

## Management and Personnel

### 1. PIC Present; certification by accredited program; performs duties

**IN/OUT** This item should be marked IN or OUT of compliance. NOTE: The requirements found in Food Code Parts 2-1 through 2-4 are not mandatory until one year from the effective date of the rules. If an establishment is OUT, mark OUT with zero points until one year from the effective date of the rules.

The person in charge (PIC) has three assigned responsibilities – Presence; Demonstration Certification by accredited program; and Duties

This item is marked OUT of compliance if any **one** of the responsibilities is not met.

A. **Person in charge is present.** This item is marked OUT of compliance if there is no PIC per .1822.

Demonstration – Certification by ANSI accredited program. This item is marked IN only when the PIC holds certification by an ACCREDITED PROGRAM as specified in .1822.

B. **Duties of the PIC.** This item must be marked IN or OUT of compliance based on the interaction and observation with the PIC and food employees. The inspector needs to determine the systems or controls the PIC and food employees have put into practice regarding oversight and/or routine monitoring of the Duties listed in .1822. Determining the level of Active Managerial Control is accomplished by 1) discussion with the PIC, and 2) verified through observation that the systems or controls are actually being implemented. 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 .1822. Since marking this item out of compliance requires judgement, 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 .1822.

**N.A.** This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

#### **Applicable Code Section:**

2-101.11 Assignment\*

2-102.11 Demonstration\*

2-102.12 Certified Food Protection Manager\*

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

#### **Applicable Rule Section:**

.1822 (a\*) Management and Personnel

## Employee Health

### 2. Management, employee knowledge; responsibilities and reporting

**IN/OUT** This item must be marked IN or OUT of compliance. NOTE: The requirements found in Food Code Parts 2-1 through 2-4 are not mandatory until one year from the effective date of the rules. If an establishment is OUT, mark OUT with zero points until one year from the effective date of the rules.

This item is marked IN compliance when the following criteria are met:

A. The PIC is aware of their responsibility to inform food employees of their responsibility to report in accordance with the law, information about their health and activities as they relate to diseases that are transmissible through food.

**\*Applies to bed and breakfast establishments ONLY**

- B. The PIC provides documentation or otherwise satisfactorily demonstrates during the inspection, that all food 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. Satisfactory compliance may be documented by completion of Form 1-B, 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**
- C. In lieu of a written policy, compliance may be demonstrated by:
1. 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**
  2. 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. 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 their 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.

D. 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 Code. This item should be marked OUT of compliance when:

- The inspector observes a working employee with specific reportable symptoms as stated in § 2-201; 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 Code. § 2-201.; 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 of the 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; and 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.

**N.A.** This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

**\*Applies to bed and breakfast establishments ONLY**

**Applicable Code Sections:**

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\*

**Applicable Rule Section:**

.1822 (a) Management and Personnel\*

**3. Proper use of reporting, restriction and exclusion**

**IN/OUT** This item must be marked IN or OUT of compliance. NOTE: The requirements found in Food Code Parts 2-1 through 2-4 are not mandatory until one year from the effective date of the rules. If an establishment is OUT, mark OUT with zero points until one year from the effective date of the rules.

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 Code. This item should be marked OUT of compliance when:

- The inspector observes a working employee with specific reportable symptoms (subparagraph 2-201.11 (A)(1)); or
- The inspector becomes aware that an employee has reported information about his or her health and activities as it relates to diseases that are transmissible through food and the PIC has not acted to restrict or exclude an employee as required by the 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 Code.
- There are food employees working in the food establishment that have been diagnosed with Norovirus, hepatitis A virus, shigellosis, *E.coli* O157:H7, or other EHEC, or typhoid fever; or with active symptoms of vomiting and/or diarrhea; or working with food, food-contact equipment, utensils, or single-service articles with an open, uncovered infected wound or pustule, or with a sore throat with a fever. Additionally, in food establishments exclusively serving a highly susceptible population, there are to be no food employees with an active sore throat with a fever working in the food establishment.

**N.A.** This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

**Applicable Code Sections:**

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

2-201.12 Exclusions & Restrictions\*

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

**Applicable Rule Section:**

.1822 (a\*) Management and Personnel

## Good Hygienic Practices

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

**IN/OUT** This item must be marked IN or OUT of compliance based on direct observations or discussions of the appropriate hygienic practices of food employees. NOTE: The requirements found in Food Code Parts 2-1 through 2-4 are not mandatory until one year from the effective date of the rules. If an establishment is OUT, mark OUT with zero points until one year from the effective date of the rules. 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.

