleaning and sanitizing are effective, and performed at the prescribed frequency. There should be an overall assessment of the foodcontact surfaces of equipment and utensils in clean storage and in use to determine compliance. For example, this item is not marked OUT of compliance based on one visibly soiled utensil, such as a plate or knife or if one sanitizer container is without sanitizer. This item must be marked OUT of compliance if observations are made that support a pattern of noncompliance with this item, when manual and/or mechanical methods of cleaning and sanitizing food-contact surfaces of equipment and utensils are ineffective, or if one

multiuse piece of equipment such as a slicer or can opener is visibly soiled and being used at the time of the inspection.

**NA** This item may be marked NA only when there is no requirement to clean equipment and utensils such as when only prepackaged foods are sold.

**NO Do Not Mark** this item NO

4-501.111 Manual Warewashing Equipment, Hot Water Sanitization Temperatures

4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperatures

4-501.113 Mechanical Warewashing Equipment, Sanitization Pressure

4-501.114 Manual and Mechanical Warewashing Equipment, Chemical Sanitization-Temperature, pH, Concentration and Hardness

4-501.115 Manual Warewashing Equipment, Chemical Sanitization Using Detergent-Sanitizers

4-601.11(A) Equipment, Food-Contact Surfaces, Nonfood Contact surfaces and Utensils

4-602.11 Equipment Food-Contact Surfaces and Utensils-Frequency

4-602.12 Cooking and Baking Equipment

4-702.11 Before Use After Cleaning

4-703.11 Hot Water and Chemical-Methods

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

**IN OUT A. After being served or sold to a consumer, food is not reserved**

This item must be marked IN or OUT of compliance. This item is marked OUT of compliance if food is previously served unwrapped, unprotected food is observed being re-served.

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

3-306.14 Returned Food and Re-Service of Food

**IN OUT B. Discarding or Reconditioning Unsafe, Adulterated, or Contaminated Food**

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

**NA Do Not Mark** this item NA

**NO Do Not Mark** this item NO

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

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

**16. Proper cooking time & temperatures**

**NOTE:** The cooking temperatures of foods must be measured to determine compliance or noncompliance. Do not rely upon discussions with managers or cooks to make a determination of compliance or noncompliance. The temperature of raw animal foods in each species cooked during the inspection should be taken. For instance, if the facility fries chicken, scrambles eggs,

bakes fish, grills hamburgers, and slow-roasts prime rib during the inspection – the cook temperatures of all of the products should be measured and recorded. Temperatures, both IN compliance and OUT of compliance, should be recorded. Also, refer to cooking chart below.

**IN OUT A. Raw eggs broken on request and prepared for immediate service cooked to 63°C (145°F) for 15 seconds.**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process unless requested undercooked by the consumer. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

**NA** This item may be marked NA when raw eggs are not in the establishment, including raw eggs not used in recipes.

**NO** This item may be marked NO such as when raw eggs are used in the establishment, but you are unable to determine the cooking temperature. The inspection should be arranged at an optimum time for measuring at least one cooked item.

3-401.11(A) (1) Raw Animal Foods

**IN OUT B. Comminuted fish, meat, game animals commercially raised for food, and raw eggs not prepared for immediate service and comminuted meat on a child's menu cooked to 68°C (155°F) for 15 seconds or the time/temperature relationship specified in the chart in the Food Code.**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance. Undercooked comminuted meat with a consumer advisory on a child's menu is marked OUT of compliance.

**NA** This item may be marked NA if comminuted meats are not cooked, in the establishment.

**NO** This item may be marked NO if one or more types of meat are cooked, but you are unable to determine the cooking temperature of any of them. The inspection should be arranged at an optimum time for measuring at least one cooked item.

3-401.11(A) (2) and (D) (2) Raw Animal Foods

**IN OUT C. Whole meat roast, including beef, corned beef, lamb, pork, cured pork roasts and formed roasts, cooked to 54°C (130°F) for 112 minutes or as chart specifies and according to oven parameters per chart.**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This

item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process. If a food is cooked below the required time/temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

**NA** This item may be marked NA when roasts or formed roasts are not cooked in the establishment.

**NO** This item may be marked NO such as when one or more of these meat items are cooked, but you are unable to determine the cooking temperature of any food. The inspection should be arranged at an optimum time for measuring at least one cooked item.

