

**INSTRUCTIONS FOR MARKING THE RISK BASED CHECK SHEET INCLUDING
CHAPTER 24 CODE REFERENCES FOR RISK FACTORS/INTERVENTIONS AND
GOOD RETAIL PRACTICES For 2007 VERSION OF CHAPTER 24
November 2013**

Risk Factors and Interventions

Risk factors are food preparation practices and employee behaviors most commonly reported to the Centers for Disease Control and Prevention (CDC) as contributing factors in foodborne illness outbreaks. Risk factors include: Food from Unsafe Sources, Improper Holding Temperatures, Inadequate Cooking, Contaminated Equipment, and Poor Personal Hygiene. These items are prominent on the Food Establishment Inspection Report because maintaining these items in compliance is vital to preventing foodborne illness. The five key interventions are: Demonstration of Knowledge, Employee Health Controls, Controlling Hands as a Vehicle of Contamination, Time and Temperature Parameters for Controlling Pathogens, and the Consumer Advisory.

For each item, indicate one of the following for OBSERVATIONAL STATUS:

- IN Item was found to be in compliance. Do not mark "IN" unless the item was observed to be in compliance (except for Item #24; see instructions for details).
- OUT Item was found to be out of compliance. When marking a section as **OUT** of compliance, the inspector should describe the violation on the Observations Sheet of the report with notes concerning the reason (public health significance) why the section was marked "OUT." The correct item number should be documented in the left hand column and properly cross referenced to Chapter 24.
- N.O. Not observed; the process in question occurs but is not in operation at time of inspection.
- N.A. This item is not applicable to the facility.
- COS Corrected On-Site. Whenever marking COS, "OUT" of compliance must also be marked. A statement of how the PIC corrected the violation should also be noted on the Observation Sheet.
Marking COS indicates that all violations cited under that particular item number have been corrected and verified before completing the inspection. The actual corrective action taken for each violation should be documented in the "Observations and Corrective Actions" section of the inspection report. For example, Item #7 *Handwashing Facilities* is marked out of compliance because the establishment does not have soap and paper towels at the handwashing sink. The person in charge partially corrects the problem by putting soap at the sink, but does not replace paper towels or provide any other effective means for drying hands. The corrective action taken for the soap is documented in the narrative on the form, but **COS** is not marked for item #7 because all violations under that item were not corrected.
- R Marking **R** indicates that the same violation under the same item # was cited on the last inspection report. Using the same scenario, on the subsequent inspection, if the provision of soap and paper towels is not in violation, but the sink has no warm water, (which is also cited under #7) **R** would not be marked because this is a new violation which was not cited on the previous inspection report. On the

other hand, any previous cold holding violations, regardless of the unit or the food item would be marked OUT and **R**.

Section # 1-24 are Priority (Critical) Items. If any item in this section is marked OUT and has not been corrected on site, a timely follow-up reinspection is required.

This document is designed to assign each violation of Chapter 24 to the appropriate item numbers on the Risk Based Check Sheet.

“Swing” codes are followed by the bold, superscripted letter ^S. A swing code is a Chapter 24 Code section that may be either a foodborne illness risk factor or good retail practice violation and is therefore located under more than one item number. The location of swing codes shall be determined by the inspector in accordance with the seriousness of the violation.

FOODBORNE ILLNESS INTERVENTIONS & RISK FACTORS

MANAGEMENT & PERSONNEL

I. DEMONSTRATION OF KNOWLEDGE

1. PIC (PERSON IN CHARGE) DEMONSTRATES KNOWLEDGE of food safety principles pertaining to this operation.

The PIC has three assigned responsibilities- Presence; Demonstration of Knowledge; and Duties. Demonstration of Knowledge may be determined by several methods.

The inspector will ask the PIC Questions to determine if the PIC has basic knowledge of food safety pertaining to the specific operations of that establishment. Since marking 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 2.1.

IN Person in charge is present. The inspector has determined the PIC has control over systems put into practice regarding oversight and/or routine monitoring of duties (active managerial control). Regardless of the answers to the PIC questions, if no Foodborne Illness Risk Factor violations are observed, this would indicate an IN compliance.

OUT This item is marked OUT of compliance in any one of the responsibilities are not met. This item must be marked OUT of compliance when there is a pattern of non-compliance and obvious failure of the PIC to ensure employees are complying with measures to prevent food borne illness risk factors.

Applicable Code Sections:

2.1(a) Person in Charge (PIC) needed

2.1(b) PIC shall demonstrate knowledge

2.1 (c) Duties of PIC

8.6 Emergency Occurrences

2. PIC IN “RISK LEVEL 3” RETAIL FOOD ESTABLISHMENTS IS CERTIFIED.

A PIC must be present at all times, however; only one PIC per establishment needs a food manager’s certificate. New Jersey recognizes the following Food Manager’s Certificate ONLY: ServSafe, National Registry for Food Protection, Thompson Pro-Metric and 360 Training.

- IN This item may be marked IN only in the case where the inspector has seen the certificate and verified that the certificate has not expired.
- IN This item may also be marked IN if the food establishment is Risk 1, 2 or 4 and the food manager has a valid food manager’s certificate.
- OUT This item must be marked OUT of compliance if PIC cannot verify that at least one manager employed by this establishment has a valid certificate from ServSafe, National Registry for food Safety, Thompson Pro-metric or 360 Training.
- N.A This item may be marked N.A only if the food establishment is Risk Level 1, 2, or 4 (unless required under local ordinance.)

Applicable Code Section:

2.1(b) PIC shall be certified in Risk Type 3 Establishments

3. ILL OR INJURED FOOD WORKERS RESTRICTED/EXCLUDED as required.

This will only be determined by observation.

NOTE: An ill food worker is defined in Section 2.2a of Chapter 24

- IN This item must be marked IN if you do not observe an ill food worker.
- OUT This item must be marked OUT of compliance if one person is observed working with an illness.
- N.O. This item may only be marked N.O if no food workers are present to observe.

Applicable Code Sections:

- 2.2(a) Affected workers shall not work
- 2.2(b) Responsibility of PIC
- 2.4(b) Symptomatic employees shall not work

PREVENTING CONTAMINATION FROM HANDS

4. HAND WASHING CONDUCTED IN A TIMELY MANNER; prior to work, after using restroom, etc.

The inspector must be in the establishment long enough to make an observation of employee hand washing.

- IN This item should be marked IN compliance only when employees are observed using proper handwashing techniques at appropriate times.
- OUT This item must be marked OUT of compliance if one person is observed with soiled hands or hands that have not been washed when required.
- N.O. This item may be marked N.O. in the case where no food workers are present to observe. If you have been in the establishment for a considerable amount of time and it was not necessary for the food workers to wash hands i.e. they were performing the same task and did not need to change gloves and wash hands or if no food worker left the work area to perform another task, information can be gathered from questioning the PIC about the establishment's handwashing policy. *(If this item is marked N.O. a statement must be noted on the Observations Sheet of the report with notes concerning the reason why the section was marked as such.)*

Applicable Code Section:

2.3(f) When hands must be washed

5. HAND WASHING PROPER; includes at least 20 seconds with at least 10 seconds of vigorous lathering.

- IN This item should be marked IN compliance only when employees are observed using proper handwashing techniques and for the proper duration.
- OUT This item must be marked OUT of compliance if one person is observed not washing hands using proper handwashing techniques or for the proper duration.
- N.O. This item may be marked N.O. in the RARE case where no food workers are present to observe. (If #4 has been marked N.O. this item may also to be marked N.O. for the same reasons.)

