

Retail Food Facility Field Inspection Guide

-January 2020-



Sutter County Development Services Department
Environmental Health Division
(530) 822-7400

In order to assist your facility to maintain a **Green Pass** placard and to assure our food safety inspectors apply the California Retail Food Code (CalCode) in a uniform and consistent manner, we have developed this Field Inspection Guide.

This Guide includes a description of each of the items listed on our Inspection Report Form, and provides examples of common major and minor violations. This Guide should help you prepare for and succeed in future food safety inspections conducted by our staff.

Sutter County Environmental Health is prepared to assist you as we transition into the new **Green-Yellow-Red** placarding program. Please feel free to call (530) 822-7400 if you have any questions.

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INTRODUCTION

Sutter County Environmental Health is dedicated to improving the quality of life and ensuring the public health and safety for all residents and visitors of the County, through education, surveillance, enforcement and community service.

While the food supply in the United States is one of the safest in the world, the Centers for Disease Control and Prevention (CDC) estimates that approximately 48 million people suffer from foodborne illness each year. Of these, more than 128,000 are hospitalized, and 3,000 die. Preventing foodborne illness and death remains a major public health challenge.

The CDC and the Food and Drug Administration (FDA) have identified five foodborne illness risk factors and five public health interventions that, when addressed during an inspection of a retail food establishment, should lead to a reduction in the incidents of foodborne illness and to an increased protection for consumer health.

The Five Most Common CDC Risk Factors are:

1. Improper Holding Temperatures
2. Inadequate Cooking
3. Poor Personal Hygiene
4. Contaminated Equipment
5. Food from Unsafe Sources

The FDA's Public Health Interventions are:

1. Demonstration of Knowledge
2. Employee Health Controls
3. Controlling Hands as a Vehicle of Contamination
4. Time and Temperature Parameters for Controlling Pathogens
5. Consumer Advisory

It is the responsibility of Sutter County Environmental Health to conduct routine inspections of retail food establishments in Sutter County in order to ensure compliance with the California Health and Safety Code. This Guide is intended to provide information to food service operators in matters related to retail food inspections, and has been developed to improve standardization among environmental health specialists during their routine inspections of retail food facilities by providing them with a reference list of common violations.

The guidelines provided are not intended to be all-inclusive due to the fact that individual establishments and the severity of their violations can vary greatly.

COMMON TERMINOLOGY

Approved Source is a producer, manufacturer, distributor, or other food facility that is properly licensed or permitted by a local, state, or federal agency.

California Retail Food Code is part of the California Health and Safety Code addressing the regulation of retail food establishments.

Cross Contamination is the transfer of harmful microorganisms from one food to another.

Department is the County of Sutter Development Services Department.

Diligent Preparation is a process in which a food handler is actively engaged in the preparation of a food item.

Fabric Implement is a cloth or fabric, including, but not limited to, burlap and cheesecloth, that is used as a part of the food process and comes in direct contact with food that is subsequently cooked.

HACCP Plan is a written document that details the formal procedures for following the Hazardous Analysis Critical Control Point (HACCP) principles that were developed by the National Advisory Committee on Microbiological Criteria for Foods.

Imminent Health Hazards are major violations that pose a significant threat of causing foodborne illness and require immediate correction or closure of the facility.

Limited Food Preparation means food preparation that is restricted to one or more of the following:

- Heating, frying, baking, roasting, popping, blending, or assembly of non-prepackaged food.
- Bulk dispensing of non-potentially hazardous beverages.
- Holding, portioning, and dispensing of any foods that are prepared for satellite food service by the onsite permanent food facility or prepackaged by another approved source.
- Slicing and chopping of food on a heated cooking surface during the cooking process.
- Cooking and seasoning to order.

Limited food preparation does not include:

- Slicing and chopping unless it is on the heated cooking surface.
- Thawing.
- Cooling of cooked potentially hazardous food.
- Grinding raw ingredients or potentially hazardous food.
- Reheating of potentially hazardous food for hot holding, except for steamed or boiled hot dogs and tamales in the original, inedible wrapper.

- Washing of foods.
- Cooking of potentially hazardous foods for later use.

Major Food Allergen means all of the following:

- Milk
- Eggs
- Fish
- Peanuts
- Shellfish
- Soybeans
- Tree Nuts
- Wheat

Major Food Allergen does not include either of the following:

- A highly refined oil from a food specified in the above-mentioned items and any ingredient derived from that highly derived oil.
- An ingredient that is exempt under the petition or notification process specified in the federal Food Allergen Labeling and Consumer Protection Act of 2004 (Public Law 108-282).

Major Violations are directly related to one of the five CDC risk factors or one of the five FDA public health interventions. Major violations pose an imminent threat to public health and have the potential to cause foodborne illness.

A major violation must be corrected or mitigated during the inspection in order to avoid closure. When a major violation cannot be immediately corrected or mitigated, the food facility or the impacted areas may be subject to closure until the violation is corrected.

Minor Violations do not directly cause foodborne illness, but are important factors in providing safe, wholesome, and unadulterated food products.

Potentially Hazardous Food (PHF) is a food that requires time or temperature control to limit pathogenic microorganism growth or toxin formation.

Potentially hazardous food includes a food of animal origin that is raw or heat treated, a food of plant origin that is heat treated or consists of raw seed sprouts, cut melons, cut tomatoes, or mixtures of cut tomatoes that are not modified to render them unable to support pathogenic microorganism growth or toxin formation, and garlic-in-oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support pathogenic microorganism growth or toxin formation.

Potentially hazardous foods do not include foods that:

- Have a pH level of 4.6 or below, or
- Have a water activity (Aw) value of 0.85 or less under standard conditions,
- Are in hermetically sealed containers processed to meet the commercial sterility standard, or
- Have been shown through appropriate microbiology challenge studies not to support the rapid and progressive growth of infectious or toxigenic microorganisms
- Are air-cooled, hard-boiled eggs with shell intact, or eggs with shell intact that are not hard boiled, but have been pasteurized to destroy all viable salmonellae.

Voluntary Condemnation and Destruction (VC and D) is a voluntary action taken by an operator to dispose of food suspected to be unsafe, spoiled or adulterated.

Food Safety Risk Factors

DEMONSTRATION OF KNOWLEDGE	
1a. Demonstration of Knowledge	
CalCode 113947	All food employees shall have adequate knowledge of, and shall be properly trained in, food safety as it relates to their assigned duties.
Major Violations	N/A
Minor Violations	<ul style="list-style-type: none"> • The employee in charge of heating food for the steam table, was not aware that previously cooled food must go to 165°F before placing on the steam table. • The employee washing dishes did not know what concentration the sanitizer in the dishwasher should be or how to check the concentration of the sanitizer. • The food handler cooking hamburgers did not know the final internal cooking temperature for ground beef or how to calibrate their probe thermometer. • The employee in charge of cleaning utensils did not know hands must be washed before handling clean utensils after handling soiled utensils.
<p>Notes:</p> <p>Food handlers must be fully trained on food safety as it pertains to their duties. Turning food handlers loose to handle, prep, or cook food without adequate knowledge puts food facilities at risk for foodborne illness outbreaks.</p>	

1b. Food Safety Certification	
CalCode 113947.1 113947.3	<p>Food facilities that prepare, handle or serve non-prepackaged potentially hazardous food (PHF) shall have an employee who has passed an approved Manager’s Food Safety Certification examination.</p> <p>The person holding the Manager’s Food Safety Certificate must instruct all other employees regarding food safety and personal hygiene.</p>
Major Violations	N/A
Minor Violations	<ul style="list-style-type: none"> • The original Manager’s Food Safety Certificate is not available during the inspection. • The Manager’s Food Safety Certificate is expired. • A new facility which prepares potentially hazardous foods has been operating for longer than 60 days without a certified manager or employee.
<p>Notes:</p> <p>Manager’s Food Safety Certification is valid for 5 years from the date of certification.</p> <p>The certification organization must be accredited by the American National Standards Institute (ANSI).</p> <p>No person with Manager’s Food Safety Certification at a food facility may serve at any other food facility as the person certified.</p> <p>Food facilities that handle non-prepackaged, non-potentially hazardous foods are not required to have a food safety certified employee. In lieu of the certification, they are required to have food employees who can demonstrate knowledge related to their assigned duties [Section 113947.1 (b)(2)].</p>	

1c. Food Handler Cards	
CalCode 113948	All employees handling food and clean utensils shall have a Food Handler Card from an American National Standards Institute (ANSI) accredited training provider within 30 days after date of hire.
Major Violations	N/A
Minor Violations	<ul style="list-style-type: none"> • Lack of records documenting valid food handler cards for employees or approved in-house training as described in 113948(d)(9). • The food handler card is expired. • Food handler card not approved for use in California. • Food handler card not accredited by American National Standards Institute (ANSI).
Notes:	
<p>Food handler definition includes most restaurant employees such as those holding the positions of, but not limited to: wait staff, chefs, head cooks, cooks, bussers, bartenders, host/hostesses that handle food, beverage pourers, and supervisory personnel (unless they hold a manager's food safety certificate).</p> <p>The food handler card shall be valid for 3 years from date of issuance.</p> <p>Proof of food handler cards for all employees must be available for inspection.</p>	

EMPLOYEE HEALTH and HYGIENIC PRACTICES	
2. Communicable Disease Requirements	
<p>CalCode 113949.2 113949.4 113949.5 113950(b) 113950.5</p>	<p>Employees diagnosed with a communicable disease that is transmissible through food shall be excluded from the food facility.</p> <p>An employee experiencing an acute gastrointestinal illness shall be restricted from working with food and/or clean utensils/equipment/linens.</p> <p>A food worker must properly cover (bandage and/or glove) any wounds or rashes on hands and exposed portions of the arms.</p> <p>The permit holder shall require food employees to report incidents of illness or injury to the person in charge and comply with all applicable restrictions.</p>
<p>Major Violations</p>	<ul style="list-style-type: none"> • The person in charge is aware of an employee with a communicable disease, or aware that two or more food employees are concurrently experiencing symptoms associated with an acute gastrointestinal illness, and the person in charge has not reported to the Sutter County Public Health Department (530) 822-7215. • The person in charge is aware of a food employee who is suffering from an acute gastrointestinal illness and has not restricted the duties of the food employee to prevent spreading the illness. • The person in charge removes a restriction from a food employee before resolution of the symptoms. • The person in charge allows an excluded employee to return to work before receiving local health officer clearance. • A food worker has a wound on their hands, arms or other part of their body that is not properly covered.
<p>Minor Violations</p>	<p>N/A</p>

Notes:

Acute Gastrointestinal Illness means a short duration illness most often characterized by one of the following symptoms or groups of symptoms, which are known to be commonly associated with the agents most likely to be transmitted from infected food employees through contamination of food:

- a. Diarrhea, either alone or in conjunction with other gastrointestinal symptoms, such as vomiting, fever, or abdominal cramps.
- b. Vomiting in conjunction with either diarrhea or two other gastrointestinal symptoms, such as fever or abdominal cramps.

Communicable diseases that are transmissible through food means a condition caused by any of the following infectious agents:

- Salmonella typhi
- Salmonella spp.
- Shigella spp.
- Entamoeba histolytica
- Enterohemorrhagic or shiga toxin producing *Escherichia coli*
- Hepatitis A virus
- Norovirus
- Other communicable diseases as listed in the California Code of Regulations.

Exclude means to prevent a person from working as a food employee or entering a food facility, except for those areas open to the general public.

Person in Charge means the individual present who is responsible for the operation of the food facility.

Restrict means to limit the activities of a food employee so that there is no risk of transmitting a disease that is transmissible through food and the food employee does not work with exposed food, clean equipment, utensils, linens, and unwrapped single-use articles.