#### 3-401.11(B) (1) and (2) Raw Animal Foods

**IN OUT D. Ratites and injected or mechanically tenderized meats cooked to 68°C (155°F) for 15 seconds or the time/temperature relationship specified in the corresponding chart in the Food Code.**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature, and document the reason it is IN compliance.

**NA** This item may be marked NA when none of the listed foods are cooked in the establishment.

**NO** This item may be marked NO such as when one or more of the listed foods are cooked in the establishment, but you are unable to determine the cooking temperature of any of them. The inspection should be arranged at an optimum time for measuring at least one cooked item.

#### 3-401.11(A) (2) Raw Animal Foods

**IN OUT E. Poultry; baluts; stuffed fish/meat/poultry/ratites/pasta or stuffing containing fish, meat, poultry, or ratites; or raw animal foods with a non-continuous cooking process cooked to 74°C (165°F) for 15 seconds.**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process. Foods cooked with a non-continuous cooking process are marked OUT of compliance if not cooked to 165°F for 15 seconds. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance

with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

**NA** This item may be marked NA when poultry/meat/ratites or stuffed items are not cooked in the establishment.

**NO** This item may be marked NO such as when one or more items are cooked but you are unable to determine the cooking temperature of any of them. The inspection should be arranged at an optimum time for measuring at least one cooked item.

3-401.11(A) (3) Raw Animal Foods

**IN OUT F. Wild game animals cooked to 74°C (165°F) for 15 seconds**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

**NA** This item may be marked NA when no wild game animals are cooked in the establishment.

**NO** This item may be marked NO such as when wild game animals are cooked, but you are unable to determine the cooking temperature of any of them. The inspection should be arranged at an optimum time for measuring at least one cooked item.

3-401.11(A) (3) Raw Animal Foods

**IN OUT G. Whole-muscle, intact beef steaks cooked to surface temperature of 63°C (145°F) on top and bottom. Meat surface has a cooked color.**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

**NA** This item may be marked NA when whole-muscle, intact beef steaks are not cooked in the establishment, or undercooked steaks are not offered.

**NO** This item may be marked NO such as when whole-muscle, intact beef steaks are cooked in the establishment, but you are unable to determine the cooking temperature. The inspection should be arranged at an optimum time for measuring at least one cooked item.

3-401.11(C) (3) Raw Animal Foods

**IN OUT H. Raw animal foods rotated, stirred, covered, and heated to 74°C (165°F) in a microwave. Food stands for 2 minutes after cooking.**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

**NA** This item may be marked NA when raw animal foods are not cooked in a microwave.

**NO** This item may be marked NO such as when raw animal foods are cooked in a microwave but you are unable to determine the cooking temperature of any of them. The inspection should be arranged at an optimum time for measuring at least one cooked item.

3-401.12 Microwave Cooking

**IN OUT I6. All other raw animal foods cooked to 63°C (145°F) for 15 seconds**

This item should be marked IN or OUT of compliance based on actual cooking temperature measurements using a calibrated food temperature measuring device. This item is marked OUT of compliance if a food item checked does not meet the time/temperature requirements for the cooking and the determination is made that the employee doing the cooking intends to serve the product before completing the cooking process unless requested undercooked by the consumer. If a food is cooked below the required temperature but the facility has an approved consumer advisory or an approved variance with a HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

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

**NO** This item may be marked NO such as when you are unable to determine the cooking temperature of any food. The inspection should be arranged at an optimum time for measuring at least one cooked item.