Applicable Code Sections:

2.3 (b) Cleaning Procedure

2.3 (c) How hands must be washed

2.3 (h) Hand Sanitizers

6. HAND WASHING FACILITIES are provided in toilet rooms, prep areas, convenient, accessible, and unobstructed.

All retail food operations **MUST** have conveniently located hand wash facilities. Hand wash sinks must also be provided for bar tenders and wait staff. Culinary or food preparation sinks may NOT be used for hand washing. Compliance is based on observations in determining that handwashing sinks are conveniently located for food employee use.

- IN Hand sinks are available where needed and are unobstructed.
- OUT This item must be marked OUT of compliance if one person is observed not washing hands in the appropriate place.
- OUT This item must be marked OUT of compliance if the handwashing sink is not located to be available to food employees who are working in food preparation, food dispensing and warewashing area, is blocked by portable equipment or stacked full of soiled utensils or other items, or the sink is unavailable for regular employee use.
- N.A. **Do Not Mark** this item N.A.
- N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

- 2.3 (g) Where to wash hands
- 6.7(a) Size, Number and Location
- 6.7(c) Located near toilet rooms
- 6.7(d) Provided in food prep areas
- 6.7(n) Maintained and accessible for employee use
- 6.7(o) Prohibited use for other purposes
- 6.7(q) Clean and in good repair^{S 44}

7. HANDWASHING FACILITIES are provided with warm water; soap & acceptable hand drying method.

Compliance is based on observations in determining that handwashing sinks are properly equipped for proper hand washing.

- IN Hand sinks have warm water and adequate hand washing aids.
- OUT This item must be marked OUT of compliance when even one hand sink is not plumbed with hot water or is not stocked with soap and provided with appropriate hand drying provisions.
- N.A. **Do Not Mark** this item N.A.
- N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

- 6.7(e) Properly equipped with warm water
- 6.7(i) Supplied with soap
- 6.7(j) Provided with hand drying device
- 6.7(k) Common towel prohibited

8. DIRECT BARE HAND CONTACT with exposed, ready-to-eat foods is avoided.

- IN This item must be 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 pre-approved alternative procedures to no bare hand contact.
- OUT This item must be marked OUT of compliance if one person is observed touching ready-to-eat foods with their bare hands in the absence of a prior approval and written procedures for bare hand contact.
- N.A. This item may be marked N.A. for establishments that do not prepare ready-to-eat foods, such as retail meat or seafood departments or provide only packaged or bulk food items that are not ready-to-eat.
- N.O. This item may be marked N.O. for establishments that prepare ready-to-eat foods but no food preparation is performed at the time of inspection.

Applicable Code Section:

3.3(a) 1-4 Contamination from employee's hands

FOOD SOURCE

9. ALL FOODS, INCLUDING ICE & WATER, FROM SAFE SOURCES; WITH PROPER RECORDS

- All foods must be from approved sources
- Shellfish must be purchased from NSSP listed sources.
- No recreationally caught shellfish received or sold.
- No home prepared/ home canned foods

The marking of this item is based on direct observations of food products, food labels and packaging, water analyses, and discussion with the PIC or other food employees.

- IN This item must be marked IN compliance only when the inspector is able to determine approved food sources. A review of supplier names, shipment invoices, buyer specification plans, molluscan tags, proof of regulatory permit/licensure of a food source, etc. can be used to document approved food sources. Milk and milk products must comply with Grade A Standards.
- OUT This item must be marked OUT of compliance when an approved food source cannot be determined .
- N.A. **Do Not Mark** this item N.A.
- N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

- 3.2(a)1 Compliance with State /local laws and regulations
- 3.2(a)2 No home prepared foods allowed

- 3.2(a)3 Prepackaged foods shall be labeled
- 3.2(a)4 Fish intended for raw consumption obtained from supplier in frozen state
- 3.2(a)4 Fish intended for raw consumption must have proper “freezing” records
- 3.2(a)5 Meat and poultry labeled with safe handling instructions
- 3.2(b) Hermetically sealed containers from approved source
- 3.2(c) Milk and milk products from approved source
- 3.2(d) Wild mushrooms from approved source
- 3.2(e) Requirements for sale of game animals
- 3.2(g) No unapproved additives
- 3.2(h) Shell eggs clean and graded
- 3.2(i) Liquid eggs pasteurized
- 3.2(k) Ice made only from drinking water
- 3.2(l) Fish legally caught or harvested
- 3.2(m)1,2 Molluscan shellfish source requirements
- 3.2(n) Shucked shellfish ID requirements
- 5.1(a) Drinking water from approved source
- 5.1(d) Standards ^{S 25}
- 5.1(e) Non-drinking water
- 8.7 Salvaged Foods

10. SHELLFISH/SEAFOOD RECORD KEEPING PROCEDURES; storage; proper handling; parasite destruction

Records MUST be kept. Section 3.2(r) 2 requires shellfish records to be kept in chronological order for 90 days. The critical risk factor of records being kept properly is so that a trace back can be performed in the event of an outbreak. Fish intended to be served raw or undercooked must be frozen to kill parasites as per 3.4(d). Written documentation must be provided to verify the fish was frozen by the establishment or by the supplier as per 3.4(e).

NOTE: Shellfish tags not in chronological order would not be basis for marking OUT of compliance for this item. *Inspectors should advise PICs to place records in order and mark item #26 OUT noting on the Observations Sheet of the report the reason why the section was marked as such.*

IN 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.

- IN This item should be marked IN compliance if the permit holder sells raw shellstock and the shellstock tags are on the original container or kept for 90 days after the container has been emptied.
- OUT This item should be marked OUT of compliance if there are no shellstock tags available, when the shellstock tags are incomplete, when there is evidence of commingling of shellstock, or when no records of freezing of fish for parasite destruction are available. Fish exempt from freezing requirements are found in paragraph 3.4d.2.
- N.A. This item may be marked N.A. when shellstock are not used in the establishment and the only fish sold as raw, raw-marinated or undercooked is the tuna species or aquacultured fish listed as exempted from freezing in Chapter 24.
- N.O. This item is marked N.O. when shell stock raw, raw-marinated and undercooked fish is a seasonal or occasional item and has not been sold or used within the establishment within the past 90 days or when shellstock are sold periodically in the establishment but are not being sold at the time of inspection and prior compliance through tags, invoices, or purchase records cannot be verified.

Applicable Code Sections:

- 3.2(o) Information listed on shellfish tags
- 3.2(q) Molluscan shellfish stored in original container
- 3.2(r)1 Shellfish tags attached to original container
- 3.2(r)2 Maintaining Shellfish records kept for 90 days
- 3.4(d) Parasite Destruction Requirements
- 3.4(e) Parasite Destruction Documentation

11. TCS FOODS RECEIVED at 41°F or below. *Except milk, shell eggs & shellfish (45°F)*

Compliance of this item is based on actual food temperature measurements of TCS foods being received. Food must be received at proper temperatures and protected from contamination during transportation and receiving. Food must be determined to be safe and unadulterated. Do not depend on the establishment's records or PIC interview to determine compliance of this item.