**Applicable Code Sections:**

2-401.11 Eating, Drinking, or Using Tobacco  
3-301.12 Preventing Contamination When Tasting\*

**Applicable Rule Sections:**

.1822 (a\*), (b) Management and Personnel  
.1823 (b\*) Food

### 5. Personal cleanliness, hair restraints; clean outer clothing; no discharge from eyes, nose or mouth

**IN/OUT** This item must be marked IN or OUT based on observation of facility personnel for clean outer clothing, effective hair restraints, prohibited jewelry, and the condition or protection of fingernails, must be made. Employees may not handle animals that may be present. NOTE: The requirements found in Food Code Parts 2-1 through 2-4 are not mandatory until one year from the effective date of the rules. If an establishment is OUT, mark OUT with zero points until one year from the effective date of the rules.

**Applicable Code Sections:**

2-302.11 Maintenance-Fingernails\*  
2-303.11 Prohibition-Jewelry\*  
2-304.11 Clean Condition-Outer Clothing  
2-401.12 Discharge from Eyes, Nose and Mouth  
2-402.11 Effectiveness-Hair Restraints\*  
2-403.11 Handling Prohibition- Animals

**Applicable Rule Section:**

.1822 (a\*), (b) Management and Personnel

**\*Applies to bed and breakfast establishments ONLY**

## Preventing Contamination by Hands

### **6. Hands clean and properly washed; no bare hand contact with ready to eat foods**

**IN/OUT** This item must 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. This item should be marked IN or OUT of compliance. This item is marked IN compliance only when employees are observed using suitable utensils or gloves to prevent bare hand (or arm) contact with ready-to-eat foods or are observed properly following a pre-approved alternative procedure to no bare hand contact. This item should be marked OUT of compliance if one person is observed touching ready-to-eat food with their bare hands in the absence of a prior approval and written procedures for bare hand contact. Refer to subparagraph 3-301.11(D)(1) - (7) for a listing of conditions that must be met in order to receive prior approval by the Regulatory Authority. Bare hand contact by food employees serving a Highly Susceptible Population is prohibited and no alternative to bare hand contact is allowed. NOTE: The requirements found in Food Code Parts 2-1 through 2-4 are not mandatory until one year from the effective date of the rules. If an establishment is OUT, mark OUT with zero points until one year from the effective date of the rules.

#### **Applicable Code Sections:**

- 2-301.11 Clean Condition-Hands and Arms
- 2-301.12 Cleaning Procedure
- 2-301.14 When to Wash
- 2-301.15 Where to Wash
- 2-301.16 Hand Antiseptics\*
- 3-301.11 Preventing Contamination from Hands\*

#### **Applicable Rule Section:**

- .1822 (a\*), (b) Management and Personnel
- .1823 (b\*) Food

## Food Protection

### **7. Food obtained from approved sources, received at proper temperature; food in good condition, safe, unadulterated; shellstock identification; parasite destruction**

**IN/OUT** 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 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, 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 or, when food is found to have been prepared in a private home.

**N.A.** This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

#### **Applicable Food Code Sections:**

- 3-101.11 Safe, Unadulterated and Honestly Presented\*

**\*Applies to bed and breakfast establishments ONLY**

- 3-201.11 Compliance with Food Law\*
- 3-201.12 Food in a Hermetically Sealed Container\*
- 3-201.13 Fluid Milk and Milk Products\*
- 3-201.14 Fish\*
- 3-201.15 Molluscan Shellfish\*
- 3-201.16 Wild Mushrooms\*
- 3-201.17 Game Animals\*
- 3.202.11 Temperature\*
- 3-202.12 Additives\*
- 3-202.13 Eggs\*
- 3-202.14 Eggs and Milk Products, Pasteurized\*
- 3-202.15 Package Integrity\*
- 3-202.18 Shellstock Identification\*
- 3-202.110 Juice Treated-Commercially Processed\*
- 3-203.12 Shellstock, Maintaining Identification\*
- 3-402.11 Parasite Destruction\*
- 3-402.12 Records, Creation and Retention\*

**Applicable Rule Section:**

.1823 (b\*) Food

**8. Food separated and protected from cross contamination**

**IN/OUT** This item should be marked IN or OUT of compliance based on direct observations of food storage and food handling practices. This item should be marked OUT of compliance when ready-to-eat foods are subject to potential contamination by raw animal foods; raw animal foods are observed not separated by type based on minimum cook temperatures by spacing or placing in separate containers; food is not packaged or covered during storage (unless in the process of cooling); food is in contact with soiled equipment and utensils; or single-use gloves used for more than one task; food is not stored six (6) inches above the floor in a clean location, protected from splash.