3-401.11(A) (1) (b) Raw Animal Foods

**Internal Cooking Temperature Specifications**

<b>145°F for 15 Seconds</b>	Raw eggs cooked for immediate service, Fish, except as listed below for 165°F for 15 seconds	Meat, except as listed in the next 2 Rows, Commercially raised game animals, rabbits
<b>155°F for 15 seconds:</b>	Ratites (Ostrich, Rhea, and Emu) Injected or mechanically tenderized meats, Raw eggs not for immediate service	Comminuted meat, fish, or commercially raised game animals
<b>165°F for 15 seconds:</b>	Wild game animals, Poultry,	Stuffed fish, meat, pork, ratites, poultry, & pasta

	Raw animal foods with a non-continuous cooking process	Stuffing containing fish, meat, ratites & poultry
<b>Whole Meat Roasts</b>	Refer to cooking charts in the <i>Food Code</i> ¶ 3-401.11(B)	

**17. Proper reheating procedures for hot holding**

**NOTE 6:** The reheating temperatures of foods must be taken to determine compliance or noncompliance. Do not rely solely upon discussions with managers or cooks to determine compliance or noncompliance. Temperatures IN and OUT of compliance should be recorded.

**IN OUT A. PHF/TCS Food that is cooked and cooled on premises is rapidly reheated within 2 hours to 74°C (165°F) or above for 15 second for hot holding**

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

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

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

3-403.11(A) and (D) Reheating for Hot Holding

**IN OUT B. Food reheated to 74°C (165°F) or above in microwave for hot holding**

This item should be marked IN or OUT of compliance based on actual temperature measurements of foods upon completion of the reheating process and prior to being placed in hot holding using a calibrated food temperature measuring device. The food must be stirred, covered and allowed to stand covered for two minutes after reheating. This item should be marked OUT of compliance if the items checked are not reheated to the required temperatures and/or within two hours prior to hot holding.

**NA** This item may be marked NA when foods are not reheated in a microwave in the establishment.

**NO** This item may be marked NO such as when foods are reheated in a microwave but you were unable to make a determination of compliance.

3-403.11(B) Reheating for Hot Holding

**IN OUT C. Commercially processed, RTE food reheated to 57°C (135°F) or above for hot holding**

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

**NA** This item may be marked NA when commercially processed ready-to-eat foods are not reheated for hot holding in the establishment.

**NO** This item may be marked NO such as when commercially processed ready-to-eat foods are reheated for hot holding in the establishment, but you were unable to determine the reheat temperature.

#### 3-403.11(C) Reheating for Hot Holding

##### **IN OUT D. Remaining unsliced portions of roasts reheated for hot holding using minimum over parameters**

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

**NA** This item may be marked NA when remaining unsliced portions of roasts are not used or reheated in the establishment.

**NO** This item may be marked NO such as when remaining unsliced portions of roasts are reheated for hot holding in the establishment, but you were unable to determine the reheat temperature.

#### 3-403.11(E) Reheating for Hot Holding

### **18. Proper cooling time & temperatures**

**NOTE:** The requirement for cooling cooked PHF (TCS Food, is that the food must be cooled from 135°F to 41°F or less in 6 hrs. provided that the food is cooled from 135°F to 70°F within the first 2 hours. For example, if a facility cools chili from 135°F to 70°F in 1.5 hours; then they have 4.5 hours to get it from 70°F to 41°F or less. There are two critical limits that must be met with cooling. Discussions with the person in charge along with observations should be used to determine compliance. For instance, during discussion the person in charge says that a food product was cooled overnight in the walk-in cooler. The product is checked and the temperature is 50°F. Eight hours have elapsed from closing to opening. This item should be marked out because the product did not cool from 135°F to 70°F within two hours and from 135°F to 41°F or less within a total of 6 hours. Temperatures IN compliance and OUT of compliance should be recorded. Because the entire cooling process is difficult to observe during an inspection, at the onset of the inspection a determination of whether foods are currently being cooled should be made. If cooling is taking place temperatures should be taken to make a determination of whether proper cooling is possible with procedures being used.

##### **IN OUT A. Cooked PHF/TCS Food cooled from 57°C (135°F) to 21°C (70°F) within 2 hours and from 57°C (135°F) to 5°C (41°F) or below in 6 hours**

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

**NA** This item may be marked NA when the establishment is a cook-serve establishment type, or does not cool or heat food.

**NO** This item may be marked NO when the establishment does cool PHF (TCS Food), but proper cooling per the prescribed temperature and time parameters cannot be determined during the length of the inspection.