3. Discharge from the Eyes, Nose and Mouth	
CalCode 113974	Food employees are not allowed to work with exposed food, clean equipment, clean utensils, or clean linens while experiencing persistent sneezing, coughing or runny nose that is associated with discharges from the eyes, nose, or mouth that cannot be controlled by medication.
Major Violations	<ul style="list-style-type: none"> • A food employee is suffering from uncontrolled allergies. • A server with discharge from the eyes due to allergies is slicing bread.
Minor Violations	N/A
<p>Corrective Action: If a food employee is found working while having discharges from the eyes, nose, or mouth, they shall be restricted from working with exposed food, clean equipment, clean utensils, and clean linens until the symptoms have subsided.</p>	

4. Proper Eating, Drinking and Tobacco Use	
CalCode 113977 114256(a)	<p>No employee shall eat, drink, or smoke in any area where contamination of non-prepackaged food, clean equipment, clean utensils, clean linens, unwrapped single-use articles, or other items may result.</p> <p>Areas designated for employees to eat and drink shall be located so that food, equipment, linens, and single-use articles are protected from contamination.</p>
Major Violations	N/A
Minor Violations	<p>Examples:</p> <ul style="list-style-type: none"> • Employee drink without lid in food preparation area. • Employee observed eating, drinking or smoking in non-designated area where contamination may result.
<p>Notes:</p> <p>Personal drinks are allowed in food preparation areas if the risk of contaminating the employee's hands, non-prepackaged food, and food-contact surfaces with the employee's saliva is eliminated.</p> <p>Approved practices include drinking from a closed container that is handled to prevent contamination of employee's hands or from a beverage container with a tight-fitting lid and straw.</p>	

PREVENTING CONTAMINATION BY HANDS	
5a. Handwashing Procedures	
<p>CalCode 113952 113953.3 113953.4</p>	<p>Employees are required to wash their hands:</p> <ul style="list-style-type: none"> • Before beginning work • Before handling food or clean equipment/utensils • As often as necessary during food preparation to remove soil and contamination • When switching from working with raw to ready to eat foods • After touching body parts • After using the restroom • Any time when contamination may occur <p>Hand sanitizer must be approved and shall only be applied to hands that have been properly cleaned.</p> <p>Bare hand and arm contact with non-prepackaged ready-to-eat foods shall be minimized by using utensils such as scoops, tongs, gloves, paper wrappers, or other implements.</p>
Major Violations	<ul style="list-style-type: none"> • Direct contamination of food or food contact surfaces has occurred by unclean hands that have been in contact with: <ul style="list-style-type: none"> ○ Secretions of the eyes, nose, and mouth ○ Sweat ○ Raw animal product ○ Other objects most likely containing high levels of contamination (i.e. garbage dumpsters, toilets) • An employee handles raw meat and then plates salad without washing hands. • An employee that handles food, clean equipment, and/or clean utensils did not wash hands after using the restroom. • An employee did not wash hands after eating or smoking and before handling food and/or clean utensils/equipment.
Minor Violations	<ul style="list-style-type: none"> • Improper hand washing procedures are observed during an inspection, but do not meet the criteria for a Major Violation. • Employee loads dirty dishes into dishwasher then stacks clean dishes without first washing hands. Note: this may result in a major violation if direct contamination is observed. • Food preparer leaves preparation area and returns to engage in open food preparation without washing hands (no direct contamination observed as in major violation criteria).

	<ul style="list-style-type: none">• An employee washes hands and instead of using paper towels to dry hands, the employee uses a cloth towel.• An employee did not wash hands after talking on the phone or handling money and before handling food.• Food employee did not wash hands before initially donning gloves for working with food.
Corrective Action: Food employees shall wash their hands and portion of arms as required and use utensils when possible to minimize bare hand contact with food.	
Notes: Food that has already been served to the consumer needs to be handled only with utensils. These utensils need to be properly washed and sanitized before reuse.	

5b. Bare Hand Contact and Glove Use	
CalCode 113961 113968 113973 (b-f)	<p>Employees shall minimize bare hand contact with non-prepackaged ready-to-eat food.</p> <p>Single-use gloves shall be used for only one task and shall be discarded when damaged or soiled or when interruptions in the food handling occur.</p> <p>Gloves shall be changed as often as handwashing is required.</p> <p>Slash-resistant gloves may be used with ready-to-eat food if the gloves have a smooth, durable, nonabsorbent surface or are covered with a single-use glove.</p> <p>Hands shall be washed before donning gloves.</p>
Major Violations	N/A
Minor Violations	<ul style="list-style-type: none"> • A food employee is not using a utensil to minimize bare hand contact with food. • A food employee with artificial nails, nail polish, or rings (other than a plain ring, such as a wedding band) is observed handling unpackaged food or clean utensils without the use of gloves (no direct cross contamination observed). • An employee saves single-use gloves for re-use.
<p>Notes: Hands are not required to be washed when changing gloves if the employee is performing the same task, such as making sandwiches. However, if changing gloves presents an opportunity for cross-contamination, proper handwashing procedures must be exercised.</p>	

6. Handwashing Facilities	
CalCode 113953 113953.1 113953.2 114067 (f)	Adequate handwashing facilities that meet the following requirements, and are accessible at all times, shall be provided in each facility: <ul style="list-style-type: none"> • Handwashing soap and single-use sanitary paper towels shall be provided in wall-mounted sanitary dispensers. • Handwashing facilities shall be available within or adjacent to toilet rooms, in all food or beverage preparation areas and in warewashing areas. • Handwashing facilities shall be separated from the warewashing sink, as well as any open food, food contact surfaces or utensils by at least 24-inches or by a minimum 6-inch high metal splashguard.
Major Violations	<ul style="list-style-type: none"> • No soap or paper towels at the handwashing sink in the kitchen or restrooms. • Water at the handwashing sink is too hot to wash hands, making the handwashing sink unusable (when water temperature is not readily adjustable at the faucet). • Handwashing sink is not accessible without moving obstruction.
Minor Violations	<ul style="list-style-type: none"> • Bar soap is used at the food preparation area handwashing sink instead of liquid soap in an approved, wall-mounted dispenser. • Handwashing sink installed less than 24-inches away from a warewashing sink drain board or food preparation area with no splashguard installed. • Paper towels placed on top of, rather than in, sanitary dispenser.
<p>Corrective Action: Handwashing facilities must be available to make hand washing not only possible, but likely.</p> <p>Major violations must be immediately resolved so that hand washing can be performed properly otherwise the facility may be subject to closure.</p>	
<p>Notes: A warewashing sink shall not be used for hand washing except in food facilities that were constructed prior to January 1, 1996, and where there are no facilities exclusively for hand washing in food preparation areas. [114125]</p>	

TIME AND TEMPERATURE RELATIONSHIPS	
7. Hot and Cold Holding Temperatures	
CalCode 113996 113998 114037	<p>Potentially hazardous food (PHF) shall be held at or below 41°F or at or above 135°F.</p> <p>Food preparation outside of required holding temperatures shall in no case exceed 2 cumulative hours without a return to the required holding temperatures.</p>
Major Violations	<ul style="list-style-type: none"> • Potentially hazardous hot food is held between 51°F and 134°F as a result of an improper process, practice or equipment failure. <p style="color: red;">Note: Failure of all refrigeration equipment may lead to facility closure.</p> <p>Examples:</p> <ul style="list-style-type: none"> ○ Deli display case holding items at 52°F. ○ PHF is thawing in prep sink and its temperature is 55°F. ○ Cooked pasta and cream sauce in a container on the counter at 68° F. The manager states they are using Time-Only. No discard time on container and/or no written procedures available. (Since no procedures are available, “Time as a Public Health Control” does not apply). ○ Pooled eggs held at room temperature at 55°F.
Minor Violations	<ul style="list-style-type: none"> • PHF is held at or between 130°F – 134°F. • PHF is held at or between 42°F – 50°F. • PHF is thawing in prep sink at 42°F -50°F. • No procedural violation observed but food worker reports incorrect procedure.
<p>Exceptions:</p> <p>Refrigerated PHFs may be at a temperature of 45°F or below when received, if the PHF is cooled to 41°F or below within four hours of receipt. [114037]</p> <p>If a temperature other than 41°F for a PHF is specified in law governing its distribution, the PHF may be received at the specified temperature and cooled as specified in subdivisions (d) and (e) of Section 114002. [114037]</p> <p>PHF that is received hot needs to be at a temperature of 135°F or above. [114037]</p>	

Live molluscan shellfish shall not be accepted unless received at a temperature of 45°F or below. A temperature above 45°F is acceptable if the Molluscan shellfish is received on the date of harvest. [114037]

The following foods may be held at or below 45°F: [113996]

- Raw shell eggs.
- Un-shucked live molluscan shellfish.
- Pasteurized milk and pasteurized milk products in the original sealed containers.
- PHFs held for dispensing in serving lines and salad bars during periods not to exceed 12 hours in any 24-hour period. Note: Foods held as previously described must be discarded after the 12-hour period.
- PHFs held for sampling at a certified farmers' market (discard after 2 hours).
- PHFs held during transportation (30 minutes maximum).

Corrective Action:

If a major violation is found and it is determined that food was held between 51°F to 129°F for more than 4 hours the food should be voluntarily discarded or impounded.

Roasts cooked to a temperature and for a time as specified in subdivision (b) of section 114004 may be held at a temperature of 130°F or above (See data field #10 "Proper Cooking Time and Temperature" for details).

Examples of Potentially Hazardous Foods (PHFs)

Dairy / Eggs

- Cheesecake
- Cream pastries (if cream is not commercially made)
- Cream cheese
- Eggs
- Facility-made cream-based salad dressing
- Food containing eggs (quiche, custards, hollandaise sauce)
- Batters containing PHFs (waffle/pancake batter)
- Milk
- Pizza
- Sliced/shredded/crumbled cheeses
- Soft cheeses
- Whipped butter
- Whipped cream

Fruits / Vegetables /Grains

- All cooked vegetables
- All sprouts
- Baked/cooked potato
- Rehydrated mashed potatoes
- Cut melon
- Cut/diced/sliced tomatoes
- Opened canned vegetables
- Tofu, texturized vegetable protein
- Any root vegetable stored in oil, including garlic, onion, rehydrated garlic
- Cooked rice, cooked pasta
- Cooked legumes

Meats

- Bakery products containing meat, cooked vegetables, soft cheese
- Beef, poultry, seafood, lamb, pork (cooked or uncooked)
- Broths (vegetable, seafood, beef, chicken, etc.)
- Gravies (reconstituted or facility-made)
- Hot dogs, sausage
- Chorizo (cooked or uncooked)
- Opened canned meat/fish

Miscellaneous

- All casseroles containing PHFs
- Flour used to dredge PHFs
- Tapioca balls (boba) in water
- Batter used to dip PHFs

Examples of Non-Potentially Hazardous Foods (Non PHFs)

Dairy

- Butter / margarine
- Pasteurized eggs in intact shells
- Manufacturer sealed hard cheeses
- Processed cheese slices
- Unopened ultra-pasteurized products

Fruits / Vegetables

- Uncooked vegetables (cut or whole)
- Cut fruit (other than melon or tomatoes)
- Garlic in water
- Unopened, commercially canned meats and vegetables (unless labeled "Keep Refrigerated")

Meat

- Commercially manufactured jerky
- Pepperoni
- Prosciutto
- Salami commercially made salted fish or pork

Miscellaneous

- Peanut butter
- Fish sauce
- Soy sauce
- Oyster sauce
- Miso paste
- Uncooked, rehydrated rice noodles
- Commercially processed mayonnaise
- Commercially manufactured icing, glazes

8. Time as a Public Health Control	
CalCode 114000	When time only, rather than time in conjunction with temperature, is used as a public health control, proper records and documentation must be maintained
Major Violations	<ul style="list-style-type: none"> • Time tracking is not utilized (no time logs or time stickers) for PHFs. • PHF's time on the sticker has expired. • New time is written on an expired item. • PHF is reheated/refrigerated to reset the time.
Minor Violations	<ul style="list-style-type: none"> • Written procedures for Time as a Public Health Control are not maintained for foods that have been previously cooled before using Time as a Public Health Control.
Corrective Action:	
If food is found with improper implementation of Time as a Public Health control, it may be determined that food should be voluntarily discarded or impounded.	
Notes:	
If the PHF is found in the temperature danger zone, written procedures are not available and time stamps or temperature logs are not used, "Time as a Public Health Control" does not apply.	
Time as a Public Health control cannot be used for raw eggs in licensed health care facilities or in public and private school cafeterias. [114000]	
Food may not be reheated or refrigerated in an effort to reset holding time while using Time as a Public Health Control. Additionally, once Time as a Public Health Control methods are initiated, foods must be discarded after 4 hours.	