**N.A.** This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

**Applicable Code Sections:**

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

**Applicable Rule Section:**

.1823 (b\*) Food

**9. Food and ice protected from environmental or other sources of contamination; proper dispensing of ice**

**IN/OUT** 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

\*Applies to bed and breakfast establishments ONLY

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). Ice shall be stored and handled in a sanitary manner. Ice machines used by guests shall dispense ice without exposing ice to guests.

**N.A.** This item shall be **marked N.A.** for Lodging Establishments that do not provide ice to their guests and are not bed and breakfast homes or bed and breakfast inns

**Applicable Code Sections:**

- 3-302.15 Washing Fruits and Vegetables\*
- 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\*

**Applicable Rule Section:**

.1823 (b\*), (c) Food

**10. Potentially hazardous (time/temperature control for safety) food properly cooked/reheated; consumer advisory**

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

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

<b><u>Internal Cooking Temperature</u></b>	Raw eggs cooked for immediate service Fish, except as listed below	Meat, except as listed in the next 2 rows Commercially raised game animals, rabbits
<b>Specifications 145°F for 15 seconds</b>		
<b>155°F for 15 seconds:</b>	Ratites (Ostrich, Rhea and Emu) Injected meats 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, pasta, ratites & poultry Stuffing containing fish, meat, ratites & poultry

**Whole Meat Roasts** Refer to cooking charts in the *Food Code* ¶ 3-401.11(B)

- N.A.** This item may be **marked N.A.** when no raw animal foods are cooked in the establishment. This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns.
- N.O.** This item may be **marked N.O.** when you are unable to determine the cooking temperature of any food. The inspection should be arranged at an optimum time for measuring at least one cooked item.

**Applicable Code Sections:**

- 3-401.11 Raw Animal Foods-Cooking\*
- 3-401.12 Microwave Cooking \*
- 3-603.11 Consumer Advisory\*

**Applicable Rule Section:**

.1823 (b\*) Food

**Proper reheating procedures for hot holding**

**NOTE:** The reheating temperatures of foods must be taken to determine compliance or non-compliance. Use discussions with managers or cooks and your direct observations to determine compliance or non-compliance. Temperatures IN and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report.

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



- N.A.** This item may be **marked N.A.** when foods are **not** held over for a second service and/or reheating for hot holding is not performed in the establishment. This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns.
- N.O.** This item may be **marked N.O.** such as when foods are held over for a second service, but **no** foods are reheated during the time of inspection.

**Applicable Code Sections:**

3-403.11 Reheating for Hot Holding\*

**Applicable Rule Section:**

.1823 (b\*) Food

**11. Potentially hazardous (time/temperature control for safety) food properly cooled; approved methods used**

**NOTE:** The requirement for cooling cooked TCS food is that the food must be cooled from 135°F to 41°F (or 45°F) or less in 6 hours, provided that the food is cooled from 135°F to 70°F within the first 2 hours. For example, if a facility cools chili from 135°F to 70°F in 1.5 hours; they then have 4.5 hours to get it from 70°F to 41°F (or 45°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 45°F) or less within a total of 6 hours. Temperatures IN compliance and OUT of compliance should be recorded in the "Temperature Observations" section of the inspection report. Because the entire cooling process is difficult to observe during an inspection, a determination of whether foods are currently being cooled should be made at the onset of the inspection. If cooling is taking place, temperatures should be taken to make a determination of whether proper cooling is possible with procedures being used. The PIC must demonstrate that both critical limits have been met for the cooling process. Observations of methods and information provided from the operator shall demonstrate if the process is IN or OUT of compliance.

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

- N.A.** This item may be **marked N.A.** when the establishment does **not** receive raw eggs, shellstock, or milk, prepares **no** TCS food from ambient temperature ingredients that require cooling, and does **not** cool cooked TCS food. This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns.
- N.O.** This item may be **marked N.O.** when the establishment does cool TCS food, but proper cooling per the prescribed temperature and time parameters cannot be determined during the length of the inspection.

**Applicable Code Sections:**

3-501.14 Cooling\*

**Applicable Rule Section:**

.1823 (b\*) Food

**Proper cooling methods used; adequate equipment for temperature control**

A determination must first be made that cooling food is part of the processing step. To assess whether or not the methods used facilitate the cooling criteria specified under § 3-501.14, a discussion with the PIC should support actual observations used in cooling foods. Observations must support the determination of compliance status. Frozen food should be solid to the touch.