#### 3-501.14(A) Cooling

#### **IN OUT B. PHF/TCS Food prepared from ambient temperature and/or pre-chilled ingredients cooled to 5°C (41°F) or below in 4 hours**

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

**NA** This item may be marked NA when the establishment does **no** cooling of PHF (TCS Food) from ambient temperature or pre-chilled ingredients.

**NO** This item may be marked NO when the establishment does cool PHF (TCS Food), but proper cooling per the prescribed temperature and time parameters cannot be determined during the length of the inspection.

#### 3-501.14(B) Cooling

#### **IN OUT C. Foods (milk/shellfish) received at a temperature according to law cooled to 5°C (41°F) or below in 4 hours**

**NOTE 8:** If one product is found out of temperature the item is marked out of compliance.

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

**NA** This item may be marked NA when the establishment does **not** receive shellstock, or milk.

**NO** This item may be marked NO when the establishment does receive shellstock, milk, or other products that have a transport temperature above 5°C (41°F).

#### 3-501.14(C) Cooling

#### **IN OUT D. Immediately upon receiving, eggs placed under refrigeration that maintains ambient air temperature of 7°C (45°F)**

**NOTE 9:** If eggs are immediately placed under refrigeration capable of maintaining an ambient air temperature of 7°C (45°F), satisfactory compliance is achieved. Federal regulations require that eggs be transported and stored at 7°C (45°F) or lower ambient air temperature – cooling time does not apply to this item. This item should be marked IN or OUT of compliance based on actual observation of eggs being placed into a refrigeration unit maintaining an ambient air temperature of 7°C (45°F).

**NA** This item may be marked NA when the establishment does **not** receive eggs

**NO** This item may be marked NO only when eggs are received but you are not there to observe the actual receipt and immediate disposition.

3-501.14(D) Cooling

### **19. Proper hot holding temperatures**

**NOTE:** Temperatures IN compliance and OUT of compliance should be recorded.

#### **IN OUT A. PHF/TCS Food maintained at 57°C (135°F) or above, except during preparation, cooking, or cooling, or when time is used as a public health control**

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

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

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

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

#### **IN OUT B. Roasts held at a temperature of 54°C (130°F) or above**

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

**NA** This item may be marked NA if roast is not on the menu.

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

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

### **20. Proper cold holding temperatures**

**NOTE:** Temperatures IN compliance and OUT of compliance should be recorded.

#### **IN OUT A. PHF (TCS Food) maintained at 5°C (41°F) or below, except during preparation, cooking, cooling, or when time is used as a public health control**

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

**NA** This item may be marked NA when the establishment does not cold hold food.

**NO Do not mark** this item NO

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

**IN OUT B. Untreated eggs stored in 7°C (45°F) ambient air temperature**

This item should be marked IN or OUT of compliance based on actual ambient refrigerated equipment temperature measurements using a calibrated temperature measuring device. This item should be marked IN compliance when the regulatory authority determines that the ambient temperature inside the refrigerated equipment is at or below 45°F. This item should be marked OUT of compliance when the regulatory authority determines that the ambient temperature inside the refrigerated equipment is above 45°F.

**NA** This item may be marked NA when the establishment does **not** receive eggs.

**NO** This item may be marked NO only when eggs are received but you are not there to observe the actual receipt and immediate disposition.

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

**21. Proper date marking & disposition**

**IN OUT A. Date marking for RTE, PHF (TCS Food) prepared on-site or opened commercial container held for more than 24 hours**

This item should be marked IN or OUT of compliance. This item would be IN compliance when there is a system in place for date marking all foods that are required to be date marked and is verified through observation. If date marking applies to the establishment, the PIC should be asked to describe the methods used to identify product shelf-life or “consume-by” dating. The regulatory authority must be aware of food products that are listed as exempt from date marking.

**NA** This item may be marked NA when there is no ready-to-eat, PHF (TCS Food) prepared-on-premise and held, or commercial containers of ready-to-eat, PHF (TCS Food) opened and held, over 24 hours in the establishment.

