

<p><b>Instructions for Marking the Food Establishment Inspection Report, Including Code References for Risk Factors/Interventions and Good Retail Practices</b></p>
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*All references and code sections in these marking instructions are based on the Rules Governing the Food Protection and Sanitation of Food Establishments.*

**A. GENERAL MARKING INSTRUCTIONS**

**HEADER Information**

Establishment Name	Complete this section using the “usual/common name” or “Doing Business As” name of the business. This information should be the same as the license/permit application completed at the initiation of the business.
Location Address	Street address of the actual business location
Zip Code	Actual business location
Telephone	Contact phone number for the establishment
Establishment ID#	Tracking number for Inspections, Statistics and Fees
County	Name the county where the establishment exists
Inspection Type	Mark the appropriate box
Wastewater Type	Mark the appropriate box
Water Supply	Mark the appropriate box
Permit Holder	Name of Owner or Operator as shown on application
Establishment Type	Establishment Types as defined by the FDA Standard: Institutions – Hospitals, Nursing Homes, Elementary Schools Restaurants – Fast Food, Full-Service Retail Food Services – Deli Departments, Meat & Poultry Departments, Produce Departments & Salad Bars, Seafood Departments
Risk Category	Designation of risk level for determining frequency of inspection <b>Risk Category I</b> applies to food service establishments that prepare only non-potentially hazardous foods. <b>Risk Category II</b> applies to food service establishments that cook and cool no more than two potentially hazardous foods. Potentially hazardous raw ingredients shall be received in a ready-to-cook form. <b>Risk Category III</b> applies to food service establishments that cook and cool no more than three potentially hazardous foods. <b>Risk Category IV</b> applies to food service establishments that cook and cool an unlimited number of potentially hazardous foods. This category also includes those facilities using specialized processes or serving a highly susceptible population.
Number of Risk Factor/Intervention Violations	The number of boxes marked OUT in items 1-27 should be counted and the total number placed here
Number of Repeat Risk Factor/Intervention Violations	The number of boxes marked R (repeat) in items 1-27 should be counted and the total number placed here
Score	A score earned by the establishment as a result of an inspection or reinspection
Date	The date of the inspection including month, day, and year
Time In	The actual time the inspection begins
Time Out	The actual time the inspection ends
Status Code	Designate the appropriate Status Code as defined by Inspections, Statistics and Fees Program
Contact Number	The Regulatory Authority Contact Number.
Total Deductions	Total point deductions.
Verification Date	The date the verification inspection will be conducted.

## B. 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. Additionally, five key public health interventions were introduced in the 1993 Food Code that supplemented the other interventions long-established by the Food and Drug Administration (FDA) model codes and guidances to protect consumer health. 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.

Establishments should be inspected at the time processes are ongoing, food handling by employees, preparation, cooling, cooking, holding etc. Time of inspection should vary to capture the processes that occur at the onset or end of operation such as cooling, receiving of foods, etc.

For each item on the inspection report form in the Foodborne Illness Risk Factors and Public Health Interventions section, the inspector should indicate one of the following for **COMPLIANCE STATUS**: “**IN**” which means that the item is in compliance; “**OUT**” which means that the item is not in compliance; “**N.O.**” which means that the item was not observed during the inspection; or “**N.A.**” which means that the item is not applicable for the facility. If N.A. or N.O. is not listed as an option for a particular item, this means that this item must be evaluated during the inspection and a compliance status must be determined. **If the item is marked “OUT”, document details of each violation for the item number in the “Observations and Corrective Actions” section on the second page of the inspection report.** Compliance status should be determined as a result of observations that establish a pattern of non-compliance. Consideration should be given to the seriousness of the observation with regard to prevention of foodborne illness. Priority (P) and Priority Foundation (Pf) citations require immediate corrective action or suitable alternatives determined by the REHS, until the violations are corrected. (P) and (Pf) violations that cannot be corrected during the inspection shall be given no more than 10 days to correct the violation, depending on the severity and nature of risk to public health. The compliance date shall be documented on the inspection report.

For items marked “**OUT**,” further indicate the status of the violation by marking the corresponding box for Corrected During Inspection (**CDI**) and/or Repeat violation (**R**). Marking **CDI** 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 #6 *Handwashing sink* 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 the 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 **CDI** is **not** marked for Item #6 because all violations under that item were not corrected. Marking Verification Required (**VR**) indicates correction is warranted within 10 calendar days. Marking **R** indicates that the same violation under a particular item number 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 employees are not washing hands in the correct sink (which is also cited under Item #6 *Handwashing sink*), **R** would **not** be marked because this is a new violation which was not cited on the previous inspection report.

The purpose and objective of a Food Service Establishment inspection program is to assess the operation and ensure risk factors are in control. Reducing risk factors have a direct correlation in the reduction of foodborne illness. The goal is to observe processes and behaviors in retail food establishments. When (P) and (Pf) violations are observed, it is required to seek correction. For long term active managerial control of (P) and (Pf) violations, the REHS should engage in seeking compliance and develop Risk Control Plans (RCP) between the department and the establishment.

The appendices of this document also contain guidance for enforcement strategies, employee health, standing regulatory interpretations, Time as a Public Health Control, and Specialized Process Standards.