**Applicable Code Sections:**

3-501.11 Frozen Food\*

3-501.15 Cooling Methods\*

**Applicable Rule Section:**

.1823 (b\*) Food

**12. Potentially hazardous (time/temperature control for safety) food properly cold/hot held; time as a public health control**

**Proper hot holding temperatures**

**NOTE:** Temperatures IN compliance and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report.

**IN/OUT** This item should be marked IN or OUT of compliance based on actual food temperature measurements using a calibrated food temperature measuring device. This item should be marked IN compliance when the regulatory authority determines that, of the 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 TCS food is found out of temperature unless Time as a Public Health Control (TPHC) procedures are not followed for that PHF/TCS FOOD.

**N.A.** This item may be marked N.A. when the establishment does **not** hot hold food. This item may be **marked N.A.** for Lodging Establishments other than bed and breakfast homes and bed and breakfast inns.

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

**Applicable Code Sections:**

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

3-501.19 TPHC and procedures\*

**Applicable Rule Section:**

.1823 (b\*) Food

### Proper cold holding temperatures

**NOTE:** Temperatures IN compliance and OUT of compliance should be recorded in the “Temperature Observations” section of the comment addendum. Time/temperature Control for Safety for Cold food shall be maintained at 41 degrees F or less except that temperatures at 45 degrees F or less are IN compliance until January 1, 2019.

**IN/OUT** This item should be marked IN or OUT of compliance based on actual food temperature measurements using a calibrated food temperature measuring device. Discussions should be made with the PIC to determine if a food is in the process of cooling or TPHC is used with procedures. This item should be marked IN compliance when the regulatory authority determines that no cold holding temperatures are greater than prescribed by the Code. This item should be marked OUT of compliance if one TCS food is found out of temperature, with supportive evidence, unless TPHC with procedures is used for that TCS food, as prescribed by the Code. This item should be marked OUT of compliance if one TCS food is found out of temperature, with supportive evidence, unless TPHC is used for that TCS food.

- N.A.** This item may be **marked N.A.** when the establishment does **not** cold hold food. This item may be **marked N.A.** for Lodging Establishments other than bed and breakfast homes and bed and breakfast inns.
- N.O.** This item may be **marked N.O.** when the establishment does cold hold food, but no foods are being held cold during the time of inspection. Inspections should be conducted during a time when cold holding temperatures can be taken.

### **Applicable Code Sections:**

3-501.16(A)(2) and (B) Potentially Hazardous Food (Time/Temperature Control for Safety Food), Hot and Cold Holding\*  
3-501.19 TPHC and procedures\*

### **Applicable Rule Section:**

.1823 (b\*) Food

## **13. Proper date marking**

**IN/OUT** This item should be marked IN or OUT of compliance. This item would be IN compliance when the EHS observes that there is a system in place for date marking all foods that are required to be date marked. 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 and date marking time frames. 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 when date marked food exceeds the time limit or date-marking is not done.

- N.A.** This item may be **marked N.A.** when there is **no** ready-to-eat, TCS food prepared on premise and held, or commercial containers of ready-to-eat, TCS food opened and held over 24 hours in the establishment.
- N.O.** This item may be **marked N.O.** when the establishment does handle foods requiring date marking, but there are no foods requiring date marking in the facility at the time of inspection.

**Applicable Code Sections:**

- 3-501.17 Ready-To-Eat Time/Temperature Control for Safety Food, Date Marking\*
- 3-501.18 Ready-To-Eat Time/Temperature Control for Safety Food, Disposition\*

**Applicable Rule Section:**

.1823 (b\*) Food

**EQUIPMENT AND UTENSILS**

**14. Equipment, food and non-food contact surfaces approved, cleanable, properly designed, constructed and used**

**IN/OUT** Utensils and food-contact surfaces of equipment in all Lodging Establishments must be properly designed, in good repair and must comply with parts 4-1 and 4-2 of the NC Food Code. Proper installation and location of equipment in these type lodging establishments are important factors to consider for ease of cleaning in preventing accumulation of debris and attractants for insects and rodents. Equipment must be properly used and in proper adjustment, such as calibrated food thermometers. Domestic equipment may be used within Lodging Establishments.