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

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

**IN OUT B. Discarding RTE, PHF (TCS Food) prepared on-site or opened commercial container held at  $\leq 5^{\circ}\text{C}$  ( $41^{\circ}\text{F}$ ) for  $\leq 7$  days**

This item should be marked IN or OUT of compliance. For disposition, mark IN when foods are all within date marked time limits or food is observed being discarded within date marked time limits or OUT of compliance, such as when date marked food exceeds the time limit or date-marking is not done.

**NA** This item may be marked NA when there is no ready-to-eat, PHF (TCS Food) prepared-on-premise and held, or commercial containers of ready-to-eat, PHF (TCS Food) opened and held, over 24 hours in the establishment.

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

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

**IN OUT 22. Time as a public health control: procedures & records**

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

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

**NO** This item may be marked NO when the establishment uses time only as the public health control, but is not using this practice at the time of inspection.

3-501.19 Time as a Public Health Control

**Consumer Advisory**

**IN OUT 23. Consumer advisory provided for raw or undercooked foods**

This item should be marked IN or OUT of compliance based on a thorough review of the posted, written and special/daily menus with the PIC to determine if untreated eggs, meats, fish, or poultry may be used as an ingredient in or ordered as a raw, raw-

marinated, partially cooked, or undercooked food. The advisory also applies to shellstock offered for sale from a retail service case. This item should be marked IN compliance if the establishment provides an advisory that meets the intent of the Food Code for both the disclosure and reminder components. This item should be marked OUT of compliance when raw or undercooked foods are served or sold and there is no consumer advisory, the food item is not disclosed, or there is no reminder statement. The consumer advisory does not exempt the requirement for freezing for parasite control.

**NA** This item may be marked NA such as in the circumstance where a food establishment does not serve a ready-to-eat food that necessitates an advisory, i.e., an animal food that is raw, undercooked, or not otherwise processed to eliminate pathogens.

**NO Do Not Mark** this item NO

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

### **Highly Susceptible Populations**

#### **24. Pasteurized foods used; prohibited foods not offered**

**NOTE:** Discussions with the person in charge and employees regarding whether or not certain foods are served or certain practices occur in the establishment, along with observations should be used to determine compliance. Violations of bare hand contact by food employees serving a Highly Susceptible Population ¶ 3-801.11(D) is marked under Item #7.

#### **IN OUT A. Prepackaged juice/beverage containing juice with a warning label [21 CFR, Section 101.17(g)] not served**

This item should be marked IN or OUT of compliance based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. This item should be marked IN compliance if only treated/pasteurized juices/juice beverages are served.

**NA** This item may be marked NA if a highly susceptible population is not served.

**NO Do Not Mark** this item NO

3-801.11(A) Pasteurized Foods, Prohibited Re-service, and Prohibited Foods

#### **IN OUT B. Using pasteurized eggs in recipes if eggs are to be undercooked; or are**

combined unless: cooked to order & immediately served; used immediately before baking and thoroughly cooked; or prepared under a HACCP plan controlling *Salmonella* Enteritidis This item should be marked IN or OUT of compliance, based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. This item should be marked IN compliance if only pasteurized eggs are used in recipes if eggs are undercooked and if eggs are combined, unless there is a cook step or HACCP plan to control *Salmonella* Enteritidis.

**NA** This item may be marked NA if a highly susceptible population is not served.

**NO Do Not Mark** this item NO

3-801.11(B) and (E) Pasteurized Foods, Prohibited Re-service and Prohibited Foods

**IN OUT C. Raw or partially cooked animal food and raw seed sprouts not served**

This item should be marked IN or OUT of compliance, based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. This item should be marked IN compliance if no raw or partially cooked animal foods or raw seed sprouts are served.

**NA** This item may be marked NA if a highly susceptible population is not served.

**NO Do Not Mark** this item NO

3-801.11(C) Pasteurized Foods, Prohibited Re-service, and Prohibited Foods

**IN OUT D. Foods not re-served under certain conditions**

This item should be marked IN or OUT of compliance based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. This item should be marked IN compliance if no unopened packaged food is re-served following service to patients in medical isolation or quarantine.