**C. MARKING INSTRUCTIONS FOR EACH RISK FACTOR AND INTERVENTION ON THE INSPECTION REPORT**

**Supervision**

**1. PIC present, Demonstration – Certification by accredited program, and performs duties**

**IN/OUT** This item should be marked IN or OUT of compliance. When an establishment is marked OUT because B is not met, zero points should be deducted and correction will not be required until January 1, 2014. 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 2-101.11(A) and (B).
- B. **Demonstration – Certification by accredited program.** This item is marked IN compliance only when the PIC holds certification by an ACCREDITED PROGRAM as specified in 2-102-20.
- C. **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 employee. The inspector needs to determine the systems or controls the PIC has put into practice regarding oversight and/or routine monitoring of the Duties listed in § 2-103.11. This is accomplished by 1) discussion with the PIC, and 2) verified through observation that the systems or controls are actually being implemented. This concept is commonly referred to as Active Managerial Control. This item must be marked OUT of compliance when there is a pattern of non-compliance and obvious failure by the PIC to ensure employees are complying with the duties listed in § 2-103.11. Since marking this item out of compliance requires judgment, it is important that this item not be marked for an isolated incident, but rather for an overall evaluation of the PIC's ability to ensure compliance with the duties described in § 2-103.11.

**N.A.** This item may be marked N.A. for Category I establishments and Congregated Nutrition Sites.

**N.O.** **Do Not Mark** this item N.O.

**Applicable Code Section:**

- 2-101.11 Assignment <sup>Pf</sup>
- 2-102.11 Demonstration <sup>Pf</sup>
- 2-102.12 Certified Food Protection Manager
- 2-103.11 (A)-(L) Person-In-Charge-Duties <sup>Pf</sup>

**Employee Health**

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

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

- 1. The PIC is aware of his or her responsibility to inform food employees and conditional employees of their responsibility to report certain symptoms or diagnosed diseases to the person in charge and for the PIC to report to the regulatory authority as specified under Food Code ¶ 2-103.11(M) and ¶¶ 2-201.11 (A),(B), (C), and (E); **and**
- 2. The PIC provides documentation or otherwise satisfactorily demonstrates during the inspection, that all food employees and conditional employees are informed of their responsibility to report to management information about their health and activities as it relates to diseases that are transmissible through food, as specified under ¶ 2-201.11(A). Satisfactory compliance may be

documented by completion of Form 1-B, Conditional Employees or Food Employees Reporting Agreement, in Annex 7 of the 2009 Food Code for each employee or other similar State or local form containing the same information; **or**

3. In lieu of a written policy, compliance may be demonstrated by:
- a) Presenting evidence such as a curriculum and attendance rosters documenting that each employee has completed a training program which includes all the information required on Form 1-B regarding their reporting responsibilities; **or**
  - b) Implementation of an employee health policy which includes a system of employee notification using a combination of training, signs, pocket cards, or other means to convey all of the required information on Form 1-B to all food employees and conditional employees. A signed acknowledgement by the employee should be part of any employee health policy.

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

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

**N.A. Do Not Mark** this item N.A.

**N.O. Do Not Mark** this item N.O.

**Applicable Code Sections:**

2-103.11(M) Person in Charge-Duties <sup>Pf</sup>

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

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

**IN/OUT**

This item must be marked IN or OUT of compliance. To be marked IN there must be no ill employees, employees experiencing symptoms requiring reporting, or reason for the PIC to exclude or restrict an employee observed at the time of the inspection. Compliance must be based on first hand observations or information and cannot be based solely on responses from the PIC to questions regarding hypothetical situations or knowledge of the 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.** Do Not Mark this item N.A.  
**N.O.** Do Not Mark this item N.O.

**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<sup>P</sup>  
2-201.12 Exclusions & Restrictions<sup>P</sup>  
2-201.13 Removal, Adjustment, or Retention of Exclusions & Restrictions<sup>P</sup>

**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. 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.

**N.A.** Do Not Mark this item N.A.  
**N.O.** Do Not Mark this item N.O.

**Applicable Code Sections:**

2-401.11 Eating, Drinking, or Using Tobacco  
3-301.12 Preventing Contamination When Tasting<sup>P</sup>

**5. No discharge from eyes, nose, and mouth**

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

**N.A.** Do Not Mark this item N.A.  
**N.O.** Do Not Mark this item N.O.

**Applicable Code Sections:**

2-401.12 Discharges from the Eyes, Nose, and Mouth

**Preventing Contamination by Hands**

**6. Hands clean and properly washed**

**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.

**N.A.** Do Not Mark this item N.A.  
**N.O.** Do Not Mark this item N.O.

**Applicable Code Sections:**

- 2-301.11 Clean condition-Hands and Arms <sup>P</sup>
- 2-301.12 Cleaning Procedure <sup>P</sup>
- 2-301.14 When to Wash <sup>P</sup>
- 2-301.15 Where to Wash <sup>Pf</sup>
- 2-301.16 Hand Antiseptics <sup>Pf</sup>

**7. No bare hand contact with RTE foods or a pre-approved alternate properly followed**

**IN/OUT** 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.

**N.A.** **Do Not Mark** this item N.A.

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

**Applicable Code Sections:**

- 3-301.11 Preventing Contamination from Hands <sup>P, Pf</sup>
- 3-801.11(D) Pasteurized Foods, Prohibited Re-Service, and Prohibited Foods <sup>P</sup>

**8. Handwashing sinks, supplied and accessible**

**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. This item must be marked OUT of compliance when the facility is not stocked with soap, hand drying provisions or equipped with the required signage. 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, 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.