**N.A.** This item may be **marked N.A.** for Lodging Establishments that do not provide equipment or utensils.

**Applicable Code Sections:**

- 4-101.11 Characteristics-Materials for Construction and Repair
- 4-101.12 Cast Iron, Use Limitations
- 4-101.13 Lead, Use Limitation
- 4-101.14 Copper Use Limitation
- 4-101.15 Galvanized Metal, Use Limitation
- 4-101.16 Sponges, Use Limitation
- 4-101.17 Wood, Use Limitation
- 4-101.18 Nonstick Coatings, Use Limitation
- 4-101.19 Nonfood Contact Surfaces
- 4-102.11 Characteristics-Single-Service and Single-Use
- 4-201.11 Equipment and Utensils-Durability and Strength
- 4-201.12 Food Temperature Measuring Devices
- 4-202.11 Food-Contact Surfaces-Cleanability
- 4-202.12 CIP Equipment
- 4-202.13 "V" Threads, Use Limitation
- 4-202.14 Hot Oil Filtering Equipment
- 4-202.15 Can Openers
- 4-202.16 Nonfood Contact Surfaces
- 4-203.11 Temperature Measuring Devices, Food
- 4-204.12 Equipment Openings, Closures and Deflectors
- 4-204.13 Dispensing Equipment, Protection of Equipment and Food
- 4-204.16 Beverage Tubing, Separation
- 4-204.17 Ice Units, Separation of Drains
- 4-204.18 Condenser Unit, Separation

**Applicable Rule Section:**

.1824 (a) (b) Equipment and Utensils

**15. Utensils, equipment properly stored, dried and handled**

**IN/OUT** 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 and utensils must be air dried prior to storage.

**N.A.** This item shall be **marked N.A.** for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns.

**Applicable Rule Section:**

.1824 (c\*) Equipment and Utensils

**16. Warewashing facilities installed, maintained and used; guest room sinks sanitized when necessary**

**IN/OUT** Adequate warewashing facilities must be available and used for the cleaning of food-contact surfaces. Observation of manual and mechanical warewashing methods are made to assess the procedure for cleaning of equipment and utensils. The use of standard operating procedures for two compartment sinks are acceptable and do not require a variance from these rules. Nothing shall prohibit the cleaning of multiuse utensils in the guest rooms with adequate standard operating procedures in place. Sinks in guest rooms shall be sanitized before washing multi-use utensils.

**N.A.** This item may be **marked N.A.** for Lodging Establishments that do not have food-contact surfaces.

**Applicable Code Sections:**

4-603.12 Precleaning\*

4-603.13 Loading of Soiled Items, Warewashing Machines\*

4-603.14 Wet Cleaning\*

4-603.15 Washing, Procedures for Alternative Manual Warewashing Equipment\*

4-603.16 Rinsing Procedures\*

**Applicable Rule Section:**

.1824 (b), (c\*), (h) Equipment and Utensils

**Protection from Contamination**

**17. Food-contact surfaces cleaned and sanitized; sanitizer at proper concentration**

**IN/OUT** This item must be marked IN or OUT of compliance based on direct observations of food-contact surfaces of equipment and utensils; observations of cleaning procedures; and discussion of cleaning 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 are effective, and performed at the prescribed frequency. There should be an overall assessment of the food-contact surfaces of equipment and utensils in clean storage and in use to determine compliance. For example, this item is not marked OUT of compliance based on one visibly soiled utensil, such as a plate or knife. This item must be marked OUT of compliance when manual and/or mechanical methods of cleaning and sanitizing food-contact surfaces of equipment and utensils are ineffective, or if one multiuse piece of equipment such as a slicer

**\*Applies to bed and breakfast establishments ONLY**

or can opener is visibly soiled and being used at the time of the inspection. The item must address the cleaning and sanitizing of ice machines and multiuse utensils used outside of the guest rooms. Equipment for preparing coffee and tea shall be kept clean, but is exempt from sanitization requirements.

**N.A.** This item may be **marked N.A.** for Lodging Establishments that do not provide equipment and/or utensils and do not manufacture or store ice for guest use.

**Applicable Code Sections:**

4-501.111 Manual Warewashing Equipment, Hot Water Sanitization Temperature

4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperatures

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

4-601.11 (A) Equipment, Food-Contact Surfaces, Contact Surfaces, and Utensils\*

4-602.11 Equipment Food-Contact Surfaces and Utensils\*

4-602.12 Cooking and Baking Equipment\*

4-603.12 Precleaning\*

4-603.13 Loading of Soiled Items, Warewashing Machines\*

4-603.14 Wet Cleaning\*

4-603.15 Washing, Procedures for Alternative Manual Warewashing Equipment\*

4-603.16 Rinsing Procedures\*

4-603.17 Returnable, Cleaning for Refilling\*

4-701.10 Food-Contact Surfaces and Utensils\*

4-702.11 Before Use After Cleaning\*

4-703.11 Hot Water and Chemical\*

**Applicable Rule Section:**

.1824 (b), (c\*), (f), (l) Equipment and Utensils

.1827 (b), (e) Premises, Storage, Poisonous or Toxic Materials

**18. Non-food contact surfaces clean**

**IN/OUT** Observations should be made to determine if the frequency of cleaning is adequate to prevent soil accumulations on non-food-contact surfaces, including microwaves and refrigerators for guest use. Cooking surfaces of equipment shall be cleaned once a day.