**NA** This item may be marked NA if a highly susceptible population is not served.

**NO Do Not Mark** this item NO

3-801.11(G) Pasteurized Foods, Prohibited Re-service, and Prohibited Foods

**Food/Color Additives and Toxic Substances**

**IN OUT 25. Food additives: approved & properly used**

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

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

**NO Do Not Mark** this item NO

3-202.12 Additives

3-302.14 Protection from Unapproved Additives

## **26. Toxic Substances Properly Identified, Stored, and Used**

### **IN OUT A. Poisonous or toxic materials, chemicals, lubricants, pesticides, medicines, first aid supplies, and other personal care items properly identified, stored, and used**

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

**NA Do not Mark** this item NA

**NO Do Not Mark** this item NO

- 7-101.11 Identifying Information, Prominence-Original Containers
- 7-102.11 Common Name-Working Containers
- 7-201.11 Separation-Storage
- 7-202.11 Restriction-Presence and Use
- 7-202.12 Conditions of Use
- 7-203.11 Poisonous or Toxic Material Containers-Prohibitions
- 7-204.11 Sanitizers, Criteria-Chemicals
- 7-204.12 Chemicals for Washing Fruits and Vegetables-Criteria
- 7-204.13 Boiler Water Additives, Criteria
- 7-204.14 Drying Agents, Criteria
- 7-205.11 Incidental Food Contact, Criteria-Lubricants
- 7-206.11 Restricted Use Pesticides, Criteria
- 7-206.12 Rodent Bait Stations
- 7-206.13 Tracking Powders, Pest Control and Monitoring
- 7-207.11 Restriction and Storage-Medicines
- 7-207.12 Refrigerated Medicines, Storage
- 7-208.11 Storage-First Aid Supplies
- 7-209.11 Storage-Other Personal Care Items (Stock and Retail Sale of Poisonous or Toxic Material)

### **IN OUT B. Poisonous or toxic materials held for retail sale properly stored**

This item should be marked IN or OUT of compliance based on direct observations of containers of cleaning agents and sanitizers, personal care items, first aid supplies, medicines, pesticides, and potential toxic and poisonous substances being stored for retail sale. This item should be marked IN compliance when containers of cleaning agents, sanitizers, personal care items, first aid supplies, medicines, and chemicals are stored separate from and not above food, equipment, utensils, linens, and single service and single-use articles on retail sale shelves. This

item should be marked OUT of compliance if poisonous or toxic materials are not properly stored on retail shelves.

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

**NO Do Not Mark** this item NO

7-301.11 Separation-Storage and Display, Stock and Retail Sale

### **Conformance with Approved Procedures**

#### **27. Compliance with variance, specialized process, ROP Criteria & HACCP plan**

##### **IN OUT A. Reduced Oxygen Packaging (ROP) as specified in 3-502.12 permitted without a variance under certain specified conditions in accordance with a required HACCP plan.**

This item should be marked IN or OUT of compliance based on direct observations of food preparation and storage, a discussion with the PIC to determine if there are specialized food processes [i.e. smoking food, curing food, reduced oxygen packaging (including cook chill or sous vide), using food additives to render a food so that it is not PHF (TCS Food), etc.] This item should be marked IN compliance when observations of food operations and review of available records indicate compliance is being met with regards to specialized food processes.

**NA** This item may be marked NA when the food establishment does not do reduced oxygen packaging on the premises.

**NO Do Not Mark** this item NO

3-502.12 Reduced Oxygen Packaging without a Variance, Criteria

8-201.13 (B) When a HACCP Plan is Required

8-201.14 (D) Contents of a HACCP Plan

##### **IN OUT B. Operating in accordance with approved variance and/or HACCP plan as required.**

This item should be marked IN or OUT of compliance based on discussion with the PIC and the record review of standard operating procedures and HACCP documentation.

This item should be marked IN compliance when observations of food operations and review of available records indicate compliance is being met with regards to specialized food processes.

**NA** This item may be marked NA if the establishment is not required by the regulatory authority to have a variance or HACCP plan.