**N.A.** **Do Not Mark** this item N.A.

**N.O.** **Do Not Mark** this item N.O.

**Applicable Code Sections:**

- 5-202.12 Handwashing Sinks, Installation <sup>Pf</sup>
- 5-203.11 Handwashing Sinks-Numbers and Capacities <sup>Pf</sup>
- 5-204.11 Handwashing Sinks-Location and Placement <sup>Pf</sup>
- 5-205.11 Using a Handwashing Sink-Operation and Maintenance <sup>Pf</sup>
- 6-301.11 Handwashing Cleanser, Availability <sup>Pf</sup>
- 6-301.12 Hand Drying Provision <sup>Pf</sup>
- 6-301.13 Handwashing Aids and Devices, Use Restrictions
- 6-301.14 Handwashing Signage

**Approved Source****9. Food obtained from approved source**

**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, molluscan shellfish 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. This item should be marked OUT of compliance when an approved food source cannot be determined. NC food exemptions apply to this item number. See appendix.

**N.A.** Do not mark this item N.A.

**N.O.** Do Not Mark this item N.O.

**Applicable Code Sections:**

3-201.11	Compliance with Food Law <sup>P, Pf</sup>
3-201.12	Food in a Hermetically Sealed Container <sup>P</sup>
3-201.13	Fluid Milk and Milk Products <sup>P</sup>
3-201.14	Fish <sup>P</sup>
3-201.15	Molluscan Shellfish <sup>P</sup>
3-201.16	Wild Mushrooms <sup>P</sup>
3-201.17	Game Animals <sup>P</sup>
3-202.13	Eggs <sup>P</sup>
3-202.14	Eggs and Milk Products, Pasteurized <sup>P</sup>
3-202.110	Juice Treated-Commercially Processed <sup>P, Pf</sup>
5-101.13	Bottled Drinking Water <sup>P</sup>

**10. Food received at proper temperature**

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

**N.A.** Do Not Mark this item N.A.

**N.O.** This item may be marked N.O. if food is not received during the inspection.

**Applicable Code Sections:**

3-202.11	Temperature <sup>P, Pf</sup>
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**11. Food in good condition, safe and unadulterated**

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

**N.A.** Do Not Mark this item N.A.

**N.O.** Do Not Mark this item N.O.

**Applicable Code Sections:**

3-101.11	Safe, Unadulterated and Honestly Presented <sup>P, Pf</sup>
3-202.15	Package Integrity <sup>Pf</sup>

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

**IN/OUT** This item should be marked IN or OUT of compliance, based on direct observations of fish in storage, shellstock tags, and/or records of freezing of fish for parasite destruction. This item should be marked IN compliance if the permit holder provides a statement from supplier(s) identifying that fish sold as raw, raw-marinated or undercooked is frozen by supplier for parasite

destruction; or there are freeze records maintained by the permit holder when fish are frozen for parasite destruction on the premises. This item should be marked OUT of compliance 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 3-402.11(B).

**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 the Food Code.

**N.O.** This item may be marked N.O. when shellstock or raw, raw-marinated and undercooked fish are sold periodically in the establishment, but are not being sold at the time of inspection and prior compliance through tags, invoices, or purchase records cannot be verified.

**Applicable Code Sections:**

- 3-202.18 Shellstock Identification <sup>Pf</sup>
- 3-203.12 Shellstock, Maintaining Identification <sup>Pf</sup>
- 3-402.11 Parasite Destruction <sup>P</sup>
- 3-402.12 Records, Creation, & Retention <sup>Pf</sup>

**Protection from Contamination**

**13. Food separated and protected**

**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); or food is in contact with soiled equipment and utensils; or single-use gloves used for more than one task.

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

**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:**

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

**14. Food-contact surfaces: cleaned and sanitized**

**IN/OUT** This item must be marked IN or OUT of compliance based on direct observations of food-contact surfaces of equipment and utensils; actual measurements/readings of chemical sanitizer concentration, hot water sanitizing temperature, pH, hardness, water pressure, etc. using test strips, heat-sensitive tapes, and equipment gauges; observations of cleaning and sanitizing procedures; and discussion of cleaning and sanitizing procedures and frequency with the PIC or other food employees. This item must be marked IN compliance when manual and/or mechanical methods of cleaning and sanitizing are effective, and performed at the prescribed frequency. There should be an overall assessment of the 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 or can opener is visibly soiled and being used at the time of the inspection.



- N.A.** Do Not Mark this item N.A.  
**N.O.** Do Not Mark this item N.O.

**Applicable Code Sections:**

- 4-501.111 Manual Warewashing Equipment, Hot Water Sanitization Temperatures <sup>P</sup>
- 4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperatures <sup>Pf</sup>
- 4-501.113 Mechanical Warewashing Equipment, Sanitization Pressure
- 4-501.114 Manual and Mechanical Warewashing Equipment, Chemical Sanitization-Temperature, pH, Concentration and Hardness <sup>P</sup>
- 4-501.115 Manual Warewashing Equipment, Chemical Sanitization Using Detergent-Sanitizers
- 4-601.11(A) Equipment, Food-Contact Surfaces, Nonfood-Contact Surfaces, and Utensils <sup>P</sup>
- 4-602.11 Equipment Food-Contact Surfaces and Utensils-Frequency <sup>P</sup>
- 4-602.12 Cooking and Baking Equipment
- 4-702.11 Before Use After Cleaning <sup>P</sup>
- 4-703.11 Hot Water and Chemical-Methods <sup>P</sup>

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

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

- N.A.** Do Not Mark this item N.A.  
**N.O.** Do Not Mark this item N.O.