**Applicable Rule Section:**

.1824 (d\*), (e) Equipment and Utensils

**19. Single-use and single-service articles properly stored and used**

**IN/OUT** These items are not designed to be cleaned and re-used; therefore, they must be properly stored and protected to prevent contamination. Single-service items (cups, tableware, etc.), which are provided in the guest rooms and are not stored in a packaged and protected form, shall be discarded between successive guests. This item includes improper handling of single-use and single-service items.

**Applicable Rule Section:**

.1824 (i) Equipment and Utensils

## 20. Thermometer provided; test strips provided

**IN/OUT** In bed and breakfast homes and inns, a temperature measuring device with a suitable small diameter probe shall be provided to monitor the temperature of food. A test kit or other device that accurately measures the concentration in MG/L of sanitizing solutions shall be provided. Mark this item OUT if no temperature measuring device is available for use or a sanitizer test kit is not available.

### Applicable Rule Section:

.1824 (j), (k) Utensils and Equipment

## Water, Plumbing and Waste

## 21. Handwashing sinks supplied and accessible; toilet tissue provided at each toilet

**IN/OUT** This item must be marked IN or OUT of compliance based on observations in determining that handwashing sinks are properly equipped and conveniently located for food employee use, for laundry use, and for use in the guest room. This item must be marked OUT of compliance when the facility is not stocked with soap or hand drying provisions. In addition, if the handwashing sink is not located to be available to food employees who are working in food preparation, food dispensing and warewashing areas, or 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. If handwashing sinks are not available, properly located or of sufficient quantity in these areas, zero points should be deducted and correction will not be required until one year after the effective date of the adoption of rule .1825(a). Bed and Breakfast Homes that are permitted prior to April 2017 and only serve the breakfast meal shall not be required to provide a separate handwashing sink in the kitchen. Facilities that do not have handwashing lavatories in soiled linen areas shall not be required to install additional lavatories if an approved hand hygiene program is used. An approved hand hygiene program may consist of written standard operating procedures for areas without handwashing facilities. This item must be marked IN or OUT of compliance based on the availability of toilet tissue at each toilet provided. This item must be marked IN or OUT of compliance based on baths, lavatories and toilets being provided in each guest room or unit.

### Applicable Code Sections:

5-202.12 Handwashing Sinks, Installation  
5-203.11 Handwashing Sinks-Numbers and Capacities  
5-203.12 Toilets and Urinals  
5-204.11 Handwashing Sinks-Location and Placement  
5-205.11 Using a Handwashing Sink-Operation and Maintenance

### Applicable Rule Sections:

.1825 (a), (b), (c) Water, Plumbing, and Waste  
.1826 (a), (b) Physical Facilities

## **22. Water from approved source; backflow prevention; plumbing in good repair**

**IN/OUT** A water source in a Lodging Establishment shall comply with Chapter 5 of the Food Code. Ice shall be manufactured from an approved water supply. Section 5-1 addresses water source, approved system, system flushing and disinfection, and standards and sampling. Section 5-2 addresses the materials, design, construction and installation of the plumbing system including water filters. A water filter, screen, or other water conditioning device installed on water lines shall be designed to facilitate disassembly for periodic servicing and cleaning. The water filter element shall be the replaceable type. The system shall be according to LAW<sup>p</sup>. Backflow prevention (air gap or backflow prevention device) shall be in place where required to prevent contamination of the water supply inlet. The plumbing system shall be repaired according to LAW and maintained in good repair. Mark this item IN if the water system(s) serving the establishment is an approved system as described in 5-101.11 and meets all other requirements in Chapter 5 of the NC Food Code.

### **Applicable Code Sections:**

3-202.16 Ice  
5-101.11 Approved System – Source  
5-101.13 Bottled Drinking Water  
5-101.12 System Flushing and Disinfection  
5-102.11 Standards – Quality 5-102.13 Sampling  
5-102.14 Sample Reporting  
5-104.12 Alternate Water Supply  
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  
5-203.14 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  
5-402.11 Backflow Prevention

### **Applicable Rule Sections:**

.1823 (c) Food  
.1825 (a) Water, Plumbing and Waste



### **23. Service sink or other approved method; mop storage**

**IN/OUT** In a Bed and Breakfast Home, or Bed and Breakfast Inn the wastewater for the cleaning of mops or similar wet floor cleaning tools and its disposal shall be in a service sink or another approved manner. The effective date for this requirement in Bed and Breakfast Homes and Bed and Breakfast Inns shall be one year after the effective date of the rule. A Lodging establishment shall provide an approved service sink. Toilets and urinals may not be used as a service sink for the disposal of mop water and similar liquid waste in a lodging facility. In all Lodging establishments, mops and other floor cleaning equipment shall be stored in a manner to prevent soiling walls, equipment or supplies while being stored or air-drying.