**NO Do Not Mark** this item NO

3-502.11 Variance Requirements

8-103.12 Conformances with required procedures

##### **IN OUT C. When packaged in a food establishment, juice is treated under a HACCP plan to reduce pathogens or labeled as specified in the *Food Code***

This item should be marked IN or OUT of compliance based on direct

observations of juice being packaged in the food establishment. A discussion with the PIC and a record review of standard operating procedures and HACCP documentation should be done to determine compliance. This item should be marked IN compliance when observations and review of available records indicate compliance is being met with regards to packaging juice at retail.

**NA** This item may be marked NA when juice is not packaged in the establishment.

**NO Do Not Mark** this item NO

3-404.11 Treating Juice

## **GOOD RETAIL PRACTICES (GRPs)**

### **Safe Food and Water**

#### **IN OUT 28. Pasteurized eggs used where required**

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

(3). 3-302.13 Pasteurized Eggs, Substitute for Raw Eggs for Certain Recipes.

#### **IN OUT 29. Water and ice from approved source**

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

3-202.16 Ice

5-101.11 Approved System-Source

5-102.11 Standards-Quality

5-102.12 Nondrinking Water

5-102.13 Sampling

5-102.14 Sample Report

5-104.12 Alternative Water Supply

#### **IN OUT 30. Variance obtained for specialized processing methods**

When a Food Establishment wants to deviate from a requirement in the code, utilizes specialized processing methods as specified in §3-502.11 such as smoking food for preservation, curing food etc. a variance must first be obtained from the regulatory authority. Per ¶8-201.13 (A) a HACCP plan is also be required as listed in as part of the variance request.

**NA** This item may be marked NA if the establishment is not engaged in a specialized processing method or a process or processing method determined by the regulatory authority to require a variance and a HACCP plan.

## 8-103.11 Documentation of Proposed Variance and Justification

### **Food Temperature Control**

#### **IN OUT 31. Proper cooling methods used; adequate equipment for temperature control**

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

3-501.11 Frozen Food

3-501.15 Cooling Methods

4-301.11 Cooling, Heating and Holding Capacities-Equipment

#### **IN OUT 32. Plant food properly cooked for hot holding**

In determining compliance, observations must be made and an actual cooking temperature must be obtained.

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

**NO** This item may be marked NO when plant foods are cooked for hot holding, but are not available for observation during the inspection.

3-401.13 Plant Food Cooking for Hot Holding

#### **IN OUT 33. Approved thawing methods used**

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

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

**NO** This item may be marked NO if this food is thawed, but thawing was not observed during the inspection.

3-501.12 PHF/TCS Food, Slacking

3-501.13 Thawing

#### **IN OUT 34. Thermometers provided & accurate**

Thermometers provide a means for assessing active managerial control of PHF (TCS Foods) temperatures. Determine compliance by observing the location and verifying the scaling of the temperature measuring devices in the range of use to measure food, water, or ambient air temperatures. Food thermometers must be calibrated at a frequency to ensure accuracy. Food thermometers should be accessible for use by employees and have a probe size appropriate to the food item.

- 4-203.11 Temperature Measuring Devices, Food-Accuracy
- 4-203.12 Temperature Measuring Devices, Ambient Air and Water-Accuracy
- 4-204.112 Temperature Measuring Devices-Functionality
- 4-302.12 Food Temperature Measuring Devices
- 4-502.11(B) Good Repair and Calibration

### **Food Identification**

#### **IN OUT 35. Food properly labeled; original container**

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

- 3-202.17 Shucked Shellfish, Packaging and Identification
- 3-203.11 Molluscan Shellfish, Original Container
- 3-302.12 Food Storage Containers Identified with Common Name of Food
- 3-305.13 Vended PHF/TCS Food, Original Container
- 3-601.11 Standards of Identity
- 3-601.12 Honestly Presented
- 3-602.11 Food Labels
- 3-602.12 Other Forms of Information

### **Prevention of Food Contamination**

#### **IN OUT 36. Insects, rodents, & animals not present/outer openings protected**

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

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

#### **IN OUT 37. Contamination prevented during food preparation, storage & display**

The observation and understanding of the flow of food items from the point of receipt to the point of sale, service, or distribution is necessary to determine whether a violation exists. Food is subject to direct and indirect sources of contamination in the establishment. Sources may be related to the working environment, packaging, adequacy of storage facilities, and exposure of food on display to contamination (i.e. salad bars).