**Applicable Code Sections:**

- 3-306.14 Returned Food and Re-service of Food <sup>P</sup>
- 3-701.11 Discarding or Reconditioning Unsafe, Adulterated, or Contaminated Food

**Potentially Hazardous Food (PHF) Time/Temperature**

**16. Proper cooking time and temperatures**

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

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

**Internal Cooking Temperature Specifications**

<b>145°F for 15 seconds</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>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
<b>Whole Meat Roasts</b> Refer to cooking charts in the <i>Food Code</i> ¶ 3-401.11(B)		

**Applicable Code Sections:**

- 3-401.11 Raw Animal Foods-Cooking <sup>P, Pf</sup>
- 3-401.12 Microwave Cooking

**17. 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.

**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 <sup>P</sup>

**18. Proper cooling time and temperatures**

**NOTE:** The requirement for cooling cooked PHF (TCS) food, is that the food must be cooled from 135°F to 41°F (or 45°F) or less in 6 hrs provided that the food is cooled from 135°F to 70°F within the first 2 hours. For example, if a facility cools chili from 135°F to 70°F in 1.5 hours; 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, at the onset of the inspection a determination of whether foods are currently being cooled should be made. If cooling is taking place, temperatures should be taken to make a determination of whether proper cooling is possible with procedures being used. 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 PHF (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 PHF (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** PHF (TCS) food from ambient temperature ingredients that require cooling, and does **not** cool cooked PHF (TCS) food.
- N.O.** This item may be marked N.O. when the establishment does cool PHF (TCS) food, but proper cooling per the prescribed temperature and time parameters cannot be determined during the length of the inspection.

**Applicable Code Sections:**

3-501.14 Cooling<sup>P</sup>

**19. 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 PHF/TCS FOOD temperature measurements taken during the inspection, no hot holding temperatures are less than prescribed by the Code. This item is marked OUT of compliance if one PHF/TCS FOOD is found out of temperature unless Time as a Public Health Control (TPHC) is used for that PHF/TCS FOOD.

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

**N.O.** This item may be marked N.O. when the establishment does hot hold 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<sup>P</sup>

**20. Proper cold holding temperatures**

**NOTE:** Temperatures IN compliance and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report. 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, TPHC is used, or there is an approved method to render a food so that it is not PHF/TCS food. This item should be marked IN compliance when the regulatory authority determines that, of the temperature measurements taken during the inspection, no cold holding temperatures are greater than prescribed by the Code. This item should be marked OUT of compliance if one PHF/TCS food is found out of temperature, with supportive evidence. , unless TPHC is used for that PHF/TCS food.

- N.A.** This item may be marked N.A. when the establishment does **not** cold hold food.
- 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 hot 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<sup>P</sup>

**21. Proper date marking and disposition**

- IN/OUT** This item should be marked IN or OUT of compliance. This item would be IN compliance when there is a system in place for date marking all foods that are required to be date marked and is verified through observation. If date marking applies to the establishment, the PIC should be asked to describe the methods used to identify product shelf-life or “consume-by” dating. The regulatory authority must be aware of food products that are listed as exempt from date marking 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, such as 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, PHF/TCS food prepared on-premise and held, or commercial containers of ready-to-eat, PHF/TCS food opened and held, over 24 hours in the establishment.
- 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 Potentially Hazardous Food (Time/Temperature Control for Safety Food),  
Date Marking<sup>Pf</sup>

3-501.18 Ready-To-Eat Potentially Hazardous Food (Time/Temperature Control for Safety Food),  
Disposition<sup>P</sup>

**22. Time as a Public Health Control: procedures and records**

- IN/OUT** This item should be marked IN or OUT of compliance based on direct observations, record review, a discussion with the PIC, and the review of any standard operating procedures to determine if the intent of the Code for use of TPHC is met. This provision only applies if it is the actual intention or conscious decision by the PIC to store PHF(TCS food) out of temperature control using TPHC; otherwise, it may be a cold or hot holding issue. This item should be marked IN compliance if there is an approved 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. This item should be marked OUT of compliance when the PIC implies the 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 be marked N.A. when the establishment does not use time only as the public health control.
- N.O.** This item may be marked N.O. when the establishment uses time only as the public health control, but is not using this practice at the time of inspection.

**Applicable Code Sections:**

3-501.19 Time as a Public Health Control<sup>P, Pf</sup>

## Consumer Advisory

### **23. Consumer advisory provided for raw or undercooked foods**

**IN/OUT** This item should be marked IN or OUT of compliance based on a thorough review with the PIC of the posted, written and special/daily menus, to determine if untreated shell eggs, meats, fish, or poultry are used as an ingredient or ordered as a raw, raw-marinated, partially cooked, or undercooked food. The advisory also applies to shellstock offered for sale from a retail service case. This item should be marked IN compliance if the establishment provides an advisory that meets the intent of the Food Code for both the disclosure and reminder components. This item should be marked OUT of compliance when raw or undercooked foods are served or sold and there is no consumer advisory, the food item is not **disclosed**, or there is no **reminder** statement. The consumer advisory does not exempt the requirement for freezing for parasite control, nor should it be used for foods that have only gone through the initial heating and cooling stages of a non-continuous cooking process.