- IN This item may be marked IN only in the case where deliveries are being made at the time of your inspection and you have the opportunity to check that the food is safe and unadulterated, and are able to check any temperatures of food and verify the receiving temperature.
- OUT This item must be marked OUT of compliance if one TCS food item is received and accepted, but an actual food temperature measurement of a TCS food by the inspector at the time of delivery exceeds the temperature specifications for receiving as prescribed by Chapter 24.

- N.O. Mark this item N.O. if the food appears safe and unadulterated but you are not able to determine the condition of foods transported, or if food is not received during the inspection.
- N.A. This item may be marked N.A. only if establishment does not sell TCS foods.

Applicable Code Section:

- 3.2(f) Temperature requirements for receiving TCS food

FOOD PROTECTION

12. PROPER SEPARATION of raw meats & raw eggs from ready-to-eat foods provided.

Compliance with this item is based on direct observations of food storage and food storage practices.

- OUT This item should be marked OUT of compliance when ready-to-eat foods are subject to potential contamination by raw animal foods; raw animal foods are observed not separated by type based on minimum cook temperatures by spacing or placing in separate containers.
- N.A. This item may be marked N.A. when there are no raw animal foods used in the facility.
- N.O. This item is marked N.O. when raw animal foods are used or served seasonally and you are unable to determine compliance.

Applicable Code Sections:

- 3.3(c)1. i. Separation of raw and ready to eat foods
- 3.3(c)1. ii. Separation of raw animal foods

13. FOODS PROTECTED FROM CONTAMINATION

Compliance with this item is based on direct observations of the integrity of product packaging, wholesomeness and signs of adulteration or if food is in contact with soiled equipment and utensils. Only those violations considered of a critical nature or needing immediate attention (enforcement) to avoid food contamination should be noted here.

- IN This item is marked IN if contamination of food is not observed. (If **potential** food contamination is observed, mark #27 OUT).
- IN 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.
- IN This item is marked IN when a dent on 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.
- OUT This item is marked OUT of compliance only if contamination of food is **observed** and contamination is of a critical nature, i.e. immediate hazard. Examples of this include moldy food and liquid dairy products that are out of date. *(The inspector should request that the product be voluntarily destroyed or the product should be embargoed. Out of date dairy products may be put aside for vendor credit.)*
- OUT 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.
- OUT This item should be marked OUT if food is found to be cooling in ice to be used for drinking purposes and the food has more potential for contamination such as melons or fish. *(The inspector should request that the ice bin be emptied, cleaned and sanitized). If the food cooling in ice is packaged and unopened such as a canned beverage, mark #27. (The inspector should request the food item be removed from the ice.)*
- OUT This item should be marked OUT of compliance when the integrity of food packaging has been compromised or the true appearance, color, or quality of a food has been intentionally altered.
- N.A. Do Not Mark This Item N.A.
- N.O. Do Not Mark This Item N.O.

Applicable Code Sections:

- 3.1 Food Safe/Unadulterated
- 2.4(a) Eating, drinking, tobacco use by food employees prohibited ^{S 27}
- 2.4(d) Handling live animals prohibited
- 3.3(c)1.iv Cleaning hermetically sealed containers before opening ^{S 27}
- 3.3(c)1.v Protecting foods packaged together or overwrapped from cuts ^{S 27}
- 3.3(h) Ice used for other purposes prohibited as use for food ^{S 27}
- 3.3(j) Food may only come in contact with cleaned surfaces
- 3.3(n) Utensils for tasting used only once
- 3.3(o) Requirements for items reused for second portion
- 3.3(s) Food Preparation ^{S 27}
- 3.3(z) Other Sources of Contamination ^{S 27}
- 7.2(e) Containers used for poisons prohibited for food

14. FOOD CONTACT SURFACES properly cleaned and sanitized.

Compliance with this item is based on direct observations of food contact surfaces of equipment and utensils; actual measurements/readings of chemical sanitizer concentration, hot water, sanitizing temperature, pH and hardness; observations of cleaning and sanitizing procedures; and discussion of clean and sanitizing procedures and frequency with the PIC and other food employees.

This item refers to whether the mechanical, manual ware wash methods can properly clean and sanitize the equipment and utensils. If equipment itself, such as gauges, improper maintenance, whether or not test strips are available etc. are in question, refer to #45 in the Good Retail Practices section of this check sheet and mark appropriately.

- IN This item is marked IN if wash, rinse, sanitize procedures are not observed and no potential problem is identified.
- IN This item is marked IN when manual and/or mechanical methods of cleaning and sanitizing are effective, and performed at the prescribed frequency. There should be an overall assessment of the food-contact surfaces of equipment and utensils in clean storage and in use to determine compliance. For example, this item is not marked OUT of compliance based on one visibly soiled utensil, such as a plate or knife or one sanitizer container is observed without sanitizer.
- IN This item is marked IN if establishment has no need to wash, rinse or sanitize such as if equipment is washed and sanitized off site or if single service items are in use.
- OUT This item should be marked OUT of compliance if observations are made that support a **pattern** of non-compliance with this item such as when manual/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 a can opener is visibly soiled and being used at the time of the inspection.
- N.A. This item may be marked N.A. only when there is no requirement to clean equipment and utensils such as when only prepackaged foods are sold.
- N.O. **Do Not Mark** this item N.O.

Applicable Code Sections:

- 3.3(c)1.iii. Cleaning & sanitizing of equipment after use from raw to RTE foods
- 4.5(e) Single-Service/ Single-Use Articles. (Required Use)
- 4.6(a) Food contact surfaces clean to sight and touch
- 4.6(d-e) Food contact surfaces cleaning frequency
- 4.6(f)1-7 Food contact surfaces (with PHFs) cleaning frequency
- 4.6(k-o) Methods of cleaning equipment and utensils
- 4.6(p) Cleaning of returned empty containers
- 4.7(a-b) Food contact surfaces shall be sanitized
- 4.7(c) Proper methods of sanitizing
- 4.8(c) Cleaning agents required for warewashing
- 4.8(d) Solutions Kept Clean
- 4.8(e) Wash Solution Temperature
- 4.8(g) Temperature of Water-Manual Sanitizing
- 4.8(h) Requirements for Hot Water sanitizing
- 4.8(j) Sanitizer concentrations too low
- 4.8(m-n) Manual Warewashing, Alternative Methods
- 4.9(i) Temperature of wash solution in spray type mechanical ware washer

4.9(j) Temperature of wash solution when chemicals used to sanitize

4.9(k) Temperature range for hot water at the dishwasher manifold

TCS FOODS TIME/TEMPERATURE CONTROLS

15. SAFE COOKING TEMPERATURES: (Internal Temperatures for raw animal foods for 15 seconds)

Except: These foods may be served raw or undercooked in response to a consumer order and for immediate service.