**Applicable Code Sections:**

5-203.13 Service Sink

**Applicable Rule Section:**

.1825 (a) Water, Plumbing and Waste

### **24. Sewage and waste water properly disposed**

**IN/OUT** 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 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. Mop water and other wastewater generated through cleaning shall be disposed in accordance to LAW.

**Applicable Code Sections:**

5-205.15 System Maintained in Good Repair

5-402.12 Grease Trap

5-402.13 Conveying Sewage

5-403.11 Approved Sewage Disposal System

5-403.12 Other Liquid Wastes and Rainwater

**Applicable Rule Section:**

.1825 (a) Water, Plumbing and Waste

## **Physical Facilities**

### **25. Meets natural ventilation and lighting requirements**

**IN/OUT** Lighting is required at an intensity of 20 foot-candles 30 inches above the floor in areas used for handwashing, warewashing, equipment (including ice and vending areas) and utensil storage and in toilet rooms. Windows and doors shall be kept clean and in good repair. Natural ventilation shall have outside

**\*Applies to bed and breakfast establishments ONLY**

openings screened and in good repair. This item may be marked out when lighting intensity does not meet minimum requirements.

**Applicable Rule Section:**

.1826 (d), (e) Physical Facilities

**26. Furnishings clean and in good repair; guest room fixtures cleaned and sanitized between guests**

**IN/OUT** Observation of the lodging establishment furnishings (includes furniture, mattresses, fittings, window coverings, and other accessories) as well as bathroom fixtures are clean and in good repair. Sinks, vanities, toilets, and showers cleaned and sanitized between guests.

**Applicable Rule Section:**

.1826 (c), (h) Physical Facilities

**27. Physical facilities (including mechanical ventilation) installed, maintained, and clean**

**IN/OUT** An assessment of the physical facilities in a lodging establishment is necessary to determine whether a violation exists. Physical facilities mean the structure (perimeter walls and roofs, stairwells, staircases, walkways, ice and vending dispensing areas) and interior surfaces of a lodging establishment **including** accessories such as soap and towel dispensers and attachments such as light fixtures and heating or air conditioning system vents.

**Applicable Rule Section:**

.1826 (f), (g) Physical Facilities

**28. Insects and rodents not present; live animals prohibited**

**IN/OUT** Insects and other pests are capable of transmitting disease to humans by contaminating food and food-contact surfaces. All lodging establishments shall be kept free of insects, rodents and other pests. Live animals shall be prohibited from entering areas of food preparation, storage, sales, display, or dining.

**Applicable Rule Section:**

.1826 (i), (j) Physical Facilities

## Laundry and Linens

### **29. Linen changed between guests and as often as necessary**

**IN/OUT** Bed and bath linen shall be provided for each guest and shall be changed between successive guests and as often as necessary.

**Applicable Rule Section:**

.1828 (a) Laundry and Linens

### **30. Linens clean and in good repair; two sheets provided for each bed**

**IN/OUT** Bed and bath linen shall be provided clean and in good repair for accommodations to a guest in a lodging establishment. Each bed shall be provided with two sheets. The lower sheet shall be folded under both ends of the mattress. The upper sheet shall be folded under the mattress at the lower end of the mattress and folded over the cover for at least six inches at the top end. In cases where bed covers are washed between each guest, the six-inch fold of the sheet over the bed cover is not required.

**Applicable Rule Section:**

.1828 (a), (b) Laundry and Linens

### **31. Linen properly handled and stored**

**IN/OUT** An assessment is made of overall storage practices and the handling and storage of clean and soiled linens. Clean linen shall be stored in cabinets or on clean, non-absorbent shelves in linen and supply storage rooms in a manner to prevent contamination. Soiled linen shall be handled and stored separately from clean linen. Carts used for soiled laundry shall be labeled or otherwise designated for soiled use only. Proper handwashing practices shall be assessed when determining proper handling of soiled and clean linen.