**N.A.** This item may be marked N.A. when a food establishment does not serve a ready-to-eat food that necessitates an advisory, i.e., an animal food that is raw, undercooked, or not otherwise processed to eliminate pathogens.

**N.O.** **Do Not Mark** this item N.O.

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

3-603.11 Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise Processed to Eliminate Pathogens <sup>Pf</sup>

## Highly Susceptible Populations

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

**NOTE:** Discussions with the PIC and employees regarding whether or not certain foods are served or certain practices occur in the establishment, along with observations should be used to determine compliance.

**IN/OUT** This item should be marked IN or OUT of compliance based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. Violations of bare hand contact by food employees serving a highly susceptible population ¶ 3-801.11(D) is marked under Item #7. 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.

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

**N.O.** **Do Not Mark** this item N.O.

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

3-801.11(A), (B), (C), (E) and (G) Pasteurized Foods, Prohibited Re-Service, and Prohibited Food <sup>P</sup>

## Chemical

### **25. Food additives: approved and properly used**

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

Safe (GRAS), such as salt, pepper, etc. This item is marked OUT of compliance if unapproved additives are found on the premises or approved additives are improperly used, such as sulfites being applied to fresh fruits or vegetables.

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

**N.O.** **Do Not Mark** this item N.O.

**Applicable Code Sections:**

- 3-202.12 Additives <sup>P</sup>
- 3-302.14 Protection from Unapproved Additives <sup>P</sup>

**26. Toxic substances properly identified, stored, and used**

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

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

**N.O.** **Do Not Mark** this item N.O.

**Applicable Code Sections:**

- 7-101.11 Identifying Information, Prominence-Original Containers <sup>Pf</sup>
- 7-102.11 Common Name-Working Containers <sup>Pf</sup>
- 7-201.11 Separation-Storage <sup>P</sup>
- 7-202.11 Restriction-Presence and Use <sup>Pf</sup>
- 7-202.12 Conditions of Use <sup>P, Pf</sup>
- 7-203.11 Poisonous or Toxic Material Containers-Container Prohibitions <sup>P</sup>
- 7-204.11 Sanitizers, Criteria-Chemicals <sup>P</sup>
- 7-204.12 Chemicals for Washing, Treatment, Storage and Processing Fruits and Vegetables, Criteria <sup>P</sup>
- 7-204.13 Boiler Water Additives, Criteria <sup>P</sup>
- 7-204.14 Drying Agents, Criteria <sup>P</sup>
- 7-205.11 Incidental Food Contact, Criteria-Lubricants <sup>P</sup>
- 7-206.11 Restricted Use Pesticides, Criteria <sup>P</sup>
- 7-206.12 Rodent Bait Stations <sup>P</sup>
- 7-206.13 Tracking Powders, Pest Control and Monitoring <sup>P</sup>
- 7-207.11 Restriction and Storage-Medicines <sup>P, Pf</sup>
- 7-207.12 Refrigerated Medicines <sup>P</sup>
- 7-208.11 Storage-First Aid Supplies <sup>P, Pf</sup>
- 7-209.11 Storage-Other Personal Care Items
- 7-301.11 Separation-Storage and Display, Stock and Retail Sale <sup>P</sup>

**Conformance with Approved Procedures**

**27. Compliance with variance, specialized process, reduced oxygen packaging criteria or HACCP plan**

**IN/OUT** This item should be marked IN or OUT of compliance based on direct observations of food preparation and storage, a discussion with the PIC to determine if there are specialized food

processes [i.e. smoking food, curing food, reduced oxygen packaging, using food additives to render a food so that it is not PHF (TCS food), cook chill, sous vide, etc.] and the record review of standard operating procedures and HACCP documentation. This item should be marked IN compliance when observations of food operations and review of available records indicate compliance is being met with regards to specialized food processes. This item should be marked OUT of compliance if the inspection reveals specialized food processes that are not approved by the regulatory authority are performed or not conducted in accordance with the approved variance.

**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.** **Do Not Mark** this item N.O.

**Applicable Code Sections:**

- 3-404.11 Treating Juice <sup>P, Pf</sup>
- 3-502.11 Variance Requirement <sup>Pf</sup>
- 3-502.12 Reduced Oxygen Packaging, Criteria <sup>P, Pf</sup>
- 4-204.110(B) Molluscan Shellfish Tanks <sup>P, Pf</sup>
- 8-103.12 Conformance with Approved Procedures <sup>P, Pf</sup>
- 8-201.13 When a HACCP Plan is Required
- 8-201.14 Contents of a HACCP Plan <sup>Pf</sup>

## Good Retail Practices (GRPs)

### **D. 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 conditions by looking for 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 equipment is subject to in-place manual cleaning without the use of an enclosed clean in place (CIP) system, i.e., using pressure hoses over band saws, slicers, or mixers, could create conditions whereby a bacterial hazard could be introduced on to the 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 this inspection form is to focus the inspector's attention on those factors that have been shown to be most often linked with causing foodborne illness. For marking the GRPs section, indicate **IN** and **OUT** and the point value debited if a code provision under that item is **OUT** of compliance. Indicate **N.A.** and **N.O.** where applicable. Document each violation of the code provision for the item number in the "Observations and Corrective Actions" section on the second page of the inspection report. For items marked **OUT** of compliance, further indicate the **VIOLATION STATUS** by marking the corresponding box: **CDI** = Corrected During Inspection, **R** = Repeat violation and **VR** = Verification Required per the same instructions as given in the Risk Factor section.