9. Cooling Methods	
<p>CalCode 114002 114002.1</p>	<p>All potentially hazardous food shall be rapidly cooled from 135°F to 41°F, within 6 hours, and the decrease in temperature from 135°F to 70°F, shall occur within the first 2 hours.</p> <p>Potentially hazardous food shall be cooled within 4 hours to 41°F or less if prepared from ingredients at ambient temperature, (such as reconstituted foods and canned tuna) or if it is received at a temperature above 41°F. Foods received at 45°F must be cooled to 41°F within 4 hours (114037).</p> <p>Potentially hazardous foods must be rapidly cooled using one or more of the following methods:</p> <ul style="list-style-type: none"> ○ Placing the food in shallow pans. ○ Separating the food into smaller or thinner portions. ○ Using rapid cooling equipment. ○ Using containers that facilitate heat transfer. ○ Adding ice as an ingredient. ○ Using ice paddles (stir frequently). ○ Inserting appropriately designed containers in an ice bath and stirring frequently. ○ In accordance with a HACCP plan. ○ Utilizing other effective means that have been approved by the enforcement agency. <p>Note: When cooling food, leave uncovered to allow heat to escape.</p>
<p>Major Violations</p>	<ul style="list-style-type: none"> • Food cooling with or without intervention that has exceeded the first critical time/temperature limit of 70°F. • Food cooling with or without intervention that has exceeded the second critical time/temperature limit of 41°F. <p>Note: In either of these cases, the food needs to be impounded or voluntarily condemned and destroyed (VCD).</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Food cooling without intervention and has not exceeded the first critical time/temperature limit. Approved intervention or rapid reheating shall be initiated immediately. • No procedural violation observed but food worker reports incorrect procedure.

10. Cooking Time and Temperatures

CalCode
114004
114008
114010

Fruits and vegetables that are cooked for hot holding shall be cooked to a minimum temperature of 135°F.

Single pieces of beef, lamb, veal, and pork; fish, or raw shell eggs that are broken and prepared in response to a consumer's order and served for immediate service, shall be heated to 145°F for 15 seconds.

Comminuted meat (ground beef/hamburger/ground pork), injected meats, and raw shell eggs that are not prepared as previously specified, shall be heated to 155°F for 15 seconds or using the time and cooking temperature relationships specified in the following chart:

Minimum Time and Temperature Requirements	
145°F	3 minutes
150°F	1 minute
158°F	<1 second (instantaneous)

Poultry, comminuted poultry (ground turkey/ground chicken), stuffed fish/meat/poultry and game animals shall be heated to 165°F for 15 seconds.

Raw foods of animal origin cooked in a microwave oven shall meet all of the following requirements:

1. Be rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat.
2. Be covered to retain surface moisture.
3. Be heated to a temperature of at least 165°F in all parts of the food.
4. Stand covered for at least two minutes after cooking to obtain temperature equilibrium.

Major Violations

- Any temperature variation below the minimum temperature requirements.
- The final cooking temperature of a chicken patty was measured at 145°F then plated for service.

Minor Violations	<ul style="list-style-type: none"> • Cook reports not checking the final internal cooking temperature of foods of animal origin.
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Corrective Action:

If required cooking temperatures are not met, the operator must continue cooking the food until the proper temperature is reached.

Exceptions:

If the consumer specifically orders the food less than thoroughly cooked (114093).

The food facility notifies the consumer, in writing, at the time of ordering that the food is raw or less than thoroughly cooked.

Whole beef roasts, corned beef roasts, pork roasts and cured pork roasts, such as ham, shall be cooked as specified in both of the following:

1. In an oven that is preheated to the temperature specified for the roast's weight in the following chart and that is held at that temperature:

Oven Type	Oven Temperature based on roast weight	
	Less than 10 lbs.	10 lbs. or more
Still Dry	350°F or more	250°F or more
Convection	325°F or more	250°F or more
High Humidity*	250°F or less	250°F or less

* Relative humidity greater than 90% for at least 1 hour measured in the cooking chamber or in a moisture-impermeable bag that provides 100% humidity.

2. As specified in the following chart, to heat all parts of the food to a temperature and for the holding time that corresponds to that temperature:

Temperature (°F)	Time* in Minutes	Temperature (°F)	Time* in Seconds
130	112	147	134
131	89	149	85
133	56	151	54
135	36	153	34
136	28	155	22
138	18	157	14
140	12	158	0
142	8		
144	5		
145	4		

* Holding time may include postoven heat rise.

11. Reheating Procedures for Hot Holding	
CalCode 114014 114016	Any potentially hazardous food that has been cooked, cooled and subsequently reheated for hot holding shall be reheated to a temperature of 165°F for at least 15 seconds. Reheating for hot holding shall be done rapidly and the time the food is between 41°F and 165°F shall not exceed 2 hours.
Major Violations	<ul style="list-style-type: none"> • Previously cooked and cooled soup is placed on the steam table before it has reached minimum 165°F.
Minor Violations	<ul style="list-style-type: none"> • No violation observed but food handler reports incorrect procedure.
Exceptions: Ready-to-eat food taken from a commercially processed, hermetically sealed container, or from an intact package from a food processing plant shall be heated to a temperature of at least 135° F for hot holding. [114016]	
Notes: Reheating for hot holding needs to be done rapidly, and the time the food is between 41°F and 165°F should not exceed two hours. Cooked and refrigerated food that is prepared for immediate service in response to an individual consumer order may be served at any temperature.	

PROTECTION FROM CONTAMINATION	
12. Re-service of Returned Food	
CalCode 114079	No unpackaged food that has been previously served to a consumer shall be re-served or used later for human consumption.
Major Violations	<ul style="list-style-type: none"> • Leftover tortilla chips from one consumer were re-served to another consumer. • Leftover bread from tables was made into croutons.
Minor Violations	<ul style="list-style-type: none"> • Food handler reports incorrect procedure. • Re-use of unapproved food dispensing containers, such as wide-mouth jars, on customer tables.
<p>Notes:</p> <p>A container of food that is not potentially hazardous may be transferred from one consumer to another if the food is dispensed so that it is protected from contamination and the container is closed between uses, such as salt and pepper shakers, a narrow-neck bottle of ketchup, steak sauce, or if the food, such as crackers, is in an unopened original package and is maintained in sound condition, and if the food is checked on a regular basis. Undamaged, unopened, non-potentially hazardous, individually prepackaged food may be re-served to another customer.</p>	

13. Food in Good Condition, Safe and Unadulterated	
<p>CalCode 113967 113976 113980 113988 113990 114035 114039.2 114167 114254.3</p>	<p>Any food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health.</p> <p>No employee shall commit any act that may cause the contamination or adulteration of food, food-contact surfaces, or utensils.</p> <p>All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from approved sources; shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption.</p> <p>Ice that has been used as a medium for cooling foods or prepackaged foods shall not be used for human consumption.</p> <p>Food shall be inspected as soon as practical upon receipt and prior to any use, storage, or resale.</p> <p>Potentially hazardous food shall be inspected for signs of spoilage and randomly checked for adherence to the temperature requirements as specified in Section 113996.</p> <p>When received by a food facility, shellstock shall be reasonably free from mud, dead shellfish, and shellfish with broken shells. Dead shellfish or shellstock with badly broken shells shall be discarded.</p> <p>A container previously used to store poisonous or toxic materials shall not be used to store, transport, or dispense food, utensils, or linens.</p>
<p>Major Violations</p>	<p>Major violations include any violation of these sections when actual contamination or adulteration of food has occurred.</p> <ul style="list-style-type: none"> • Foreign object found in food (glass, bandage). • Rodent droppings, cockroach in food. • Many flies hovering over or sitting on food. • Chemical contamination of food. • Raw meat or its juices in contact with ready-to-eat food or food requiring a lower final internal cooking temperature.

	<ul style="list-style-type: none"> • Containers previously used to store toxic materials now used for food storage (laundry detergent bucket used for food storage). • Refrigerator condenser leaking directly on food. • Food employee is observed using a utensil more than once to taste food without properly washing and sanitizing the utensil between uses. • Washing produce in a warewashing compartment without first cleaning and sanitizing the compartment. • Use of moldy, spoiled food. • Lubricants/cleaners that are not food grade are used on food contact surfaces. • Bloated or leaking cans. • Same equipment used for raw meat and ready-to-eat food items without properly cleaning between use.
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Weevils, moths or fruit flies in food items. • Moldy food stored in the walk-in refrigerator not intended for service or moldy food on retail shelf in market. • Major dents on the rim or seams of cans. • Employee beverage stored in consumable ice. • Beverage tubing/cold-plate in contact with ice intended for use with food or drink.
<p>Corrective Action:</p> <p>If food is found to be contaminated or adulterated, it shall be voluntarily discarded or impounded.</p>	

14a. Food Contact Surfaces Cleaned and Sanitized

CalCode
113984(d)
114113
114115
114117
114121(a)
114125(b)
114141
114180(a)
(1-4)
114180(c)

All food contact surfaces and utensils shall be cleaned as required. Utensils and food contact surfaces of equipment must be cleaned and sanitized at the following times:

- Between each use with a different type of raw food of animal origin such as beef, fish, lamb, pork, or poultry.
- Each time there is a change from working with raw meats to working with ready-to-eat foods or produce.
- At any time during the operation when contamination may have occurred.
- If in contact with potentially hazardous food, equipment and utensils shall be cleaned at least every 4 hours or as required.
- Before using or storing thermometers.

Utensils and surfaces of equipment in contact with non-potentially hazardous food shall be cleaned and sanitized at the following times:

- At any time when contamination may have occurred.
- At least every 24 hours for iced tea dispensers and consumer self-service utensils such as tongs, scoops, or ladles.
- Before restocking consumer self-service equipment and utensils such as condiment dispensers and display containers.
- In equipment such as ice bins and beverage dispensing nozzles and enclosed components of equipment such as ice makers, cooking oil storage tanks and distribution lines, beverage and syrup dispensing lines or tubes, coffee bean grinders, and water vending equipment at a frequency specified by the manufacturer or, absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.
- When a food or beverage container is to be refilled, it shall be cleaned and sanitized prior to refilling or refilled using a dispensing system that prevents the possibility or contamination.

	<p>A reservoir used to supply water to a device, such as a produce fogger, shall be cleaned in accordance with manufacturer’s specification, or the procedures specified below.</p> <p>These procedures shall be conducted at least once per week:</p> <ul style="list-style-type: none"> • Drain and completely disassemble the water and aerosol contact parts. • Brush clean the reservoir, aerosol tubing, and discharge nozzles with approved cleaning solution. • Flush complete system with water to remove the cleaning solution and particulate accumulation. • Rinse by immersing, spraying, or swabbing the reservoir, aerosol tubing, and discharge nozzles with approved sanitizer as specified in 114099.6. <p>No fogging devices installed after July 1, 2017 shall use a reservoir for holding water for fogging but shall use water under pressure for the fogging or misting of food.</p>
Major Violations	<ul style="list-style-type: none"> • Contamination of food contact surfaces that could result in food contamination. • Meat slicer not cleaned at required frequency (at least every four hours in a facility at room temperature). • In-use food contact surfaces (including knives, basting brushes etc.) in contact with potentially hazardous food are not cleaned and sanitized a minimum of every four hours.
Minor Violations	<ul style="list-style-type: none"> • Equipment and utensils that are not currently in use are not clean to sight and touch. • Unclean beverage nozzles. • Mold accumulation in ice machine. • Food handler reports incorrect procedure.
<p>Exceptions</p> <p>Surfaces of utensils and equipment contacting potentially hazardous food may be cleaned less frequently than every four hours if any of the following occurs:</p> <ul style="list-style-type: none"> • In storage, containers of potentially hazardous food and their contents are maintained at temperatures as specified in Section 113996 and the containers are cleaned when they are empty. 	