130°F *for 112 minutes*: for Roasts (or as per chart under 3.4(a) 2)

145°F: Fish, Meat, Pork, Game Animals, Raw Shell Eggs

155°F: Ground Meat / Fish, & Injected Meats; Pooled Raw Shell Eggs

165°F: Poultry; Stuffed fish/ meat/ pasta; Stuffing containing fish/meat.

Cooking temperatures **MUST** be taken to make a determination of compliance or non-compliance. Do not rely upon discussions with managers or cooks to make a determination of compliance or non-compliance. 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 on temperature charts on the inspection report. The time of inspections should be varied so that cooking can be observed.

IN This item may be marked IN only in the case where cooking temperatures have been taken and every food item was found to be cooked to the proper temperature.

IN If a food is cooked below the required temperature by the facility that has an approved Consumer Advisory or an approved variance with HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance.

OUT This item must be marked OUT if the items checked do not meet temperature requirements for cooking and the employee doing the cooking attempts to serve the product without returning the product to the cooking process.

N.A. This item is marked N.A. if no TCS foods are cooked in the establishment.

N.O. This item is marked N.O. if one or more of the food types for this item are cooked in the establishment, but you are unable to determine the cooking temperature during your visit. The inspection should be arranged at an optimum time for measuring at least one cooked item.

Applicable Code Sections:

3.4(a)1 Raw animal foods

3.4(a)2 Whole roasts

3.4(a)3 Undercooked food specifications

3.4(b) Raw animal foods cooked in microwave oven (165°F)

3.4(f) Any temp. for immediate service

16. PASTEURIZED EGGS: substituted for raw shell eggs in raw or undercooked egg-containing foods i.e. Caesar salad dressing, hollandaise sauce, tiramisu, chocolate mousse, meringue, etc.

Compliance with this item must be verified by observation of the product being prepared AND by discussion with the PIC and food employees regarding the substitution of pasteurized egg products for raw eggs in undercooked foods.

- IN This item must be marked IN if pasteurized eggs are substituted for raw eggs in raw or undercooked foods and you are able to confirm this by observing the undercooked egg containing foods being prepared.
- OUT This item must be marked OUT if undercooked egg containing foods are on the menu, management indicates that raw shell eggs are used to prepare these items, and the product is on site. *(The inspector should request that the product be voluntarily destroyed or the product should be embargoed. The inspector should instruct the PIC that using raw eggs for this undercooked product is prohibited.)*
- OUT This item must be marked OUT if undercooked egg containing foods are on the menu, management indicates that these items are prepared with pasteurized eggs but no pasteurized eggs are observed to be on site. The product is on site and management cannot provide invoices confirming that pasteurized eggs are routinely purchased. *(The inspector should request that the product be voluntarily destroyed or the product should be embargoed.)*
- N.O. This item must be marked N.O. if undercooked egg containing foods are on the menu and management indicates pasteurized eggs are used to prepare these items. Invoices confirm that pasteurized eggs are routinely purchased but the preparation of the product is not observed.
- N.O. This item is marked N.O. if raw shell eggs are used in the preparation of undercooked foods but the preparation of undercooked egg containing foods is not observed and no product is available on site. *(The inspector should instruct the PIC that using raw eggs for this undercooked product is prohibited. This should be noted on the report)*
- N.O. This item must be marked N.O. if the preparation of undercooked raw egg foods is seasonal (such as egg nog) and it is not currently prepared or served. Management indicates pasteurized eggs are used to prepare these items. Invoices are no longer available. *(The inspector should remind the PIC that using raw eggs for this undercooked product is prohibited. Seasonal preparation of the product should be noted on the inspection report)*
- N.A. This item must be marked N.A. if the establishment does not serve foods containing raw or undercooked eggs.

Applicable Code Section:

3.3(e) Pasteurized eggs substituted for raw eggs

17. COLD HOLDING: TCS foods maintained at 41°F

TCS food is maintained at 41°F or below, except during preparation, cooking, cooling or when time is used as a public health control. The intent of this item is to determine that adequate cold holding procedures are in place. (Equipment repair items must be marked under item # 40.) Compliance with this item is based on actual internal temperature measurements of foods using a calibrated food temperature measuring device.

A temperature survey chart should be added to the Observation section of the Inspection Report so that food temperatures taken during the inspection may be recorded.

- IN This item is marked IN only after internal temperatures of foods have been taken and ALL food has been found to be in compliance with cold holding temperature regulations.
- OUT This item is marked OUT if any one item is out of proper refrigeration temperatures. This same item may also be marked COS if appropriate corrective action was taken, such as put under proper refrigeration or discarded. (*Record any temperature above proper refrigeration temperatures on Observations section of this report and describe the corrective action that was taken for each food item.*)
- N.A. This item may be marked N.A. when the establishment does **not** cold hold TCS food.
- N.O. This item may be marked N.O. when the establishment does cold hold TCS food, but no foods are being held cold during the time of inspection.

Applicable Code Sections:

3.5(f)2 Cold TCS food maintained at refrigeration temperatures

4.12(f)1 Temperature control for cold TCS food in vending machines

18. COOLING: TCS foods rapidly cooled from 135°F to 41°F or below within 6 hours and from 135°F to 70°F within 2 hours.

The requirement for cooling cooked TCS food, is that the food must be cooled from 135°F to 41°F or less in 6 hours provided that the food is cooled from 135°F to 70°F within the first 2 hrs. For example, if a facility cools chili from 135°F to 70°F in 1.5 hours, they then have 4.5 hours to get it from 70°F to 41°F or less. There are two critical limits that must be met with cooling. Discussions with the PIC along with observations should be used to determine compliance. For instance, during the discussion, the PIC 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. Compliance with this item is based on actual temperatures of foods in the cooling process, using a calibrated food temperature measuring device. Temperatures IN and OUT of compliance should be recorded on the inspection report.

The basis for determining IN and Out of compliance can also be supported through discussion with PIC and/or food workers and/or record review which would provide the inspector reliable data of the “start” time for cooling from 135°F.

The intent of this item is to determine that adequate cooling procedures are in place. (If food is cooled using improper cooling methods yet still within proper cooling time frames, mark item #39 OUT and record the corrective action that was taken.)

- IN This item may be marked IN only after internal temperatures of foods have been taken and it has been determined that the food has been cooled within the proper time frames. Discussion with management may not be used as verification. However, statements from managers, PIC, and employees regarding the time the food was prepared may be used to supplement actual observations.
- OUT If one TCS food item is observed to be improperly cooled, this item must be marked OUT of compliance.
- N.A. This item is marked N.A. if the establishment is a cook-serve establishment type or does not cool or reheat food.
- N.O. This item is marked N.O. if the establishment does cool TCS food, but you were unable to make a determination of compliance.

Applicable Code Sections:

3.5(d)1 Cooling requirements for cooked food

3.5(d)3 TCS foods received $\geq 41^{\circ}\text{F}$ cooled to “refrigeration temperatures” within 4 hours.

19. COOLING: TCS food prepared from ingredients at ambient temperature must be cooled to 41°F or below within 4 hours

- IN This item may be marked IN only after internal temperatures of TCS foods prepared at ambient temperatures have been taken using a calibrated food temperature measuring and it has been determined that the food has been cooled within 4 hours. Discussion with management regarding the pre-refrigeration of foods may NOT be used as verification. However, statements from managers, PIC, and employees regarding the time the food was prepared may be used to supplement actual observations
- OUT If one TCS food item is observed to be improperly cooled, this item must be marked OUT of compliance.
- N.A. This item is marked N.A. if the establishment has no TCS foods that are prepared from ingredients at ambient temperature.
- N.O. This item is marked N.O. if these types of foods are prepared, but you were unable to make a determination of compliance.