### **E. TEMPERATURE OBSERVATIONS**

Item/location      Record the common name of the food as well as the condition, process, and location of the food at the time of monitoring e.g. hot holding, refrigerator, prep-table. Temperatures in compliance and out of compliance should be documented.

Food

Temperature      Record the temperature indicated on the inspector's thermometer. Specify the measurement in °F or °C. *(Note: Food temperature measuring devices that are scaled only in Fahrenheit should be accurate to ±2°F in the intended range of use. Food temperature measuring devices that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit should be accurate to ± 1°C in the intended range of use.)*

### **F. OBSERVATIONS AND CORRECTIVE ACTIONS**

Include here specific descriptions of violations observed and recorded in the Risk Factors and Interventions section and Good Retail Practices check boxes. Also include corrective actions for the noted violations and temperatures.

### **G. SIGNATURE BLOCK**

Person in Charge      The PIC is the individual present at a food establishment who is responsible for the operation at the time of the inspection.

Regulatory Authority      The RA is the individual conducting the inspection.



## Safe Food and Water

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

Certain menu items use eggs as an ingredient in the preparation of RTE foods, such as Caesar salad, Hollandaise sauce, etc. This is verified by discussion with the PIC and food employees regarding the substitution of pasteurized egg products for raw eggs in uncooked foods, unless allowed under ¶ 3-401.11(D)(2).

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

3-302.13          Pasteurized Eggs Substituted for Raw Eggs for Certain Recipes <sup>P</sup>

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

There are two types of systems: Public Water System or Non-Public Water System. Regardless of its source, it must meet drinking water standards established by EPA and applicable state 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.

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

3-202.16          Ice <sup>P</sup>  
5-101.11          Approved System-Source <sup>P</sup>  
5-102.11          Standards-Quality <sup>P</sup>  
5-102.12          Nondrinking Water <sup>Pf</sup>  
5-102.13          Sampling <sup>Pf</sup>  
5-102.14          Sample Report  
5-104.12          Alternative Water Supply <sup>Pf</sup>

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

When a Food Establishment wants to deviate from a requirement in the code, utilizes Specialized Processing Methods as specified in § 3-502.11 such as Smoking Food for Preservation, curing food etc. a variance must first be obtained from the regulatory authority. A HACCP plan may also be required as listed in ¶ 8-201.13(A) as part of the variance request.

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

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

8-103.11          Documentation of Proposed Variance and Justification <sup>Pf</sup>

## Food Temperature Control

### **31. 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. There should be enough equipment with sufficient capacity used for the cooling, heating and hot/cold holding of foods requiring temperature control as specified in Chapter 3 to meet the demands of the operation. Observations must support the determination of compliance status. Frozen food is solid to the touch.

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

3-501.11          Frozen Food

- 3-501.15 Cooling Methods<sup>Pf</sup>
- 4-301.11 Cooling, Heating, and Holding Capacities-Equipment<sup>Pf</sup>

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

In determining compliance, observation along with an actual cooking temperature must be obtained.

- N.A.** This item may be marked N.A. if vegetables and fruits are **not** cooked for hot holding in the establishment.
- N.O.** This item may be marked N.O. when plant foods are cooked for hot holding, but are not available for observation during the inspection.

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

- 3-401.13 Plant Food Cooking for Hot Holding<sup>Pf</sup>

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

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

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

- 3-501.12 Potentially Hazardous Food (Time/Temperature Control for Safety Food), Slacking
- 3-501.13 Thawing

- N.A.** This item may be marked N.A. if PHF/TCS food are **not** thawed.
- N.O.** This item may be marked N.O. if this food is thawed, but thawing was not observed during the inspection.

### **34. Thermometers provided and accurate**

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

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

- 4-203.11 Temperature Measuring Devices, Food-Accuracy<sup>Pf</sup>
- 4-203.12 Temperature Measuring Devices, Ambient Air and Water-Accuracy<sup>Pf</sup>
- 4-204-112 Temperature Measuring Devices-Functionality<sup>Pf</sup>
- 4-302.12 Food Temperature Measuring Devices<sup>Pf</sup>
- 4-502.11(B) Good Repair and Calibration<sup>Pf</sup>

## **Food Identification**

### **35. Food properly labeled: original container**

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

**Applicable Code Sections:**

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

**Prevention of Food Contamination****36. Insects and rodents not present; no unauthorized animals**

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. Animals must only be present as service animals or as approved in outdoor dining.