- 3-202.19 Shellstock, Condition

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

### **IN OUT 38. Personal cleanliness**

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

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

### **IN OUT 39. Wiping cloths: properly used & stored**

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

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

### **IN OUT 40. Washing fruits & vegetables**

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

- 3-302.15 Washing Fruits and Vegetable

## **Proper Use of Utensils**

### **IN OUT 41. In-use utensils: properly stored**

Based on the type of operation, there are a number of methods available for storage of in-use utensils during pauses in food preparation or dispensing, such as in the food, clean and protected, under running water, or changing often enough to prevent bacterial growth etc. If stored in a container of water, the water temperature must be at least 135°F. In-use utensils may not be stored in chemical sanitizer or containers of ice between uses. Ice scoops may be stored handles up in an ice bin and an ice machine bin provided that the scoop is not buried.

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

#### **IN OUT 42. Utensils, equipment & linens: properly stored, dried, & handled**

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

4-803.11 Storage of Soiled Linens

4-803.12 Mechanical Washing

4-901.11 Equipment and Utensils, Air Drying Required

4-903.11 (A), (B) and (D) Equipment, Utensils, Linens, and Single-Service and Single-Use Articles

4-903.12 Prohibitions

4-904.11 (B) Kitchenware and Tableware-Preventing Contamination

4-904.12 Soiled and Clean Tableware

4-904.13 Preset Tableware

4-904.14 Rinsing Equipment and Utensils after Cleaning and Sanitizing

#### **IN OUT 43. Single-use/single-service articles: properly stored & used**

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

4-502.12 Single-Service and Single-Use Articles, Required Use

4-502.13 Single-Service and Single-Use articles, Use Limitations

4-502.14 Shells, Use Limitations

4-903.11 (A) and (C) Equipment, Utensils, Linens, and Single-Service and Single-Use Articles-Storage

4-903.12 Prohibitions

4-904.11 Kitchenware and Tableware

#### **IN OUT 44. Gloves used properly**

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

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

### **Utensils, Equipment and Vending**

#### **IN OUT 45. Food & non-food contact surfaces cleanable, properly designed, constructed, & used**

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

used and in proper adjustment, such as calibrated food thermometers.

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

**IN OUT 46. Warewashing facilities: installed, maintained, & used; test strips**

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

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

**IN OUT 47. Non-food contact surfaces clean**

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

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

**Physical Facilities**

**IN OUT 48. Hot & cold water available; adequate pressure**

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

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

**IN OUT 49. Plumbing installed; proper backflow devices**

The observation of an approved plumbing system, installed and maintained, including the equipment and devices connected to the potable water supply, is necessary to determine whether a violation exists. An assessment of the layout of the establishment and the water

distribution system is made to determine if there are any points at which the potable water supply is subject to contamination or is in disrepair.

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

#### **IN OUT 50. Sewage & waste water properly disposed**

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

- 5-401.11 Capacity and Drainage
- 5-402.11 Backflow Prevention
- 5-402.12 Grease Trap
- 5-402.13 Conveying Sewage
- 5-402.14 Removing Mobile Food Establishment Wastes
- 5-402.15 Flushing a Waste Retention Tank

- 5-403.11 Approved Sewage Disposal System
- 5-403.12 Other Liquid Wastes and Rainwater

**IN OUT 51. Toilet facilities: properly constructed, supplied, & cleaned**

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

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

**IN OUT 52. Garbage & refuse properly disposed; facilities maintained**

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

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

**IN OUT 53. Physical facilities installed, maintained, & clean**

Observations are made of the overall installation, conditions or practices related to the physical facility (i.e. whether they are in good repair and maintained). It is important that a general assessment is made in determining the level of compliance, such as in an isolated incident versus trend, and of the potential public health impact involved. Storage of maintenance tools, use of laundry facilities, (if applicable), and separate living/sleeping quarters are included in this section.

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

**IN OUT 54. Adequate ventilation & lighting; designated areas used**

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

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