Applicable Code Section:

3.5(d)2 TCS food prepared from ingredients at ambient temperature are cooled to 41°F within 4 hours

20. REHEATING: TCS food rapidly reheated in proper facilities to at least 165°F within two hours or commercially processed TCS food heated to at least 135°F prior to hot holding.

TCS foods that are cooked and then cooled on premises must be rapidly reheated to 165°F for 15 seconds for hot holding. Do not depend on the establishment’s records or PIC interview to determine compliance of this item.

Commercially processed RTE foods, hermetically sealed, intact packaged from food processing plant intended for hot holding in proper facilities must be rapidly reheated to 135°F within 2 hours, prior to being placed in proper facilities for hot holding.

Compliance with this item is 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. Do not depend solely on discussions with management or cooks or temperature record charts to make a determination on this item.

Temperatures IN and OUT of compliance should be recorded on the inspection report.

- IN This item may be marked IN only if it is observed that the food is being reheated properly.
- OUT This item must be marked OUT of compliance if one TCS food item is observed to be improperly reheated, or not reheated to the proper temperature.
- N.A. This item is marked N.A. if foods are not hot held over for second service and/or reheating for hot holding is not performed in the establishment.
- N.O. This item is marked N.O. if foods are reheated for hot holding, but you are unable to observe the reheating procedure.

Applicable Code Sections:

- 3.4(g)1 Reheating for Hot holding
- 3.4(g)2 Reheating for Hot holding in microwave
- 3.4(g)3 Reheating commercially processed food for hot holding
- 3.4(g)4 Steam tables, warmers prohibited for reheating

21. HOT HOLDING: TCS food Hot Held at 135°F or above in appropriate equipment

Roasts may be held at a temperature of 130°F or above.

Compliance with this item is based on actual food temperature measurements using a calibrated food temperature measuring device. Temperatures IN compliance and OUT of compliance should be recorded on the inspection report.

- IN This item should be marked IN compliance when the regulatory authority determines that, of the TCS food temperature measurements taken during the inspection, no hot holding temperatures are less than prescribed by Chapter 24.
- OUT This item must be marked OUT of compliance if the equipment is incapable of holding the food at the proper temperature for an extended amount of time.
- OUT If the temperature of one TCS food item is observed to be out of compliance, this item must be marked OUT of compliance, except during preparation, cooking, cooling or when Time as a Public Health Control (TPHC) is used for that TCS food.
- N.O. This item may be marked N.O. only in rare instances when the establishment does not 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.
- N.A. This item may be marked N.A. when the establishment does not hot hold food.

Applicable Code Sections:

3.5(f)1 Hot TCS food maintained at 135°F

4.12(f)2 Temperature control for hot TCS food in vending machines

22. TIME as a PUBLIC HEALTH CONTROL: Approval; written procedures; time marked; discarded in 4 hours.

Compliance with this item is 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 Chapter 24 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 TCS food out of temperature control using TPHC; otherwise, it may be a cold or hot holding issue (refer to #17 or #21, whichever applies).

- IN This item should be marked IN compliance if there is a written procedure at the food establishment that identifies the types of food products that will be held using time only, describes the procedure for how TPHC will be implemented, and if applicable, delineates how food items previously cooked and cooled before time is used, are properly cooled; and food items (marked or identified) do not exceed the 4-hour limit at any temperature or 6-hour limit at 70°F or less.
- OUT 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.
- N.A. This item may only be marked N.A. if time is not used as the only public health control.
- N.O. This item may be marked when the establishment uses time only as the public health control, but is not using this practice at the time of inspection. Do not depend on information from managers or cooks.

Applicable Code Section:

3.5(g) Requirements for using “Time as a Public Health Control”

23. SPECIALIZED PROCESSING METHODS: Approval; written Procedures; conducted properly

When a food establishment wants to deviate from a requirement in the code, utilizes Specialized Processing Methods such as smoking food for preservation, curing food etc., a variance must first be obtained from the regulatory authority. A HACCP plan may also be required as part of the variance request.

Compliance with this item is based on direct observations of food preparation and storage, a discussion with the PIC to determine if there are specialized food processes [i.e. smoking food, curing food, reduced oxygen packaging, using food additives to render a food so that it is not a TCS food, cook chill, sous vide etc.] and the record review of standard operating procedures and HACCP documentation.

- IN This item is only marked IN if “special processing methods” are observed by the inspector at the time of inspection; prior approval for conducting the specialized processing method has been obtained from the health authority; written procedures are available; and the process is being performed correctly.
- OUT Mark this item OUT if establishment practices “specialized food processing” and does not have prior approval from the health authority; or if written procedures are not available; or the establishment does not adhere to written procedures; or processing methods do not conform to food safety standards.
- N.A. This item may be marked N.A. if the establishment is not required by the regulatory authority to have a variance or HACCP plan, juice is not packaged or reduced oxygen packaging is not done on the premises.
- N.O. Mark this item N.O. if establishment practices “special processing methods” and prior approval from the health authority has been obtained but the “special processing method” was not being conducted at the time of inspection.

Applicable Code Sections:

- 3.5(h) Specialized food processing needs approval
- 3.5(i) Reduced Oxygen packaging

24. HIGHLY SUSCEPTIBLE POPULATIONS: Pasteurized foods used; Prohibited foods not offered

Compliance with this item is based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. Violations of bare hand contact by food employees serving a Highly Susceptible Population are to be marked under Item # 8. One may rely solely on discussions with managers or food employees to determine the compliance status of these items.

- IN This item should be marked IN compliance if only treated/pasteurized juices/juice beverages are served; only pasteurized eggs are used in recipes if eggs are undercooked and if eggs are combined, unless there is a cook step or HACCP plan to control *Salmonella* enteritidis; no raw or partially cooked animal foods or raw seed sprouts are served; and no unopened packaged food is re-served following service to patients in medical isolation or quarantine.
- OUT Mark this item OUT if any of the requirements for establishments serving a highly susceptible population are not full in compliance.
- N.A. Mark this item N.A. only if establishment does not solely serve a highly susceptible population. A retail food establishment that serves individuals who are part of the general public but may be considered highly susceptible, such as an elderly patron, does not fall within this category.
- N.O. Do not mark this item N.O.

Applicable Code Sections:

- 3.7 (a)1 Highly susceptible population- juice warning

- 3.7 (a)2 Highly susceptible population- food not re-served
- 3.7 (a)3 Highly susceptible populations, raw or undercooked animal foods prohibited.