**Applicable Code Sections:**

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

**37. Contamination prevented during food preparation, storage and display**

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

**Applicable Code Sections:**

- 3-202.19 Shellstock, Condition
- 3-303.11 Ice Used as Exterior Coolant, Prohibited as Ingredient <sup>P</sup>
- 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 <sup>P</sup>
- 3-306.12 Condiments, Protection
- 3-306.13(B) and (C) Consumer Self-Service Operations <sup>Pf</sup>
- 3-307.11 Miscellaneous Sources of Contamination
- 6-404.11 Segregation and Location-Distressed Merchandise <sup>Pf</sup>

**38. Personal cleanliness**

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

**Applicable Code Sections:**

- 2-302.11 Maintenance-Fingernails <sup>Pf</sup>
- 2-303.11 Prohibition-Jewelry
- 2-304.11 Clean Condition-Outer Clothing
- 2-402.11 Effectiveness-Hair Restraints

### **39. Wiping cloths: properly used and stored**

Wiping cloths are to be used for a designated purpose. When stored in solution, the solutions should be visibly clean and maintained at the proper sanitizer concentration (§4-501.114). Solutions exceeding the recommended sanitizer concentrations would be marked on the Inspection Form under item number 26, 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:**

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

### **40. Washing fruits and vegetables**

Raw fruits and vegetables are to be washed prior to their preparation or offered as RTE. Approved chemicals may be used. Discussion with the PIC and food employees will help determine the establishment's practice.

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

3-302.15 Washing Fruits and Vegetables  
7-204.12 Chemicals for Washing, Treatment, Storage and Processing Fruits and Vegetables, Criteria<sup>P</sup>

## **Proper Use of Utensils**

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

Based on the type of operation, there are a number of methods available for storage of in-use utensils during pauses in food preparation or dispensing, such as in the food, clean and protected, 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.

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

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

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

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

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

4-801.11 Clean Linens  
4-802.11 Specifications-Laundering Frequency  
4-803.11 Storage of Soiled Linens  
4-803.12 Mechanical Washing  
4-901.11 Equipment and Utensils, Air-Drying Required  
4-903.11(A), (B) and (D) Equipment, Utensils, Linens and Single-Service and Single-Use Articles-Storing  
4-903.12 Prohibitions  
4-904.11 Kitchenware and Tableware-Preventing Contamination  
4-904.12 Soiled and Clean Tableware  
4-904.13 Preset Tableware

### **43. Single-use and single-service articles; properly stored and used**

These items are not designed to be cleaned and re-used; therefore, they must be properly stored and

protected to prevent contamination. Food establishments without facilities for cleaning and sanitizing kitchenware and tableware shall provide only single-use and single-service articles.

**Applicable Code Sections:**

- 4-502.12 Single-Service and Single-Use Articles, Required Use <sup>P</sup>
- 4-502.13 Single-Service and Single-Use Articles-Use Limitations
- 4-502.14 Shells, Use Limitations
- 4-903.11(A) and (C) Equipment, Utensils, Linens and Single-Service and Single-Use Articles-Storing
- 4-903.12 Prohibitions
- 4-904.11 Kitchenware and Tableware-Preventing Contamination

**44. Gloves used properly**

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

**Applicable Code Sections:**

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

**Utensils and Equipment**

**45. Equipment, food and non-food-contact surfaces approved; cleanable, properly designed, constructed and 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. Equipment must be properly used and in proper adjustment, such as calibrated food thermometers.

**Applicable Code Sections:**

- 3-304.16 Using Clean Tableware for Second Portions and Refills
- 3-304.17 Refilling Returnables
- 4-101.11 Characteristics-Materials for Construction and Repair <sup>P</sup>
- 4-101.12 Cast Iron, Use Limitations
- 4-101.13 Lead, Use Limitation <sup>P</sup>
- 4-101.14 Copper Use Limitation <sup>P</sup>
- 4-101.15 Galvanized Metal, Use Limitation <sup>P</sup>
- 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 <sup>P</sup>
- 4-201.11 Equipment and Utensils-Durability and Strength
- 4-201.12 Food Temperature Measuring Devices <sup>P</sup>
- 4-202.11 Food-Contact Surfaces-Cleanability <sup>Pf</sup>
- 4-202.12 CIP Equipment <sup>Pf</sup>
- 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
- 4-202.17 Kick Plates Removable
- 4-204.12 Equipment Openings, Closures and Deflectors
- 4-204.13 Dispensing Equipment, Protection of Equipment and Food <sup>P</sup>
- 4-204.15 Bearings and Gear Boxes, Leakproof
- 4-204.16 Beverage Tubing, Separation
- 4-204.17 Ice Units, Separation of Drains
- 4-204.18 Condenser Unit, Separation

4-204.110(A)	Molluscan Shellfish Tanks <sup>P</sup>
4-204.122	Case Lot Handling Apparatuses, Moveability
4-205.10	Food Equipment, Certification and Classification
4-302.11	Utensils, Consumer Self-Service <sup>Pf</sup>
4-401.11	Equipment, Clothes Washers, Dryers and Storage Cabinets, Contamination Prevention-Location
4-402.11	Fixed Equipment, Spacing or Sealing-Installation
4-402.12	Fixed Equipment, Elevation or Sealing
4-501.11	Good Repair and Proper Adjustment-Equipment
4-501.12	Cutting Surfaces
4-501.13	Microwave Ovens
4-502.11(A) and (C)	Good Repair and Calibration-Utensils and Temperature and Pressure Measuring Devices
4-603.11	Dry Cleaning-Methods
4-603.17	Returnables, Cleaning for Refilling <sup>P</sup>
4-902.11	Food-Contact Surfaces-Lubricating and Reassembling
4-902.12	Equipment-Lubricating and Reassembling
.2663	Outdoor Bars