- Utensils and equipment used to prepare food in a refrigerated room or area that is maintained at or below 55°F. In that case, the utensils and equipment shall be cleaned at the frequency that corresponds to the temperature as depicted in the following chart and the cleaning frequency based on the ambient temperature of the refrigerated room or area shall be documented and records shall be maintained in the food facility and made available to the enforcement agency upon request:

Temperature	Cleaning Frequency
5.0°C (41°F) or less	24 hours
>5.0°C - 7.2°C (>41°F - 45°F)	20 hours
>7.2°C - 10.0°C (>45°F - 50°F)	16 hours
>10.0°C - 12.8°C (>50°F - 55°F)	10 hours

- Containers in serving displays such as salad bars, delis, and cafeteria lines holding ready-to-eat potentially hazardous foods that are maintained at proper temperatures are intermittently combined with additional supplies of the same food that is at the required temperature, and the containers are cleaned and sanitized at least every 24 hours.
- Thermometers maintained in food at proper temperature.
- In-use utensils are intermittently stored in a container of water in which the water is maintained at or above 135°F and the utensils and container are cleaned at least every 24 hours or as needed to preclude accumulation of soil residues.
- Cleaning of the utensil or food-contact-surfaces of equipment is not required if the food contact surface or utensil is in contact with a succession of different raw foods of animal origin, each requiring a higher cooking temperature (as specified in Section 114004) than the previous food, such as preparing raw fish followed by cutting raw poultry on the same cutting board. [114117(b)]

Corrective Actions:

A food facility shall not be operating if there is gross contamination of food contact surfaces that may result in the contamination of food products. The food facility shall cease operation of the food facility until all food contact surfaces have been thoroughly cleaned and sanitized. If found operating, the enforcement officer shall suspend the permit to operate until the food facility is able to

properly clean and sanitize equipment or utensils. The enforcement officer shall require that all equipment and utensils be cleaned and sanitized prior to reinstating the permit.

14b. Warewashing Procedures and/or Sanitization	
<p>CalCode 114097 114099.1 114099.2 114099.4 114099.6 114099.7 114101 114105 114109 114111 114485.3 (a-c)</p>	<p>Manual warewashing shall be accomplished using a three-compartment sink where the utensils are first pre-cleaned, then washed, rinsed, sanitized, and air dried.</p> <p>All food contact surfaces of utensils and equipment shall be sanitized as required.</p> <p>Manual sanitization shall be accomplished by one of the following:</p> <ul style="list-style-type: none"> • Contact with 100 ppm chlorine solution for 30 seconds. • Contact with 200 ppm quaternary ammonia solution for 1 minute. • Contact with 25 ppm iodine solution for 1 minute. • Contact with water of at least 171°F for 30 seconds. <p>Automatic warewash units shall meet manufacturers specifications for sanitizer concentrations.</p>
<p>Major Violations</p>	<ul style="list-style-type: none"> • Employee skips sanitization step during manual dishwashing. • In-use warewashing machine with sanitizer reading <50 ppm or manual dish washing with sanitizer <100 ppm for chlorine or <200 ppm for quaternary ammonium. Note: If the warewashing machine cannot be fixed during inspection and no manual dishwashing facilities are available, the facility is subject to closure. • Water in rinse cycle <160°F at the dish in high temperature warewashing machine. • Dishes/equipment/food contact surface washed manually or in an automatic warewashing machine are still soiled after a full cycle.
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Employee observed washing dishes using approved steps in the wrong order. • Inadequate contact time with sanitizer (chlorine less than 30 seconds, quaternary ammonium less than 1 minute). • Towel drying of dishware. • Equipment and utensils are not air dried or properly stored to facilitate drying after sanitizing. • Equipment and utensils removed from sanitizer basin are not allowed to adequately dry before use.

	<ul style="list-style-type: none"> • The water temperature in the low temperature automatic warewashing machine is not reaching proper temperature per manufacturer’s specifications but the dishes are coming out clean. • Water temperature in wash compartment of warewashing sink is less than 100°F. • Food worker reports incorrect procedure.
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Corrective Action:

A food facility that prepares food shall cease operation immediately if there is no method to properly clean and sanitize equipment or utensils. The food facility shall remain closed until a method to clean and sanitize equipment or utensils is provided.

If found operating, the enforcement officer shall suspend the permit to operate until the food facility is able to properly clean and sanitize equipment or utensils.

The enforcement officer shall require that all equipment and utensils be cleaned and sanitized prior to reinstating the permit.

Notes:

For warewashing in an automatic unit, manufacturer specifications for sanitizer concentrations should be followed, usually 50-100ppm chlorine.

Machine sanitization of utensils using high temperature must be at least 160°F measured at the utensil surface. [114099.6]

FOOD FROM APPROVED SOURCES	
15. Food Obtained from Approved Source	
CalCode 113980 113982 114021 114023 114024 114025 114027 114029 114031 114041	<p>All food shall be obtained from an approved source.</p> <p>All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from approved sources; shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption.</p> <p>Food prepared in a private home may not be used or offered for sale in a food facility, without a Cottage Food permit.</p> <p>Liquid, frozen, and dry eggs and egg products shall be obtained pasteurized.</p> <p>Shell eggs shall be received clean and sound and shall not exceed the restricted egg tolerances for United States Consumer Grade B Standards.</p> <p>Frozen milk products, such as ice cream, shall be obtained pasteurized as specified in 21 C.F.R. 135 –Frozen Desserts.</p> <p>Fluid and dry milk and milk products complying with Grade A standard as specified in law shall be obtained pasteurized.</p> <p>Ice for use as a food or a cooling medium shall be made from potable water.</p> <p>Fish that is received for sale or service shall be commercially and legally caught or harvested.</p> <p>Molluscan shellfish shall be obtained from approved sources.</p> <p>Game animals shall be received from an approved source and shall not be received for sale or service if it is listed as an endangered or threatened animal by the Department of Fish and Game.</p>
Major Violations	<p>Major violations include any violations of the above sections.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Tamales offered for sale at restaurant made at home by owner. • Meat from hunting trip offered at facility.

Minor Violations	N/A
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Exceptions:

Properly labeled prepackaged raw milk and raw milk products obtained from an approved source and dispensed and sold at retail by the food facility in compliance with 17 CCR 11380 are not required to be pasteurized. [114024]

The enforcement agency may approve the use of legally obtained donated fish and game by nonprofit organizations authorized to serve meals to indigent persons. "Fish," as used in this subdivision, shall be defined as that term used in Section 45 of the Fish and Game Code. "Game," as used in this subdivision, means any game bird, as defined in Section 3500 of the Fish and Game Code, or game mammal, as defined in Section 3950 of the Fish and Game Code. [114031]

Corrective Action:

If food is from an unapproved, unsafe, or otherwise unverifiable source, the food shall be voluntarily discarded or impounded.

Cottage Food Requirements:

Class A: Approved cottage foods sold directly from the Cottage Food Operator (CFO) to the Consumer.

Class B: Approved cottage foods sold through a 3rd party (market, restaurant, etc.)

All cottage food products must be properly labeled in compliance with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq. and 21CFR Part 101) and include:

- “Made in a Home Kitchen” or “Repackaged in a Home Kitchen” in a 12-point font.
- Common name of food product.
- Name and address of Cottage Food Operation producing the product.
- Registration or permit number and name of local enforcement agency issuing permit/registration.
- Ingredients in descending order by weight.
- Weight in ounces and grams.
- Allergen declaration.

Cottage food products served in a permitted food facility without packaging or labeling shall be identified as “homemade” on the menu, menu board, or other easily accessible location.

16. Shellstock Identification Tags	
CalCode 114039 114039.1 114039.3 114039.4	<p>Shellstock shall be obtained in containers that bear legible source identification tags. Shellstock tags shall remain attached to the container in which they are received until the container is empty.</p> <p>Shellstock tags shall be maintained at the food facility in chronological order correlating to the sale date for 90 calendar days. The source of shellstock on display shall be identified. Shellstock portioned or prepackaged shall have a copy of the corresponding shellstock tag.</p>
Major Violations	<ul style="list-style-type: none"> • Missing or incomplete shellfish certification tags. • Shellfish tags not kept on file for a minimum of 90 days.
Minor Violations	<ul style="list-style-type: none"> • Shellstock tags kept on file for 90 days are not stored in chronological order from date of sale. • Previously frozen shellstock is not labeled as “Previously Frozen”.
<p>Exceptions:</p> <p>Shellstock may be removed from the container in which they are received and displayed on drained ice or held in a display container. A quantity specified by a consumer may be removed from the display or display container and provided to the consumer if the source of the shellstock on display is identified as specified under Section 114039.1 and recorded as specified under Section 114039.4 and the shellstock are protected from contamination. [114039.3]</p> <p>Shucked shellfish may be removed from the container in which they were received and held in a display container from which individual servings are dispensed upon a consumer's request if the labeling information for the shellfish on display as specified under Section 114039 is retained and correlated to the date when, or dates during which, the shellfish are sold or served and the shellfish are protected from contamination. [114039.3]</p>	
<p>Corrective Action:</p> <p>A package of raw shucked shellfish or shellstock that does not have a label, or bears a label that does not contain all the information required by Section 114039.1(a), shall be voluntarily discarded or impounded.</p>	

17. Shellstock Display and Commingling	
<p>CalCode 114039.4(c) 114039.5</p> <p>Title 17 CCR § 13675</p>	<p>Except in accordance with an approved HACCP plan, molluscan shellfish life-support system display tanks shall not be used to display shellfish offered for human consumption. Exception: No HACCP required if the display tank was installed prior to 7.1.07.</p> <p>Food facility shall ensure shellstock from one tagged or labeled container are not commingled with shellstock from another container with different certification numbers.</p> <p>Raw Gulf Oysters shall not be offered for sale, without evidence of approved treatment, between the months of April 1-October 31.</p> <p>Raw Gulf Oyster warning signs are required to be posted for untreated oysters between the months of November 1-March 31.</p>
<p>Major Violations</p>	<p>Major violations include any violations of the above sections.</p> <p>Examples:</p> <ul style="list-style-type: none"> • Same species shellfish from two different bags with different harvest information stored together (commingled). • Shellfish stored in tanks with same water recirculation system with crustaceans, fish, or sea snails.
<p>Minor Violations</p>	<p>N/A</p>
<p>Corrective Action:</p> <p>Immediately remove untreated Gulf Oysters from sale during banned months (April 1-October 31) unless evidence is provided the oysters have been treated by a method approved by the California Department of Health Services Food and Drug Branch. If signs are missing during November 1-March 31, immediate corrective action should be taken to provide the approved signage.</p>	

CONFORMANCE WITH APPROVED PROCEDURES

18. HACCP Requirements

CalCode
113799
113801
114039.5
114057
114057.1
114417.6
114419
114419.1
114419.2
114419.3

Hazard Analysis Critical Control Point (HACCP) plan means a written document complying with the requirements of Section 114419.1 that delineates the formal procedures for following the Hazard Analysis Critical Control Point principles developed by the National Advisory Committee on Microbiological Criteria for Foods.

These principles include completion of the following basic steps:

- (a) Completion of hazard analysis identification by identifying the likely hazards to consumers presented by a specific food.
- (b) Determination of critical control points in receiving, storage, preparation, displaying, and dispensing of a food.
- (c) Setting of measurable critical limits for each critical control point determined.
- (d) Developing and maintaining monitoring practices to determine if critical limits are being met.
- (e) Developing and utilizing corrective action plans when failure to meet critical limits is detected.
- (f) Establishing and maintaining a recordkeeping system to verify adherence to the HACCP plan.
- (g) Establishing a system of audits to do both of the following:
 - (1) Initially verify the effectiveness of the critical limits set and appropriateness of the determination of critical control points.
 - (2) Periodically verify the effectiveness of the HACCP plan.

Potentially hazardous foods packed by the food facility in reduced-oxygen packaging or that have been partially cooked and sealed in any container or configuration that creates anaerobic conditions shall be plainly date coded. The date coding shall state "Use By," followed by the appropriate month, day, and year.

Food facilities may engage in the following only pursuant to a HACCP plan that has been approved by the California Department of Public Health:

	<p>(a) Using acidification or water activity to prevent the growth of Clostridium botulinum.</p> <p>(b) Packaging potentially hazardous food using a reduced-oxygen packaging method as specified in Section 114057.1.</p> <p>If the California Department of Public Health grants a variance, or if a HACCP plan is required pursuant to Section 114419, the permit holder shall follow all requirements listed in CalCode.</p> <p>Food facilities may engage in any of the following activities only pursuant to a HACCP plan as specified in Section 114419.1:</p> <p>(a) Smoking food as a method of food preservation rather than as a method of flavor enhancement.</p> <p>(b) Curing food.</p> <p>(c) Using food additives or adding components such as vinegar as a method of food preservation rather than as a method of flavor enhancement, or to render a food so it is not potentially hazardous.</p> <p>(d) Operating a molluscan shellfish life support system display tank used to store and display shellfish offered for human consumption.</p> <p>(e) Custom processing animals for personal use as food and not for sale or service in a food facility.</p> <p>(f) Preparing food by another method determined by the enforcement agency to require a HACCP plan.</p>
<p>Major Violations</p>	<ul style="list-style-type: none"> • The food facility is not following the California Department of Public Health-approved HACCP plan procedures. • The food facility has obtained a variance from the California Department of Public Health to allow for deviation from specific code requirements and is not following the approved variance conditions or procedures. • The food facility is packaging potentially hazardous food products using a reduced-oxygen packaging (ROP) method and has not obtained HACCP plan approval from the California Department of Public Health. • The food facility is using reduced oxygen packaging to package fresh fish.