GOOD RETAIL PRACTICES

Marking Instructions for each Good Retail Practice (GRP) on the Inspection Report

Good Retail Practices (GRPs) are systems to control basic operational and sanitation conditions within a facility, and if not controlled, they could be contributing factors to foodborne illness by introducing hazards (biological, chemical and physical), into the end product, either directly or indirectly. For example, equipment in disrepair, such as a cutting board with deep grooves/cuts, makes effective cleaning difficult or impossible, and thereby could introduce a bacterial hazard onto food that comes into contact with the board. In addition, in assessing GRPs, it is important to make an overall assessment of the issue by looking for practices or trends versus an isolated incident; and the potential public health impact. For example, a few missing floor tiles in a dry area may not rise to the level of a “violation”; however, missing floor tiles in an area where there is CIP using pressure hoses could create conditions whereby a bacterial hazard could be introduced on to food equipment. These items usually require judgment, and if uncorrected, the regulatory authority must decide whether or not these conditions would lead to potential contamination.

GRPs are the methods used in, or the facilities or controls used for, the receiving, preparation, storage, serving, packaging or holding of food which are designed to assure unsanitary conditions do not lead to the introduction of hazards or unintentional substances into the end product. The intention of the risk based check sheet is to focus the inspector's attention on those factors that have been shown to be most often linked with causing foodborne illness. Since the major emphasis of an inspection should be on the Risk Factors that cause foodborne illness and the Public Health interventions that have the greatest impact on preventing foodborne illness, the GRPs have been given less importance on the inspection form and a differentiation between IN, OUT, N.A. and N.O. is not made in this area. For marking the GRPs section, place an "X" in the correct box to the right of the numbered item if a code provision under that item is **OUT** of compliance or **COS** and **R** as per the same instructions given in the Risk Factor section. Document each violation of the Chapter 24 provision for the item number on the inspection report.

SAFE FOOD & WATER/PROTECTION FROM CONTAMINATION

25. Hot & cold water available; adequate pressure

There are two types of systems: Public Water System or Non-Public Water System. Regardless of its source, it must meet drinking water standards established by EPA and applicable state drinking water quality standards. If a non-public system is used as drinking water, the water is sampled/ tested at least yearly and records retained on file at the food establishment or per state regulations. Consideration must be given to the supply containers, piping, hoses, etc., connected to the APPROVED source when water is made available for mobile and or Temporary Food Establishment without a permanent supply. Regardless of the supply system, the distribution of water to the facility must be protected and operated according to law. Adequate pressure is to be maintained at all fixtures during peak demand including the capacity to provide hot water at peak hot water demand.

Applicable Code Sections:

- 5.1(b) System flushing and disinfecting
- 5.1(c) Bottled Drinking water
- 5.1(d) Standards ^{S9}
- 5.1(f) Testing of non-public water supplies
- 5.1(g) Keeping water test results on site
- 5.1(h) Water (hot and cold) of sufficient capacity to meet demand
- 5.1(i) Water required to be under pressure
- 5.1(j) Water source requirements
- 5.1(k) Requirements for temporary facilities

26. 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. 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 TCS foods must specifically be assessed based on their specific packaging and labeling requirements.

Applicable Code Sections:

- 3.2(j) Package integrity
- 3.2(r)2 Shellfish tags shall be in chronological order
- 3.3(d) Containers Identified/Common Name
- 3.6(a) Standards of Identity/Presentation
- 3.6(b) Packaged Food Labeling
- 3.6(c) Bulk Packaged Food Labeling
- 3.6(d) Bulk unpackaged Labeling

27. Food protected from potential contamination during 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 packaged or covered during storage (unless in the process of cooling); on display to contamination (i.e. salad bars).

This item is for non-critical items such as if contamination is potential but not actually observed. 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

Applicable Code Sections:

- 2.4(a) Eating, drinking, tobacco use by food employees prohibited ^{S 13}
- 3.2(p) Condition of shell stock upon receipt
- 3.3(c)1.iv Cleaning hermetically sealed containers before opening ^{S 13}
- 3.3(c)1.v Protecting foods packaged together or overwrapped from cuts ^{S 13}
- 3.3(c)1.vi Improper storage of damaged ,spoiled or recalled food
- 3.3(c)1.viii Storing food uncovered
- 3.3(f) Protection from Unapproved Additives
- 3.3(h) Ice used for other purposes prohibited as use for food ^{S 27}
- 3.3(i) Requirements for food in contact with water or ice
- 3.3(i) Storage/ display of food in contact with ice
- 3.3(q) Food Storage
- 3.3(r) Food storage/ Prohibited Areas
- 3.3(s) Food Preparation ^{S 13}
- 3.3(t) Food Display
- 3.3(u) Condiments Protection
- 3.3(v) Raw Unpackaged Animal Food
- 3.3(x) Self Serve Areas Monitored by Employees
- 3.3(y) Returned/Reservice of Food
- 3.3(z) Other Sources of Contamination ^{S 13}
- 4.12(a) Vending Machine PHF
- 4.12(b) Vending Machine Condiments
- 4.12(c) Vending Machines Door/cover Requirements
- 6.4 Segregation of Distressed Merchandise

28. Utensils, spatulas, tongs, forks, disposable gloves provided & used to restrict bare hand contact

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 used for more than one task or otherwise misused.

Applicable Code Sections:

- 3.3(a)2 Contamination from Employees hands
- 3.3(b) Limitations for glove use
- 4.3(d) Utensils for consumer Self-service
- 4.10(b)2 Use of cloth gloves

29. Ready-to-eat raw fruits & vegetables washed prior to serving

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

Applicable Code Sections:

- 3.3(c)1.vii Separating fruits & vegetables before washed from RTE food.
- 3.3(g) Washing fruits and vegetables

30. Wiping cloths properly used and stored

Wiping cloths are to be used for a designated purpose and properly used. When stored in solution, the solutions should be reasonably clean and maintained at the proper sanitizer concentration. Solutions not adhering to the recommended sanitizer concentrations would be marked on the check sheet under item #31, 'Toxic substances properly identified, stored, and used.' Sponges, if present, are not to be used in contact with clean/sanitized food contact surfaces.

Applicable Code Sections:

- 3.3(m) Wiping cloth, Use requirement
- 4.1(e) Sponge use limited

31. Toxic substances, properly identified, stored and used

Compliance with this item is 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.

- IN 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.
- OUT This item should be marked OUT of compliance if a cleaning agent or sanitizer is not properly identified and stored; if a sanitizing solution has a higher concentration than prescribed and medicines and first aid kits are improperly labeled and stored.

Applicable Code Sections:

- 7.1(a) Identifying Information, Prominence
- 7.1(b) Working containers, Common Name
- 7.2(a) Storage, Separation
- 7.2(b) Presence & Use
- 7.2(c) Conditions of Use
- 7.2(d) Restriction
- 7.2(f) Chemicals for Food Contact Surfaces
- 7.2(g) Chemicals for washing fruit
- 7.2(h) Chemicals for boiler additives
- 7.2(i) Drying agents used with sanitizers
- 7.2(j) Sanitizing with Chemicals
- 7.2(k) Lubricants
- 7.2(l) Pesticides, Restricted-Use, Criteria
- 7.2(m) Bait Stations
- 7.2(n) Tracking Powders
- 7.2(o) Storage of Medicine
- 7.2(p) Employee Medicines, Refrigerated Storage
- 7.2(q) First Aid Supplies, storage
- 7.2(r) Other Personal Care Items, Storage
- 7.3(a) Retail Storage, Display/Separation

32. Presence of insects/rodents minimized: outer openings protected, animals as allowed.

An assessment is made through observation and discussion with the PIC for measures taken to control the presence of pests in the food establishment, including elimination of entry points and

harborage areas, and removal of pests and its evidence. Insect trapping devices must not be located over food preparation areas.