#### **46. Warewashing facilities: installed, maintained and used; test strips**

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

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

4-203.13	Pressure Measuring Devices, Mechanical Warewashing Equipment
4-204.113	Warewashing Machine, Data Plate Operation Specifications
4-204.114	Warewashing Machines, Internal Baffles
4-204.115	Warewashing Machines, Temperature Measuring Devices <sup>Pf</sup>
4-204.116	Manual Warewashing Equipment, Heaters and Baskets <sup>Pf</sup>
4-204.117	Warewashing Machines, Automatic Dispensing of Detergents and Sanitizers <sup>Pf</sup>
4-204.118	Warewashing Machines, Flow Pressure Device
4-204.119	Warewashing Sinks and Drainboards, Self-Draining
4-204.120	Equipment Compartments, Drainage
4-301.12	Manual Warewashing, Sink Compartment Requirements <sup>Pf</sup>
4-301.13	Drainboards
4-302.13	Temperature Measuring Devices, Manual Warewashing
4-302.14	Sanitizing Solutions, Testing Devices <sup>Pf</sup>
4-501.14	Warewashing Equipment, Cleaning Frequency
4-501.15	Warewashing Machines, Manufacturers' Operating Instructions
4-501.16	Warewashing Sinks, Use Limitation
4-501.17	Warewashing Equipment, Cleaning Agents <sup>Pf</sup>
4-501.18	Warewashing Equipment, Clean Solutions
4-501.19	Manual Warewashing Equipment, Wash Solution Temperature <sup>Pf</sup>
4-501.110	Mechanical Warewashing Equipment, Wash Solution Temperature <sup>Pf</sup>
4-501.116	Warewashing Equipment, Determining Chemical Sanitizer Concentration <sup>Pf</sup>
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

#### **47. Non-food-contact surfaces clean**

Observations should be made to determine if the frequency of cleaning is adequate to prevent soil

accumulations on non-food-contact surfaces.

**Applicable Code Sections:**

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

**Physical Facilities**

**48. Hot and cold water available; adequate pressure**

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

**Applicable Code Sections:**

5-103.11 Capacity-Quantity and Availability <sup>Pf</sup>  
5-103.12 Pressure <sup>Pf</sup>  
5-104.11 System <sup>Pf</sup>

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

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

**Applicable Code Sections:**

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

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

There are two types of systems: public sewage treatment plant and an individual sewage disposal system. Observations of the facilities overall sewage and wastewater system is necessary to determine if a violation exists. Indications that a system is not functioning properly may include the presence of sewage back-up into the establishment or outdoors on the ground. Condensate drippage and other non-sewage wastes must be drained to a system in accordance to LAW, and backflow prevention, if required, 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:**

5-401.11	Capacity and Drainage
5-402.11	Backflow Prevention <sup>P</sup>
5-402.12	Grease Trap
5-402.13	Conveying Sewage <sup>P</sup>
5-402.14	Removing Mobile Food Establishment Wastes <sup>Pf</sup>
5-402.15	Flushing a Waste Retention Tank
5-403.11	Approved Sewage Disposal System <sup>P</sup>
5-403.12	Other Liquid Wastes and Rainwater

## **51. Toilet facilities: properly constructed, 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 not being kept clean; and the door self-closes to prevent recontamination of hands.

### **Applicable Code Sections:**

5-203.12	Toilets and Urinals
5-501.17	Toilet Room Receptacle, Covered
6-202.14	Toilet Rooms, Enclosed
6-302.11	Toilet Tissue, Availability <sup>Pf</sup>
6-402.11	Conveniently Located
6-501.18	Cleaning of Plumbing Fixtures
6-501.19	Closing Toilet Room Doors

## **52. Garbage and refuse properly disposed; facilities maintained**

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

### **Applicable Code Sections:**

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
5-501.18	Cleaning Implements and Supplies
5-501.19	Storage Areas, Redeeming Machines, Receptacles and Waste Handling Units, Location
5-501.110	Storage Refuse, Recyclables and Returnables
5-501.111	Area, Enclosures and Receptacles, Good Repair
5-501.112	Outside Storage Prohibitions
5-501.113	Covering Receptacles
5-501.114	Using Drain Plugs
5-501.115	Maintaining Refuse Areas and Enclosures
5-501.116	Cleaning Receptacles
5-502.11	Frequency-Removal



- 5-502.12 Receptacles or Vehicles
- 5-503.11 Community or Individual Facility
- 6-202.110 Outdoor refuse Areas, Curbed and Graded to Drain

**53. Physical facilities installed, maintained and clean**

Observations are made of the overall conditions or practices related to the physical facility (e.g., materials used, good repair, and maintained). It is important to make an overall assessment of the physical facility conditions to determine the level of compliance and the potential public health impact involved if compliance is not met. Storage of maintenance tools, use of laundry facilities, if applicable, disposal of mop water and separate living/sleeping quarters are included in this section.

**Applicable Code Sections:**

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

**54. Meets ventilation and lighting requirements; 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:**

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