<p>Minor Violations</p>	<p>If the food facility operator is utilizing any of the following practices without a written HACCP plan, or is not following the HACCP plan as written:</p> <ul style="list-style-type: none"> • Smoking food as a method of preservation. • Curing food. • Using food additives as a method of preservation or as a means to change the food to non-PHF. • Operating a molluscan shellfish life support tank for shellfish intended for human consumption. • Custom processing animals as food for personal use. • Preparing food by another method that requires a HACCP plan as determined by the enforcement officer.
<p>Exceptions:</p> <p>Food labeled with the production time and date, held at 41°F or below, and removed from its package in the food facility within 48 hours after packaging is not required to have a HACCP plan. [Section 114057.1(d)]</p> <p>Except for fish that is frozen before, during, and after packaging, a food facility shall not package fish using a reduced-oxygen packaging method. [114057.1(c)]</p> <p>Whole Chinese-style roast duck (114425) and Korean Rice Cakes (114429) do not require a HACCP plan.</p>	
<p>Corrective Action:</p> <p>If a California Department of Public Health variance is issued, a copy of the variance letter shall be kept at the food facility and provided to the enforcement officer upon request. If it is determined during an inspection that the alternate procedures detailed in the variance letter are not being followed, the enforcement officer shall impound the affected food products and notify the California Department of Public Health in writing as soon as possible.</p>	
<p>Notes:</p> <p>Except for HACCP plans requiring approval by the California Department of Public Health, HACCP plans do not require prior approval by the enforcement agency prior to implementation.</p> <p>If it is determined during an inspection that a HACCP plan is required, the written HACCP plan and supporting documentation should be reviewed. Food handling procedures should then be evaluated to verify that the HACCP plan is being followed as written.</p>	

CONSUMER ADVISORY	
19. Consumer Advisory for Undercooked Food	
CalCode 114012 114093 114093.1	<p>Ready-to-eat food containing undercooked, raw animal foods including beef, eggs, fish, lamb, poultry or shellfish may only be served if the food facility informs consumers of the significantly increased risk of consuming such foods.</p> <p>A consumer advisory requires a disclosure and a reminder.</p> <p>A disclosure is a clearly written statement that includes either:</p> <ul style="list-style-type: none"> • A description of the animal derived food, such as “oysters on the half shell” (raw oysters), “raw-egg Caesar salad”, <u>or</u> • Identification of the animal derived food marked by an asterisk (*) directing to a footnote stating the items are served raw or undercooked, or contain raw or undercooked ingredients. <p>A reminder is a written statement that identifies the animal derived foods by an asterisk that marks a footnote that includes either of the following disclosure statements:</p> <ul style="list-style-type: none"> • Written information regarding the safety of these food items is available upon request, <u>or</u> • Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions. <p>Unlabeled or unpackaged confectionery food containing more than ½ percent alcohol may only be served if the facility provides written notice to the consumer.</p>
Major Violations	N/A
Minor Violations	<ul style="list-style-type: none"> • Pasteurized eggs or pasteurized egg products are not substituted for raw shell eggs in foods such as Caesar salad dressing or Hollandaise sauce and no consumer warning is provided. • Raw or undercooked animal product is served and facility fails to provide a disclosure and reminder statement on the menu.

Notes:

Examples of food that may contain raw or undercooked animal product and require a Consumer Advisory:

- House made Caesar dressing, mayonnaise, hollandaise sauce, or aioli
- Tiramisu
- Beverages containing raw egg whites (gin fizz, whiskey sour, etc.)
- Sushi
- Ceviche
- Steak tartare

HIGHLY SUSCEPTIBLE POPULATIONS

20. School and Licensed Health Care Prohibited Foods

CalCode 114091	Prohibited foods may not be offered in licensed health care facilities or public/private schools. Prohibited foods include: <ul style="list-style-type: none">• Unpasteurized juice, fluid milk, and dry milk• Raw or undercooked meat products• Raw seed sprouts• Unpasteurized shell eggs, unless raw eggs are used for one consumer’s serving at a single meal and cooked as required by code, or combined as an ingredient before baking and thoroughly cooked to a ready-to-eat form, or the facility is operating pursuant to a HACCP plan.
Major Violations	<ul style="list-style-type: none">• Serving any of the foods listed above at a school or licensed health care facility.• Ready-to-eat foods that contain raw food of an animal origin or partially cooked foods are served.• Raw seed sprouts are served.
Minor Violations	No procedural violation observed but incorrect procedure reported.
Corrective Action: Food shall be voluntarily discarded.	

WATER / HOT WATER	
21. Hot and Cold Water Supply	
CalCode 113953(c) 114189 114192 114192.1 114195	<p>An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided through a mixing valve.</p> <p>Hot water shall be supplied at a minimum temperature of 120°F measured from the warewashing, food preparation, and mop sink faucets.</p> <p>Handwashing facilities shall be equipped to provide warm water (100°F) under pressure for a minimum of 15 seconds through a mixing valve or combination faucet. If the temperature of water provided to a handwashing sink is not readily adjustable at the faucet, the temperature of the water shall be at least 100°F, but not greater than 108°F.</p>
Major Violations	<ul style="list-style-type: none"> • Hot water from the faucet at warewashing sink is less than 110°F. • Contaminated or unapproved water supply. • No potable water is available to the facility. <p>Note: If any of the above occurs, facility may be subject to closure.</p> <ul style="list-style-type: none"> • Water at the handwashing sink is too hot to wash hands making the handwashing sink unusable (when water temperature is not readily adjustable at the faucet). • Lack of water at hand sink.
Minor Violations	<ul style="list-style-type: none"> • Hot water from the faucet at the warewashing sink is between 111°F - 119°F. • Lack of hot water at a janitorial sink. • Water at the handwashing sink is less than 100°F or greater than 108°F through a mixing valve (hands can still be washed).
Exceptions:	
A food facility may provide only warm water if the water supply is used only for hand washing, as required in Section 113953.	
Corrective Action:	
A food facility with hot water measured below 110°F at the warewashing sink faucet shall immediately correct the violation (re-lighting a pilot light for	

example), find a suitable alternative, or cease food preparation in the impacted areas until water, hot water, or potable water is restored.

If there is no water, or the water supply is contaminated, a food facility shall immediately cease preparation of foods. In each of these cases, the food facility shall close or discontinue food preparation (and sell only prepackaged food items).

The water temperature, once it reaches maximum, shall remain at the required temperature. Peaks and valleys in water temperature are not allowed and may be due to an inadequately sized water heater.

LIQUID WASTE DISPOSAL	
22. Sewage and Wastewater Disposal	
CalCode 114197 114201	Liquid waste shall be disposed through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.
Major Violations	<ul style="list-style-type: none"> • Overflows or back-ups of sewage/wastewater into the food facility • A clogged floor sink/grease interceptor that adversely impacts the use of necessary equipment. • Lack of operable toilets. <p style="color: red; margin: 5px 0;">Note: If any of the above occurs, facility may be subject to closure.</p> <ul style="list-style-type: none"> • Restroom entirely out of toilet paper.
Minor Violations	<ul style="list-style-type: none"> • Mop water disposed of in parking lot or landscape planters. • Floor sink is clogged or draining slowly but there is no sign of sewage on the floor.
<p>Corrective Action:</p> <p>A food facility shall cease operation if there is sewage overflowing or backing up in the food facility or there are no operable toilets available for food employees.</p> <p>In the event the overflow from the facility is occurring outside, the source of the discharge shall immediately cease.</p>	

VERMIN	
23. Vermin and Animal Contamination	
<p>CalCode 113903 114259.1 114259.4 114259.5</p>	<p>Each food facility shall be kept free of vermin: rodents (rats, mice), cockroaches, flies.</p> <p>Service animals may have limited access to food preparation and dining areas as specified in section 114259.4 and 114259.5.</p> <p>Service animal means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, or that is in training to do that work or perform those tasks. Service animal does not include any other species of animal, whether trained or untrained.</p> <p>The work or tasks performed by a service animal shall include:</p> <ul style="list-style-type: none"> • Assisting individuals who are blind or have low vision with navigation and other tasks. • Alerting individuals who are deaf or hard of hearing to the presence of people or sounds. • Providing nonviolent protection or rescue work. • Pulling a wheelchair. • Assisting an individual during a seizure. • Alerting individuals to the presence of allergens. • Retrieving items such as medicine or the telephone. • Providing physical support and assistance with balance and stability to individuals with mobility disabilities. • Helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. <p>The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this section.</p>
Major Violations	<ul style="list-style-type: none"> • Cockroaches, rodents, flies, and similar disease carrying vermin are present within the food facility. Evidence of their presence

	<p>would include: live bodies, fresh droppings, vomitus, urine stains, or gnaw marks.</p> <ul style="list-style-type: none"> • The presence of vermin has caused, or would be likely to cause, contamination of food, equipment, packaging or utensils. <p>Note: A facility with evidence of cockroach, rodent, or fly infestation may be subject to closure.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Insects that do not carry disease, such as weevils and gnats, present in facility. • Live animals (other than service animals) are allowed in a food facility.
<p>Notes and Exceptions:</p> <p>Food employees with service animals may handle or care for their service animals if they wash their hands as required.</p> <p>Live animals may be allowed in specific situations (service animals) if the contamination of food, clean equipment, utensils, linens, and unwrapped single-use articles cannot result.</p> <p>Pets may be in outdoor dining areas provided there is no food preparation and they enter through a separate outdoor entrance.</p>	
<p>Compliance Recommendations:</p> <ul style="list-style-type: none"> • Clean all areas to remove food debris and grease on a daily basis. Ensure facility is thoroughly cleaned before leaving each night to prevent food foraging by nocturnal pests. • Seal all gaps, cracks, and holes in facility to prevent the harboring and travel of vermin. • Provide routine preventative professional pest control service. • Place monitoring/glue traps throughout facility to monitor areas highly susceptible to vermin infestations. • Remove dead cockroaches to prevent hatching of egg sacs. 	

APPROVED RETAIL PRACTICES

SUPERVISION	
24. Person in Charge is Present and Performs Duties	
<p>CalCode 113820.5 113945 113945.1 113947 113984.1 114075</p>	<p>A Person in Charge, who is responsible for operation of the facility, shall be present at the food facility during all hours of operation and shall have knowledge of safe food handling practices as they relate to the specific food preparation activities that occur at the food facility.</p> <p>The Person in Charge shall have adequate knowledge of major food allergens and the symptoms that a major food allergen could cause in a sensitive individual who has an allergic reaction. They shall also educate food employees on major food allergens.</p> <p>The Person in Charge shall restrict unnecessary animals from entering the facility.</p> <p>The Person in Charge shall ensure customer access through preparation areas is limited and in compliance with requirements.</p> <p>Consumers shall be notified clean tableware is to be used when they return to self-service areas such as salad bars and buffets.</p>
Minor Violations	<ul style="list-style-type: none"> • The Person in Charge is not present during operating hours. • The Person in Charge lacks knowledge of safe food handling practices as they relate to the specific food preparation activities that occur at the food facility. • Customers are allowed access through the food preparation, warewashing, and open food storage areas. • Consumers are not notified orally or in writing that they must use clean tableware when returning to self-service areas such as salad bars and buffets. • The Person in Charge does not know the major food allergens or their symptoms. • Animals (not service animals) allowed in the food facility.
<p>Notes:</p> <p>The permit holder, or person designated by the permit holder, is the Person in Charge. The Person in Charge does not have to be the certified Food Safety Manager certificate holder.</p>	

PERSONAL CLEANLINESS	
25. Personal Cleanliness and Hair Restraints	
CalCode 113968 113969 113971	<p>All employees preparing, serving, or handling food or utensils shall wear clean, washable outer garments or uniforms and shall wear hair restraints such as hairnets, hats, or other suitable method to confine hair.</p> <p>Food employees shall keep fingernails trimmed, filed, and maintained so edges and surfaces are smooth and cleanable.</p>
Minor Violations	<ul style="list-style-type: none"> • Food employees preparing, serving, or handling food or utensils are not wearing hair restraints. • Food employees arriving to work with visibly unclean clothing. • Food employees observed with unclean fingernails.
<p>Exceptions:</p> <p>Food employees such as counter staff (who only serve beverages and wrapped or prepackaged foods), host and wait staff, need not confine their hair if the hair presents a minimal risk of contaminating non-prepackaged food, clean equipment, utensils, linens, and/or unwrapped single-use articles.</p>	

GENERAL FOOD SAFETY REQUIREMENTS

26. Thawing Methods

CalCode 114018 114020	Food shall be thawed: <ul style="list-style-type: none">• In the refrigerator.• Completely submerged under cold running water of sufficient velocity to flush loose particles (for a period of time not to exceed 2 hours).• In microwave oven as part of the cooking process.• During the cooking process.
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Minor Violations	Potentially hazardous food observed not being thawed by one of the following approved procedures. Examples: <ul style="list-style-type: none">○ Water above 70°F used to thaw food.○ Potentially hazardous food thawing on prep table at room temperature.○ Food thawing under running water is not completely submerged.
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Notes:

Thawing food must be placed in refrigerator or actively prepped once it has reached 41°F.