Applicable Code Sections:

- 6.2(k) Controlling Pests, Insects
- 6.2(l) Removing Dead or Trapped Pests
- 6.2(n) Outer Openings, Protected
- 6.2(o) Exterior Walls/Roofs, Barriers
- 6.5(k) Requirements for prohibiting animals

33. Personal Cleanliness (fingernails, jewelry, outer clothing, hair restraint).

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

Applicable Code Sections:

- 2.3(a) Employees must have clean hands and arms
- 2.3(d) Fingernails clean
- 2.3(i) Fingernails trimmed
- 2.3(j) Jewelry prohibitions
- 2.3(k) Outer Clothing Cleanliness
- 2.4(c) Hair restraints

FOOD TEMPERATURE CONTROL

34. Food temperature measuring devices provided, used and calibrated

Thermometers provide a means for assessing active managerial control of TCS food temperatures. Food thermometers must be calibrated at a frequency to ensure accuracy. Food thermometers should be accessible for use by employees.

Applicable Code Sections:

- 4.2(c)1 Provided and accessible
- 4.2(c)3 Calibrated
- 4.2(c)4 Glass sensors prohibited or encased

35. Thin- probed temperature measuring device provided for monitoring thin foods (ie. meat patties and fish fillets)

Food thermometers should have a probe size appropriate to the food item. If thin massed foods are on the menu, a thin probed thermometer should be accessible for use by employees.

Applicable Code Section:

4.2(c)2 Provided and accessible

36. Frozen foods maintained completely frozen.

This may be determined by touching the wrapped product. Frozen food is solid to the touch.

Applicable Code Section:

3.5(a) Stored frozen foods

37. Frozen foods properly thawed.

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 3.5(c) as well as the level of risk imposed. Keep in mind, various food products especially those destined for deep-fat frying are often slacked (not thawed) prior to cooking.

Applicable Code Section:

3.5(c) Methods of Defrosting

3.5(b) Slacking of frozen food

38. Plant food for hot holding properly cooked to at least 135°F

Compliance with this item is based on observation along with an actual cooking temperature unless vegetables and fruits are not cooked for hot holding in the establishment or when plant foods are cooked for hot holding, but are not available for observation during the inspection.

Applicable Code Sections:

3.4(c) Plant food for hot holding

39. Methods for rapidly cooling TCS foods are properly conducted and equipment is adequate

A determination must first be made that cooling food is part of the processing step. To assess whether or not the methods used facilitate the cooling criteria, 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 to meet the demands of the operation. Observations must support the determination of compliance status.

Applicable Code Section:

3.5(e) Cooling Methods

EQUIPMENT, UTENSILS & LINENS

40. Materials, construction, repair, design, capacity, location, installation, maintenance

Equipment must be properly designed, used, in good repair and in proper adjustment. The components in a vending machine must be properly designed to facilitate cleaning and protect food products (e.g., equipped with automatic shutoff, etc.) from potential contamination.

Applicable Code Sections:

- 4.1(a) Material requirements for surfaces in contact with food
- 4.1(b) Cast Iron.
- 4.1(c) Copper
- 4.1(d) Galvanized Metal
- 4.1(f) Lead in Pewter
- 4.1(g) Lead in Solder & Flux
- 4.1(h) Wood
- 4.1(i) Nonstick Coatings
- 4.1(j) Material requirements for surfaces requiring frequent cleaning
- 4.1(k) Single-Service & Single-Use/Characteristics
- 4.2(a) Equipment and utensils durable
- 4.2(b) Requirements for multi-use food-contact surfaces
- 4.2(d) CIP Equipment
- 4.2(f) Hot oil filtering equipment
- 4.2(h) Nonfood contact surface design

- 4.2(i) Kick plates
- 4.2(j) Kick plates removable
- 4.2(n) Bearings and gears designed so as not to leak lubricant
- 4.2(o-p)Ice Units Beverage Tubing, waste drains
- 4.2(q-t) Food Equipment Parts/Requirements
- 4.3(a) Sufficient capacity and number of heating /cooling units
- 4.4(c) Location of washer and dryer
- 4.4 (d-f) Spacing around fixed equipment
- 4.4(e) Table mounted equipment
- 4.5(a) Equipment maintenance
- 4.5(b) Sharpness of cutting blades
- 4.5(c-d) Cutting blocks and utensil repair
- 4.6(g) Methods for dry cleaning
- 4.12(e) Automatic shut off to prevent temp. abuse in Vending machines
- 4.12(g) Drains for leakage in a vending machine
- 4.12(h-l) Vending machine- Design Requirements

41. Equipment thermometers provided (refrigeration units, etc)

Compliance is determined by observing the location and verifying the scaling of the temperature measuring devices in the range of use to measure ambient air temperatures.

Applicable Code Sections:

- 4.2(c)5 Ambient air thermometers maintained and have appropriate range
- 4.2(c)6 Easily readable and accurate
- 4.2(c)7 Hot and cold holding equipment
- 4.2(c)8 Located in warmest part of unit
- 4.2(c)9 Temperature measuring Device Specifications
- 4.8(i) Manual Warewashing Requirements
- 4.9(c) Warewashing Requirements

42. In-use utensils properly stored

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

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

Applicable Code Sections:

- 3.3(k) Storage during pauses in food preparation
- 3.3(w) Self-Serve Operations

43. Utensils, single service items, equipment, linens properly stored, dried and handled

Single use 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. 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.

Applicable Code Sections:

- 3.3(l) Linens and wiping cloths
- 4.3(c) Clothes Washers and Dryers
- 4.4 (a-b) Storage locations
- 4.10(a) Linens free of soil
- 4.10(b) Laundering of linens
- 4.10(c) Storage of soiled linens
- 4.10 (d) Mechanical Washing
- 4.10 (e) Laundry Facilities on premises
- 4.11(a) Air Drying of Equipment and Utensils
- 4.11(b) Wiping cloths may be air dried
- 4.11(e) Storage requirements
- 4.11(f) Single- service items handled and dispensed properly
- 4.11(g) Soiled Tableware

44. Food and non-food contact surfaces properly constructed, cleaned, cleanable, 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.