**Applicable Rule Section:**

.1828 (c), (e) Laundry and Linens

### **32. Housekeeping carts arranged to prevent cross contamination, maintained clean and properly stored**

**IN/OUT** An assessment of the housekeeping carts is made to determine if they are clean and the arrangement of clean items on the carts preclude cross-contamination with soiled items. Housekeeping carts shall be stored in a clean area.

**N.A.** This item may be **marked N.A.** for bed and breakfast homes and bed and breakfast inns if a housekeeping cart is not present

**Applicable Rule Section:**

.1828 (d) Laundry and Linens

**Premises, Storage, Poisonous or Toxic Materials**

**33. Garbage and refuse properly disposed; facilities maintained**

**IN/OUT** 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 and cleanliness of the refuse facilities and area. Refuse shall be collected in covered containers. Refuse, recyclables and returnables shall be removed at a frequency to minimize odors and nuisance conditions. Where dumpsters are used a contract for off-site cleaning shall constitute compliance with the provision for cleaning.

**Applicable Code Sections:**

5-501.10 Indoor Storage Areas

5-501.11 Outdoor Storage Surface

5-501.12 Outdoor Enclosure

5-501.13 Receptacles

5-501.15 Outside Receptacles

5-501.16 Storage Areas, Rooms, and Receptacles, Capacity and Availability

5-501.17 Toilet Room Receptacle, Covered

5-501.18 Cleaning Implements and Supplies

5-501.19 Storage Areas, Redeeming Machines, Receptacles and Waste Handling Units, Location

5-501.110 Storing Refuse, Recyclables, and Returnables

5-501.111 Areas, 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

5-502.12 Receptacles and Vehicles

5-503.11 Community or Individual Facility

**Applicable Rule Sections:**

.1825 (a), (d), (e), (f) Water, Plumbing, and Waste

.1827 (a) Premises, Storage, Poisonous or Toxic Materials

**\*Applies to bed and breakfast establishments ONLY**

### **34. Premises maintained to prevent breeding or harborages**

**IN/OUT** Effective measures must be taken to eliminate their presence and any harborage conditions or entry points into the facility. Dead or trapped birds, insects, rodents and other pests shall be removed from the premises at a frequency that prevents their accumulation, decomposition, or the attraction of pests.

**Applicable Rule Sections:**

.1826 (i) Physical Facilities

.1827 (a) Premises, Storage, Poisonous or Toxic Materials

### **35. Storage areas maintained clean, provided for maintenance tools and supplies; properly stored and handled**

**IN/OUT** Storage areas should be maintained clean and free of unnecessary items. A storage area shall be provided for building and ground maintenance items. Maintenance items shall be stored in a manner to avoid contamination of food, food-contact surfaces, linen, and single-use articles.

**Applicable Rule Section:**

.1827 (g) Premises, Storage, Poisonous or Toxic Materials

### **36. Approved pesticide use**

**IN/OUT** Only pesticides that have been registered with the EPA and with the N.C. Department of Agriculture and Consumer Services shall be used. These pesticides shall only be used following the manufacturer's instructions for applications for which they have been approved. These pesticides shall be handled and stored in a manner to avoid health hazards and shall not be accessible to guests.

**Applicable Rule Section:**

.1827 (b) Premises, Storage, Poisonous or Toxic Materials

### **37. Household cleaning agents, medicines and sanitizers properly stored and handled**

**IN/OUT** The assessment of proper storage of chemicals, cleaning supplies, and medications is necessary to determine whether a violation exists. Any first aid supplies, medicines, cleaning supplies and chemicals shall be stored separate from and not above food, food equipment and utensils, linens and single-service or single-use articles. Household cleaning agents such as bleaches, detergents, and polishers shall be used and stored according to manufacturer's recommendations. Sanitizing solutions shall not be stored in or dispensed from containers previously containing other poisonous or toxic materials. Household cleaning agents such as bleaches, detergents, and polishers shall be used and stored according to the manufacturer's recommendations. Sanitizing solutions shall not be stored in or dispensed from containers previously containing poisonous or toxic materials. Medications under the control of the permit holder

shall be stored in a cabinet, closet, or box not accessible to children and in a manner to avoid contamination of food and food contact surfaces.

**Applicable Rule Section:**

.1827(c), (d), (f) Premises, Storage, Poisonous or Toxic Materials

**38. Premises kept neat and clean**

**IN/OUT** The premises shall be kept neat and clean. Rubbish, litter and other items not used in the operation of the establishment shall not be permitted to accumulate on the premises. Accumulation of unnecessary items makes regular and effective cleaning more difficult and less likely.

**Applicable Rule Section:**

.1827 (a) Premises, Storage, Poisonous or Toxic Materials