The Food and Drug Administration (FDA) requires removing fish from reduced oxygen packaging prior to thawing under refrigeration, or prior to, or immediately upon completion of, its thawing using approved procedures.

27. Food Protected from Contamination	
<p>CalCode 113984 113986 114060 114069 114073 114077 114089.1(c) 114143 (c-d)</p>	<p>All food shall be separated and protected from contamination.</p> <p>Food preparation shall be conducted within a fully enclosed food facility.</p> <p>Food shall be protected from cross-contamination.</p> <p>Food on display shall be protected from contamination by the use of packaging, covers, sneeze guards, containers with tight-fitting, securely attached lids, display cases, mechanical dispensers, or other effective means.</p> <p>Overhead protection shall be provided above all food preparation, food display, and food storage areas.</p> <p>French style, hearth-baked, or hard-crustured loaves and rolls will be considered properly wrapped if contained in an open-end bag that encloses the loaves or rolls.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Food items stored in open/uncovered bag or container. • Raw meat or other raw products of animal origin stored above ready-to-eat food items and there is a potential for cross contamination. • Food is not being prepared in a fully enclosed food facility. • Food is prepared in a dining room, office, or any other unapproved area. • Uncovered, ready-to-eat food displayed for sale on counter. • Foods other than prepackaged non-potentially hazardous food or uncut produce are displayed outdoors. • Bulk milk container dispensing tubes not cut diagonally so as to leave no more than one inch protruding from the chilled dispensing head. • The open-air barbecue or outdoor wood burning oven is not separated from public access to prevent food contamination or injury to public. • Use of a cutting board on top of a trash can or other contaminated surface. • Beverage bottles/cans stored in ice in customer self-service area floating in ice water or completely submerged in water. • Food stored under soap or paper towel dispenser.

Exceptions:

Food does not have to be stored in packages, covered containers, or wrappings if:

- It is whole, uncut, raw fruits, vegetables, or nuts in the shell.
- Raw meat hung on clean, sanitized hooks or racks.
- Food is in the cooling process.
- It is shellstock.

Proper Food Storage in Refrigerators

(from top shelf to bottom shelf, based on (final cooking temperature):

- Ready-to-eat foods
- Raw seafood, eggs, raw whole cuts beef, and pork
(final internal cooking temperature 145°F)
- Raw ground meats, excluding poultry (final cooking temperature 155°F)
- Raw poultry and ground poultry (final cooking temperature 165°F)

28. Washing Fruits and Vegetables	
CalCode 113992	<p>Produce shall be thoroughly washed in potable water prior to being cut, combined with other ingredients, cooked, served, or offered for human consumption.</p> <p>Chemicals used to wash or peel produce shall meet the requirements specified in 21 C.F.R. 173.315 to ensure they are safe for use on food products.</p>
Minor Violations	<ul style="list-style-type: none"> Raw whole produce has not been washed prior to being cut, combined with other ingredients, cooked, served, or offered for human consumption in ready-to-eat form.
<p>Exception:</p> <p>Produce that is intended for washing by the consumer before consumption such as that found in the produce section of a retail market.</p> <p>Produce that comes <i>prewashed</i> and commercially packaged is not required to be washed before serving.</p>	

29. Identification and Storage of Toxic Substances

<p>CalCode 114254 114254.1 114254.2</p>	<p>Only those pesticides necessary and specifically approved for use in a food facility may be used (in accordance with the manufacturer's instructions).</p> <p>All poisonous substances, detergents, bleaches, cleaning compounds, shall be stored and used in a manner not likely to cause contamination or adulteration of food, food contact surfaces, utensils, or packaging materials.</p> <p>A container previously used to store poisonous or toxic materials shall not be used to store, transport, or dispense food, utensils, and/or linens.</p> <p>Containers of poisonous or toxic materials and personal care items shall bear a legible manufacturer's label.</p> <p>Working containers of cleaners and sanitizers taken from bulk supplies shall be clearly and individually identified with the common name of the material.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none">• Household pesticide unapproved for use in food facilities in use at food facility.• Spray bottle for cleaner lacking legible label.• Chemicals not stored separate from food items.

Exception:
Equipment and utensil cleaners and sanitizers may be stored in a warewashing area for availability, if these materials are stored to prevent contamination of food, equipment, utensils, linens, and single-use articles.

Food Storage / Display / Service	
30a. Food Stored in Approved Location	
CalCode 114047 114049 114053 114055 114069(b)	<p>Adequate and suitable space shall be provided for the storage of food.</p> <p>Food shall be protected from contamination by storing the food in a clean, dry location, where it is not exposed to splash, dust, vermin, or other forms of contamination or adulteration, and at least six inches above the floor.</p> <p>Food shall not be stored in lockers, toilet rooms, refuse rooms, mechanical rooms, under unshielded sewer lines, leaking water lines, under stairwells, or under other sources of contamination.</p> <p>Products held for credit, redemption or return to the distributor, such as damaged, spoiled, or recalled products, shall be segregated and held in designated areas separated from food, equipment, utensils, linens, and single-use articles and stored in a sanitary manner to prevent adulteration of other foods and attraction of vermin.</p>
Minor Violations	<ul style="list-style-type: none"> • Food stored in places other than the approved location, such as outside the permitted food facility. • Food is not stored at least 6 inches above the floor.
<p>Exceptions:</p> <p>Food in packages and working containers may be stored less than six inches above the floor on case lot handling equipment as specified under Section 114165.</p> <p>Pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to moisture. [114047 (d)]</p> <p>Items in enclosed packages may be stored less than six inches above the floor on dollies, pallets, racks, or skids that are designed to be easily movable. [114178 (d)]</p>	

30b. Food Containers Labeled	
CalCode 114051	Working containers holding food or food ingredients shall be identified with the common name of the food.
Minor Violations	<ul style="list-style-type: none"> • Bulk food storage containers on shelves without content labels. • Spray bottle on prep table without content label.
Exceptions: Containers holding food that can be readily and unmistakably recognized, such as dry pasta, rice, or beans, do not need content labels.	

31. Customer Self-Service Operations	
CalCode 114063 114065 114075	<p>Non-prepackaged food may be displayed in bulk for consumer self-service if all of the following conditions are satisfied:</p> <ul style="list-style-type: none"> • A label is provided. Nonfood items shall be displayed and stored in an area separate from food. • A suitable food dispensing utensil is provided for each container. • Consumer self-service operations, such as buffets and salad bars, shall be checked on a regular basis by food employees trained in safe operating procedures. <p>Consumer self-service bulk beverage dispensing operations may not be required to be located within an enclosed facility if all the requirements in Section 114065 are met.</p> <p>Raw, non-prepackaged food of animal origin, such as beef, lamb, pork, poultry, and eviscerated fish, shall not be offered for consumer self-service.</p> <p>Consumers shall be notified clean tableware is required when they return to self-service areas such as salad bars and buffets.</p>
Minor Violations	<ul style="list-style-type: none"> • A food scooping utensil is not provided for each container at the buffet or salad bar. • Consumer self-service bulk beverage dispensers are not properly operated or maintained. • Straws stored in unenclosed dispenser for customer self-service. • Unwrapped eating utensils stored with handles down, mouth-contact surfaces up in customer self-service area.
<p>Exceptions:</p> <p>Produce and food requiring further processing, except raw food of animal origin, may be displayed on open counters or in containers.</p> <p>Salad bar and buffet-type food service bars do not require labels.</p> <p>Ready-to-cook individual portions for immediate cooking and consumption on the premises, such as consumer-cooked meats or consumer-selected ingredients for Mongolian barbecue, or raw, frozen shrimp, lobster, finfish, or scallop abductor muscle, or frozen breaded seafood.</p>	

32a. Food Presentation and Labeling	
<p>CalCode 114087 114088 11408901 114089.1 114090 114093.1</p>	<p>Any food is misbranded if its labeling is false or misleading, if it is offered for sale under the name of another food, or if it is an imitation of another food for which a definition and standard of identity has been established by regulation.</p> <p>Food offered for human consumption shall be honestly presented in a way that does not mislead or misinform the consumer.</p> <p>Food prepackaged in a food facility shall bear a label that complies with the labeling requirements prescribed by the Sherman Food, Drug, and Cosmetic Law, Part 5 and label information shall include:</p> <ol style="list-style-type: none"> 1. The common name of the food. 2. If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the food. 3. An accurate declaration of the quantity of contents. 4. The name and place of business of the manufacturer, packer, or distributor. <p>Bulk food that is available for consumer self-service shall be prominently labeled with either of the following information in plain view of the consumer:</p> <ol style="list-style-type: none"> 1. The manufacturer's or processor's label that was provided with the food. 2. A card, sign, or other method of notification that includes the information specified above. <p>Bakery items available to the consumer, and not considered bulk food, shall have a protective wrapping bearing a label complying with the Sherman Food, Drug, and Cosmetic Law, Part 5 commencing with section 109875. Note: Bakery products sold directly to a restaurant, catering service, retail bakery, or sold over the counter directly to the consumer by the manufacturer or bakery distributor shall be exempt from these labeling requirements.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • “Fresh” fish advertised, but the fish had been previously frozen. • “Quarter pound” burger is not ¼ lb. before cooking.

	<ul style="list-style-type: none"> • Pink light shields used in meat display case to disguise browning meat. • Bulk food for consumer self-service does not have label or label information available. • Any pre-packaged food item (whether packaged at the food facility or at the manufacturer level) without a label complying with the requirements prescribed by the Sherman Food, Drug, and Cosmetic Act. • The manufacturer’s dating information on package is concealed. • Required information missing on Cottage Food label.
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32b. Compliance with Trans-Fat Ban	
CalCode 114377	<p>No food containing artificial trans fat may be stored, distributed, served by, or used in the preparation of any food within a food facility.</p> <p>Every food facility shall maintain on the premises, the label for any food that contains fat, oil, or shortening, for as long as the food is stored, distributed, served by, or used in the preparation of food within the food facility.</p> <p>A food contains artificial trans fat if the food contains vegetable shortening, margarine, or any kind of partially hydrogenated oil, unless the label required on the food, pursuant to applicable federal and state law, lists the trans-fat content as less the 0.5 grams per serving.</p>
Minor Violations	<ul style="list-style-type: none"> • Food served to customers contain 0.5 grams or more of artificial trans-fat and contains partially hydrogenated oil as part of the ingredients. • Missing trans-fat information on any foods containing fat, oil, or shortening that are stored, distributed, served by or used in the preparation of any food in the facility.
Exceptions:	
<p>Trans-fat requirements shall not apply to:</p> <ul style="list-style-type: none"> • Food sold or served in a manufacturer’s original, sealed package. • Public elementary, middle, junior, or high school cafeterias. 	

32c. Compliance with Menu Labeling

**CalCode
114094**

**Code of
Federal
Regulations,
21CFR101.11**

All restaurants, grocery stores and similar retail food establishments require menu labeling if all of the following apply:

1. Part of a chain with 20 or more locations nationwide (regardless of type of ownership)
2. Doing business under the same name (regardless of type of ownership, such as individual franchises)
3. Offering for sale substantially the same menu items and restaurant-type foods.