Applicable Code Sections:

- 3.3(p) Refilling returnables
- 4.2(e) “V” threads prohibited on food contact surfaces
- 4.2(g) Can opener cutting parts
- 4.5(f) Single service use and milk dispensers
- 4.5(g) Shells, Use Limitation
- 4.6(b) Cooking equipment and pans clean to sight and touch
- 4.6(c, j) Non-food contact surfaces shall be clean
- 4.6 (h, i) Cleaning Frequencies (microwaves, baking equip.)
- 4.11(c) Safe use of lubricants
- 4.11(d) Food contact surfaces reassembled w/o contamination
- 4.12(d) Vending machine cutting parts protected from contamination
- 6.5(e) Proper use of sinks/warewashing equipment
- 6.7(q) Hand Sink is clean and in good repair^{S 6}

45. Proper warewashing facilities installed, maintained, cleaned, used; sanitizer test strips available, used

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

Applicable Code Sections:

- 4.8(a) Sink requirements
- 4.8(b) Sink limitations
- 4.8(f) Drainboards, racks provided
- 4.8(k) Test kit required
- 4.8(l) Sanitizer concentration shall be checked with test kit
- 4.9(a) Warewashing machine-manufacturers' directions provided
- 4.9(b) Warewashing machine-no cross contamination of solutions

- 4.9(d) Alarm for chemical sanitizer
- 4.9(e) Warewashing machine-pressure gauge requirements
- 4.9(l-m) Hot water -pressure gauge requirements
- 4.9(f) Sinks/drain boards self-draining
- 4.9(g) Warewashing equipment cleaned before use
- 4.9(h) Warewashing machine operates as per manufacturer's instructions
- 4.9(l-m) Water pressure requirements

PHYSICAL FACILITIES

46. Plumbing system properly installed; safe & in good repair; no potential backflow or backsiphonage conditions

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

Applicable Code Sections:

- 2.3(e) Automatic handwashing facility
- 5.2(a-c) Plumbing system designed, installed and maintained
- 5.2(d) Air Gap
- 5.2(e) Backflow Prevention Device, Design
- 5.2(f) Water Filter Design
- 5.2(g) Service Sink
- 5.2(h) Plumbing System Shall Preclude Backflow
- 5.2(i) Location of Backflow Prevention Device
- 5.2(j) Installation of Water filters/screens
- 5.2(k) Prohibiting a Cross Connection
- 5.2(l) Fogging Devices
- 5.3(a) Mobile unit Materials, Design & Construction
- 5.3(b-c) Mobile unit Requirements for a Mobile Water Tank
- 5.3(d) Mobile unit V" Type Threads, Use Limitation

- 5.3(e) Mobile unit Tank Vent, Protected
- 5.3(f) Mobile unit Inlet & Outlet, Sloped to Drain
- 5.3(g) Mobile unit Hose, Construction/Identification
- 5.3(h) Mobile unit Filter, Compressed Air
- 5.3(i) Protective Equipment or Device
- 5.3(j) Mobile unit Mobile Food Establishment Water Tank Inlet
- 5.3(k) Mobile unit. Flushing & Disinfecting System
- 5.3(l) Mobile unit Using Pump & Hoses/Backflow Preventer
- 5.3(m) Mobile unit Protect. Inlet/Outlet/Hose Fitting
- 5.3(n) Mobile unit . Dedicating Tank, Pump, & Hoses
- 6.7(g) Metered -water flow for 15 seconds in a hand sink
- 6.7(h) Automatic hand sink requirements

47. Sewage & waste water properly disposed

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

Applicable Code Sections:

- 5.4(a) Mobile Food Establishments. Sewage Holding Tank
- 5.4(b) Drainage Systems
- 5.4(c) Backflow Prevention
- 5.4(d) Grease Trap
- 5.4(e) Conveying Sewage
- 5.4(f) Sewage disposal from mobile establishment
- 5.4(g) Retention tank liquid waste disposal
- 5.4(h) Approved Sewage Disposal System
- 5.4(i) Other Liquid Wastes & Rainwater

- 6.5(e) Prohibited use of sinks for disposal of mop water
- 6.7(p) Handwash sink requirements prohibited at other sinks

48. Toilet facilities are adequate, properly constructed, properly maintained, supplied and cleaned

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

Applicable Code Sections:

- 6.6(a) Toilet Rooms, Convenient/Accessible
- 6.6(b) Available to the Public
- 6.6(d) Access through food area prohibited
- 6.6(e) Sanitary & Cleanable
- 6.6(f) Enclosed
- 6.6(g) Closing Toilet Room Doors
- 6.6(h) Clean & in Good Repair
- 6.6(i) Toilet Tissue, Availability
- 6.6(k) Covered Receptacles
- 6.7(b) Hand wash facilities-construction requirements
- 6.7(f) Steam-mixing valve prohibited at handwash sink

49. Design, construction, installation & maintenance proper-floors/walls/ceilings

Observations are made of the overall conditions or practices related to the physical facility (materials used, 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. Separate living/sleeping quarters are included in this section.

Applicable Code Sections:

- 4.2(k) Design of ventilation hoods

- 4.2(l) Design of equipment openings
- 6.1(a) Indoor Surface Characteristics
- 6.1(b) Outdoor Surface Characteristics
- 6.2(a) Floor, walls , ceilings
- 6.2(b) Utility line requirements
- 6.2(c) Floor, wall juncture
- 6.2(d) Carpeting
- 6.2(e) Mats and duckboards
- 6.2(f-g) Wall and ceiling covering, attachments
- 6.2(h) Studs, joists, rafters
- 6.2(j) Heating, ventilation and air conditioning systems
- 6.2(m) Requirements and location of insect control devices
- 6.2(p) Overhead protection of service areas
- 6.2(q) Exterior walking/driving surfaces
- 6.2 (r) Outdoor refuse areas
- 6.2(s) Private home/room for sleeping prohibited as food est.
- 6.2(t) Living/sleeping quarters separated
- 6.5(a) Facilities In Good Repair
- 6.5(g) Floors – Absorbent Materials

50. 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.

Applicable Code Sections:

- 4.2(m) Dispensing Equipment, Barriers
- 4.3(b) Sufficient ventilation
- 6.2(i) Protective shielding for light bulbs
- 6.3(a) Lighting intensity
- 6.3(b) Mechanical ventilation of sufficient capacity

- 6.3(c) Dressing area and locker requirements
- 6.3(d) Designated areas for employees to eat
- 6.5(d) Air ducts cleaned and Filters changed
- 6.5(h) Lockers needed

51. Premises maintained free of litter, unnecessary articles, cleaning & maintenance equipment properly stored; garbage & refuse properly 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. Storage of maintenance tools, use of laundry facilities, if applicable, disposal of mop water are included in this section.

Applicable Code Sections:

- 5.5(a) Indoor Storage Area
- 5.5(b) Outdoor Storage Surface
- 5.5 (c) Outdoor Enclosures
- 5.5(d-f) Outside Receptacles
- 5.5(g-k) Inside Receptacles
- 5.5(l) Outside Storage Prohibitions
- 5.5(m) Covering Receptacles
- 5.5(n) Using Drain Plugs
- 5.5(o) Maintaining Refuse Areas/Enclosures
- 5.5(p) Cleaning Receptacles
- 5.5(q) Removal Frequency/Procedure
- 5.5(r) Refuse, recyclables removal
- 5.5(s) Solid Waste Disposal
- 6.5(b-c) Cleanliness of Facilities
- 6.5(f) Mops properly stored and air dried
- 6.5(i) Maintenance tools stored properly
- 6.5(j) Unnecessary Items & Litter
- 6.7(l)) Waste Receptacle provided for hand sink

52. All required signs (handwashing, inspection placard, etc) provided and conspicuously posted

Applicable Code Sections:

- 6.6(j) Location of hand wash signs
- 6.7(m) Hand wash sink
- 8.12 Posting of inspection placard
- 8.13 (a) Public availability of inspection records
- 10.1 Choke posters