Facilities are required to:

- Display calories clearly and prominently on menus, menu boards, and drive-thru displays for standard menu items. Calorie information must be displayed on signs near menu items in the case of self-service, buffet, and cafeteria lines.
- Food facility must use the term “calories” or “Cal” as a column heading or adjacent to the number of calories for each standard menu item.
- Nutritional information, including total calories, calories from fat, total fat, saturated fat, trans fat, cholesterol, sodium, total carbohydrate, fiber, sugars, and protein must be available in written form on the premises of the establishment and provided to the consumer upon request.
- Post a statement advising consumers that further nutritional information is available for standard menu items. Example: “Additional nutrition information is available on request”.
- Include succinct statement on the menu advising guests how calories fit into a recommended daily diet. Example: “2,000 calories a day is used for general nutrition advice, but calorie needs vary”.

Minor Violations	<ul style="list-style-type: none">• Chain restaurant does not list calorie count on the menu, displayed food or self-service food/beverage.• Calorie font size is smaller than the name or price of the menu item.• Missing “Calories” or “Cal” next to standard menu item.• Missing daily caloric intake statement on bottom of each menu board or page(s).• Additional information is not available upon request.
Exceptions: School cafeterias, food trucks, hotels with complimentary breakfast, and in-patient only food service.	

Equipment / Utensils / Linen	
33. Non-Food Contact Surfaces Clean	
CalCode 114115 114257	Nonfood-contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.
Minor Violations	<ul style="list-style-type: none"> • Shelving throughout facility is sticky/dirty. • Residue buildup on refrigerator door handle. • Grease accumulation on sides of deep fryer.

34. Warewashing Facilities and Testing Methods	
<p>CalCode 114099 114067(f) 114067(g) 114099.3 114099.5 114101 114101.1 114101.2 114103 114107</p>	<p>A warewashing machine shall be provided with an easily accessible and readable data plate affixed to the machine by the manufacturer that indicates the machine's design and operating specifications.</p> <p>A warewashing machine shall be equipped with a temperature measuring device that indicates the temperature of the water as the water enters the hot water sanitizing final rinse manifold or in the chemical sanitizing solution tank.</p> <p>All warewashing sinks shall be provided with two integral metal drain boards of adequate size, sloped in construction.</p> <p>Testing equipment and materials shall be provided to adequately measure the applicable sanitization method.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • The food facility prepares food and does not have two integral metal drain boards on the 3-compartment sink. • Sink compartments are not large enough to accommodate the largest piece of equipment or utensil and facility does not have any procedure in place to wash, rinse, and sanitize the larger utensils. • The drain boards unavailable for use during active warewashing. • Lack of plugs/stoppers to allow warewashing sink basins to be filled. • Mechanical warewashing machine is not installed and operated according to manufacturer's specifications. • The warewashing machine does not have a readable data plate affixed to the machine by the manufacturer that lists the machine's operating specifications. • A facility with a high-temperature warewashing machine, requiring 160°F on the utensil surface, lacks an irreversible registering temperature indicator. • Means for adequately measuring the applicable sanitization method are not readily available (e.g., sanitizer testing strips/thermal strips).
<p>Exceptions:</p> <p>A two-compartment sink that is in use on January 1, 1996 may be used when specified in Section 114099.3(e). Facilities with a 2-compartment sink that is</p>	

approved and in use on January 1, 1996 may wash and rinse in the first compartment then sanitize in the second compartment as long as:

- The cleaning and sanitizing solution is made up immediately before each use and drained immediately after use, **AND**
- A commercial detergent-sanitizer is used in both basins

Note: The two-compartment sink is approved for batch washing only and shall not be used for warewashing operations where cleaning and sanitizing solutions are used for a continuous or intermittent flow of utensils in an ongoing warewashing process.

Restricted food service facilities need not comply with Section 114130 if the domestic or commercial dishwasher utilized for warewashing is capable of providing heat to the surface of the utensils of a temperature of at least 160°F.

Notes:

A warewashing sink shall not be used for hand washing except in food facilities that were not constructed or extensively remodeled since January 1, 1996, and where there are no facilities exclusively for hand washing in food preparation areas.

35. Equipment Approved and Maintained	
<p>CalCode 114101(a) 114175 114130 114130.1-6 114132 114133 114137 114139 114153 114163 114165 114169 114177 114185.2</p>	<p>All utensils and equipment shall be fully operative and in good repair. All utensils and equipment shall be approved, installed properly, and meet applicable standards.</p> <p>Multiuse food-contact surfaces shall be all of the following:</p> <ul style="list-style-type: none"> • Smooth. • Free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections. • Free of sharp internal angles, corners, and crevices. • Finished to have smooth welds and joints. • Accessible for cleaning. <p>Nonfood contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material that allows easy cleaning.</p> <p>Soft wood such as wood wicker cannot be used as a food contact surface. Hard maple or equivalent may be used as cutting boards, rolling pins, chopsticks, etc.</p> <p>A food preparation sink shall be provided in permanent food facilities for the washing, rinsing, soaking, thawing, or similar preparation of foods.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • New and/or replacement food equipment is not certified or classified for sanitation by an ANSI accredited certification program. • New electrical appliances do not meet UL standards for electrical equipment. • Cardboard used as food container or to line shelves. • Reuse of empty food can to store food or equipment. • Raw wood or wood wicker is used as a food contact surface. • Cutting or piercing parts of can openers are not readily cleanable and removable. • Beverage tubing or cold-plates are installed in contact with ice intended to be used for food or drink

- | | |
|--|---|
| | <ul style="list-style-type: none">• Equipment and utensils are not kept clean, fully operative, and in good repair.• Surfaces of equipment such as cutting blocks and boards are scratched and scored so that they can no longer be effectively cleaned and sanitized.• Cold or hot holding equipment is not functioning properly to ensure proper food temperatures.• Condensation pooling at the bottom of a reach-in refrigerator due to a plugged condensation line. |
|--|---|

Exceptions:

Food facilities approved for operation without a food preparation sink prior to July 1, 2007 need not provide a food preparation sink unless the food facility makes a menu change or changes their method of operation. Facilities undergoing a change of ownership or which have been previously out of business may be required to install a preparation sink if required by the type of food preparation to be conducted.

Raw fruit, vegetables, and nuts in the shell may be kept in wood shipping containers.

Copper and copper alloys may be used in contact with beer brewing ingredients.

36. Equipment Stored in Approved Location

CalCode
113778.4
114074
114081
114118
114119
114161
114179(a)
(1-8)
114172
114178
114185.4

If tableware is preset, exposed, and unused, extra settings shall either be removed when a customer is seated or all tableware (clean and soiled) shall be cleaned and sanitized before use by another party.

Multi-use utensils shall be handled, displayed, and dispensed in an approved manner.

Single use utensils and tableware intended for customer self-service shall be provided in a wrapper or from an approved dispenser.

Cleaned and sanitized equipment, utensils, laundered linens, single-use articles and cabinets used for food storage shall **not** be located in any of the following areas:

- Locker rooms
- Restrooms
- Refuse rooms
- Mechanical rooms
- Under sewer lines that are not shielded to intercept drips
- Under leaking water lines, including leaking automatic fire sprinklers, or under lines on which water has condensed
- Under open stairwells
- Under other sources of contamination

All cleaned equipment and utensils, laundered linens, and single-use articles shall be stored in a clean, dry location where they are not exposed to splash, dust, or other contamination and at least six inches above the floor.

All pressurized cylinders shall be securely fastened to a rigid structure.

“Fabric Implement” means cloth or fabric, including but not limited to, burlap and cheesecloth that is used as part of the food process and comes in direct contact with food that is subsequently cooked. Fabric implements shall be washed and sanitized before or after each use in direct contact with food.

Adequate and suitable space shall be provided for the storage of clean linens used as fabric implements.

	Soiled linens shall be kept in clean, nonabsorbent receptacles or clean, washable laundry bags and stored and transported to prevent contamination of clean surfaces.
Minor Violations	<ul style="list-style-type: none"> • After a customer is finished eating, extra place settings that had been on the table are re-used without cleaning and sanitizing. • Clean equipment and dishware in self-service area are not stored covered or inverted to prevent contamination of the mouth contact surface. • Handle to ice scoop is in contact with ice. • Open to-go containers or water pitches stored so they are exposed to splash from the handwash sink. • Pressurized cylinders are not secured to rigid structure.
<p>Exceptions:</p> <p>Laundered linens and single use articles may be stored in a locker room if protected by packaging or a storage compartment.</p> <p>Items in enclosed packages may be stored less than six inches above the floor on dollies, pallets, racks, or skids designed to be easily movable. [Section 114178(d)]</p>	

37. Vending Machines	
CalCode 114145	Vending machines shall meet all applicable requirements.
Minor Violations	<ul style="list-style-type: none"> • The owners name, address, and telephone number are not posted. • PHFs are not dispensed in the original package. • A record of cleaning and sanitizing is not provided and current for at least the last 30 days. • The machine is located outside the facility in the open air without overhead protection. • The dispensing compartment located outside or not under full-time supervision is not equipped with a self-closing door or cover.

38. Ventilation and Lighting

CalCode

114149

114149.1

114149.2

114149.3

114252

114252.1

Ventilation

- All areas of a food facility shall have sufficient ventilation to facilitate proper food storage and to provide a reasonable condition of comfort for each employee, consistent with the job performed by the employee.
- Restrooms shall have an openable screened window, an air shaft, or a light switch-activated exhaust fan, consistent with the requirements of local building codes.
- Mechanical exhaust ventilation shall be provided over all cooking equipment to remove cooking odors, smoke, steam, grease, heat, and vapors.
- The ventilating hood system shall be installed and designed as required in CalCode section 114149.2.

Lighting

In every room and area in which food is prepared, manufactured, processed, or prepackaged or in which equipment or utensils are cleaned, sufficient natural or artificial lighting shall be provided to produce the following light intensity:

- At least 10 foot candles: In walk-in refrigerator, working surface in bar, inside equipment such as reach-in or under the counter refrigerator.
- At least 20 foot candles: At surfaces where food is provided for customer self-service, fresh produce or prepackaged food is offered for sale or consumption, server stations, areas used for handwashing, warewashing, utensil storage, toilet rooms, and in all areas and rooms during cleaning.
- At least 50 foot candles: in all areas where food is prepared (except server stations) or where employee works with utensils and equipment such as knives, slicers, etc. and where employee safety is a factor.

	Light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is unpackaged food, clean equipment, utensils, linens, or unwrapped single use articles.
Minor Violations	<ul style="list-style-type: none"> • Ventilation is insufficient at cook line resulting in the potential contamination of food by employee perspiration. • The restroom has a window that is permanently unopenable and there is no other source of ventilation. • Less than 6 inches overhang of ventilation hood over fryer or gas rice cooker. • Filters that do not fit have been installed in the mechanical exhaust ventilation over cooking equipment. • Gaps exist between the grease filters inside the hood. • Facility not using hood when required. • Inoperable ventilation fan in restroom. • Fluorescent tubes are not shielded, coated, or otherwise shatter-resistant over open food preparation area. • Infrared lamps or other heat lamps are not protected against breakage by a shield or by using shatter resistant bulbs. • Plastic sleeves on fluorescent tubes lack endcaps.
<p>Exceptions:</p> <p>Section 114149.1 does not apply to cooking equipment when the equipment has been submitted to the local enforcement agency for evaluation and the local enforcement agency has found that the equipment does not produce toxic gases, smoke, grease, vapors, or heat when operated under conditions recommended by the manufacturer. [114149 (c)]</p> <p>Restricted food service facilities are exempt from subdivision (a) of section 114149.1, but shall still provide ventilation to remove gases, odors, steam, heat, grease, vapors, and smoke from the kitchen. In the event the enforcement officer determines the ventilation shall be mechanical in nature, the ventilation shall be accomplished by methods approved by the enforcement agency.</p>	

Notes:

The California Department of Health Services is no longer authorized to exempt cooking equipment from requiring mechanical exhaust ventilation.

Local enforcement agencies may exempt cooking equipment from mechanical exhaust ventilation as appropriate. [114149.1 (c)]

39. Temperature Measuring Devices	
CalCode 114157 114159	<p>A thermometer accurate to +/- 2°F shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.</p> <p>An accurate easily readable metal probe thermometer (accurate to +/- 2°F), that is designed to measure the temperature of thin masses, shall be provided and readily accessible to accurately measure the temperatures of potentially hazardous foods shall be available to the food handler.</p>
Minor Violations	<ul style="list-style-type: none"> • The reach-in refrigerator has a thermometer located in the coldest part of the unit. • The only thermometer for the walk-in refrigerator not working. • The thermometer in the reach-in refrigerator is not easily visible. • The hot holding display case containing potentially hazardous food does not have a thermometer. • A metal probe thermometer is not readily available (e.g. it's locked in the manager's office). • The temperature measuring devices used for food are not accurate to within +/- 2°F.
<p>Notes:</p> <p>If a non-calibratable thermometer is found to be inaccurate after checking in an ice bath or in boiling water, the facility will need to purchase a new thermometer.</p>	

40. Wiping Cloths Storage and Use	
<p>CalCode 114135 114185.1 114185.3(d-e) 114185.5</p>	<p>Sponges shall not be used in contact with cleaned and sanitized or in-use food-contact surfaces.</p> <p>Wiping cloths in use for cleaning food spills cannot be used for any other purpose.</p> <p>Cloths used for wiping food spills shall be dry and used for cleaning food spills from tableware and carry-out containers, or used only once.</p> <p>If used repeatedly, wiping cloths shall be held in a sanitizing solution of:</p> <ul style="list-style-type: none"> • 100 ppm chlorine • 200 ppm quaternary ammonium • 25 ppm iodine <p>Dry or wet cloths used with raw foods of animal origin shall be kept separate from cloths used for other purposes, and wet cloths used with raw foods of animal origin shall be kept in a separate sanitizing solution.</p> <p>Wiping cloths shall be free of food debris and visible soil.</p> <p>Wet wiping cloths shall be laundered daily or placed into a laundry bag for no further use until laundered.</p> <p>Dry wiping cloths shall be laundered as necessary.</p> <p>If wiping cloths are laundered on the premises, they shall be laundered in a mechanical clothes washer and dryer or in a warewashing sink that is cleaned and sanitized before and after each time it is used to wash wiping towels, wash produce or thaw food.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Sponges are used for wiping counters in the food preparation area. • Sanitizer concentration in wiping cloth bucket is less than required. • Wiping cloths used repeatedly are not held in an approved sanitizing solution. • Wiping cloths used for raw meat placed in same sanitizer as those used with ready-to-eat food. • Wet wiping cloths re-used every day without being laundered.

Physical Facilities	
41. Plumbing Fixtures and Backflow Prevention	
CalCode 114269 114171 114190 114192 114193 114193.1 114199 114201	<p>All plumbing and plumbing fixtures shall be:</p> <ul style="list-style-type: none"> • installed in compliance with applicable local plumbing ordinances, • maintained so as to prevent any contamination, • kept clean, fully operative, and in good repair. <p>All equipment (not including hand or mop sinks) that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through an air gap into a floor sink or other approved type of receptor.</p> <p>Air gaps at water supply inlets shall be at least twice the diameter of the inlet and no less than 1 inch.</p> <p>Floor sinks shall be visible and accessible for cleaning.</p> <p>The potable water supply shall be protected with a backflow or back siphonage protection device when required by applicable plumbing codes.</p> <p>Exposed piping of a non-potable water system shall be identified so that it is readily distinguishable from piping that carries potable water.</p>
Minor Violations	<ul style="list-style-type: none"> • Plumbing and plumbing fixtures are not installed in compliance with local plumbing ordinances, are not maintained to prevent contamination, are not fully operative, or in good repair. • A hose used for conveying potable water is used for a variety of other purposes, or it is not clearly labeled as to its use. • Floor sinks are not readily visible or accessible for cleaning. • Equipment discharging liquid waste into floor sink without required 1 inch minimum air gap. • Spray nozzle attached to a faucet at warewashing sink dangles below rim of sink. • Hose connected to mop sink faucet without a backflow prevention device.
Exceptions:	
Warewashing sinks in use prior to January 1, 1996 that are directly plumbed are not required to meet the current code requirement.	

42. Garbage and Refuse Disposal	
CalCode 114244 114245 114245(1-7) 114257	<p>All food waste and rubbish shall be kept in leak proof and rodent proof containers. Containers shall be provided and covered at all times.</p> <p>All waste shall be removed and disposed of as frequently as necessary to prevent a public health hazard or nuisance.</p> <p>The exterior of each food facility shall be kept clean and free of litter and rubbish.</p>
Minor Violations	<ul style="list-style-type: none"> • Waste receptacles not available for customers when needed. • Indoor trash storage area does not comply with requirements for floors, walls, ceilings, or vermin exclusion. • Outside waste storage area or enclosure is not constructed of nonabsorbent material or is not easily cleanable, durable, or sloped to drain. • Dumpster lids left open/broken/missing. • Refuse, recyclables, or returnable items are not kept in nonabsorbent, durable, cleanable, leak proof, and rodent-proof containers. • Outside refuse enclosure is not kept clean and free of debris. • Dumpsters are not removed or cleaned frequently enough to minimize the development of objectionable odors or conditions that attract or harbor insects or rodents. • Animal byproducts and inedible kitchen grease is not disposed of as required. • Cardboard stored outside creating a rodent harboring problem.
<p>Exceptions:</p> <p>Refuse containers inside a food facility do not need to be covered during periods of operation.</p> <p>Off-premises-based cleaning services may be used if on-premises cleaning implements and supplies are not provided.</p>	
<p>Notes:</p> <p>Facilities that compost shall dispose of compost as frequently as necessary to prevent the creation of a nuisance.</p>	

43. Restrooms Maintained, Supplied and Accessible	
CalCode 114250 114250.1 114276	<p>Toilet facilities shall be available, clean, in good repair, and stocked with hand soap and paper towels.</p> <p>Restroom doors shall be kept closed, well fitting, and provided with a self-closing device.</p> <p>Restrooms shall be provided and conveniently located and accessible for use by employees during all hours of operation.</p> <p>Toilet tissue shall be provided in a permanently installed dispenser at each toilet.</p> <p>Toilet facilities shall be provided for patrons in establishments offering on-site food consumption, or a food facility with more than 20,000 sq ft of floor space.</p>
Minor Violations	<ul style="list-style-type: none"> • Restroom converted to storage without Building Department approval. • Restroom is not maintained clean/sanitary. • Stall doors broken. • Self-closing device on restroom door is not working or door propped open. • Toilet paper dispenser broken. • Toilet paper not available in one of the stalls. • Restroom is not conveniently located and accessible to employees at all times the facility is in operation.
<p>Exceptions:</p> <p>A food facility built before Jan 1, 2004 with on-site food consumption and no customer restrooms shall post a sign in a public area stating that toilet facilities are not available.</p>	
<p>Notes:</p> <p>Food facilities located within amusement parks, stadiums, arenas, food courts, fairgrounds, and similar premises are not required to provide toilet facilities for employee use within each food facility if approved toilet facilities are located within 200 feet in travel distance of each food facility and are readily available for use by employees. Any food facility taking advantage of this allowance shall be provided with approved hand washing facilities for employee use. [114250.1 (a)]</p>	

44a. Premises Kept Free of Debris and Unused Equipment	
CalCode 114257 114257.1	<p>The premises of a food facility shall be kept clean, fully operative, and in good repair.</p> <p>The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.</p>
Minor Violations	<ul style="list-style-type: none"> • Unused equipment stored inside or outside of the facility. • Excessive litter observed outside in parking lot. • Unorganized and cluttered storage rooms.

44b. Appropriate Use of Equipment	
<p>CalCode 113953.1 (b-d) 114123 114125 114143 (a-b)</p>	<p>Handwashing, warewashing, and food preparation sinks shall not be used for the cleaning of maintenance tools, the preparation or holding of maintenance materials, or the disposal of mop water and similar liquid wastes.</p> <p>Open-air barbecues or outdoor wood-burning ovens shall be operated on the same premises as, in reasonable proximity to, and in conjunction with, a permanent food facility that is approved for food preparation and they shall be located in an area that will not constitute a fire hazard.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Employee observed dumping soiled mop water into the warewashing sink. • Handwashing sink or food preparation sink used for washing dishes.

44c. Mop Sink and Janitorial Area	
CalCode 114281 114282 114279	<p>A separate room, area, or cabinet shall be provided for the storage of cleaning equipment and supplies.</p> <p>Mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.</p> <p>At least one curbed cleaning facility or janitorial sink equipped with hot and cold water and drain shall be provided.</p>
Minor Violations	<ul style="list-style-type: none"> • Mop stored in mop bucket wringer. • Mop sink removed from facility.

44d. Employee Personal Items	
<p>CalCode 114256 114256.1 114256.2 114256.4</p>	<p>Employee lockers, employee personal storage areas, and areas designated for employees to eat and drink shall be located in an area that will prevent potential contamination of food, equipment, linens, and single-use articles.</p> <p>Lockers or other suitable facilities shall be provided for personal items.</p> <p>Dressing rooms or dressing areas shall be provided and used by employees if they regularly change their clothes in the facility.</p> <p>Medications in a food facility for employee use shall be labeled and stored in a designated storage area for personal items.</p> <p>First aid supplies in a food facility for employee use shall be identified with a legible manufacturer's label and stored in a kit or container located so as to prevent the potential for contamination.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Personal cell phone or car keys stored on food preparation table or shelf next to clean utensils. • Clothing/jackets stored among food and equipment. • Personal tooth brush and toothpaste stored near handwashing station in kitchen.
<p>Exceptions:</p> <p>Restricted food service facilities and nonpermanent food facilities shall not be required to comply with the above, but no person may store clothing or personal effects in any area used for the storage and preparation of food.</p>	

44e. Vermin and Animal Exclusion	
<p>CalCode 114259 114259.2 114259.3</p>	<p>A food facility shall be constructed, equipped, maintained, and operated to prevent the entrance and harborage of animals, birds, and vermin.</p> <p>Pass through window service openings shall be limited to 216 square inches each. The service openings shall not be closer together than 18 inches. Each opening shall be provided with a solid, or screened window, equipped with a self-closing device.</p> <p>Pass through windows up to 432 square inches are approved if equipped with an air curtain device. The counter surface of the service openings shall be smooth and easily cleanable.</p> <p>Insect control devices used to electrocute or stun flying insects shall be designed to retain the insect within the device.</p> <p>Insect control devices shall be located to prevent falling insects and insect fragments from falling on to food, food-contact surfaces, clean equipment, utensil, etc.</p>
<p>Minor Violations</p>	<ul style="list-style-type: none"> • Fly electrocution device installed over a food preparation table. • Front or back door to facility propped open with no screen door in place to prevent the entrance of flying insects. • Gap under/around back door greater than ¼ inch. • Window/door left open without air curtain on. • Holes in window screens. • Gaps in wall around plumbing.

Permanent Food Facilities	
45. Floor, Wall, and Ceiling Finishes	
CalCode 114143(d) 114266 114268 114268.1 114271 114272	<p>Each permanent food facility shall be fully enclosed in a building consisting of permanent floors, walls, and an overhead structure.</p> <p>The floor surfaces in all areas where food is prepared, packaged, or stored, where any utensil is washed, where refuse or garbage is stored, where janitorial facilities are located, and in all toilet and hand washing areas shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.</p> <p>Floor surfaces shall be coved at the floor-wall juncture with a minimum 3/8 inch radius coving and shall extend up the wall at least 4 inches, except in areas where food is stored only in unopened bottles, cans, cartons, sacks, or other original shipping containers.</p> <p>Except for dining and serving areas, the use of sawdust, wood shavings, peanut hulls, or similar materials is prohibited.</p> <p>The walls and ceilings of all rooms shall be of a durable, smooth, nonabsorbent, and easily cleanable surface.</p> <p>Mats and duckboards shall be designed to be removable and easily cleanable.</p> <p>If an open-air barbecue or outdoor wood-burning oven is a permanent structure, it shall be equipped with an impervious and easily cleanable floor surface that extends a minimum of five feet from the open-air barbecue or outdoor wood-burning oven on all open sides.</p>
Minor Violations	<ul style="list-style-type: none"> • Walls and/or floors in food preparation area are soiled with accumulated food debris and/or residues. • Worn/damaged flooring in facility. • Grout between floor tiles eroded. • Wall behind utensil/food preparation/handwashing sink is deteriorated due to water damage. • Dirt and dust buildup on ceiling vents. • Unapproved floor, wall, or ceiling materials in food preparation, warewashing, and/or open food storage area.

Exceptions:

A food facility that is not fully enclosed that was in operation on January 1, 1985 does not need to meet this requirement until the facility is remodeled, has a significant menu change, or significant change in its method of operation.

[114266 (a)]

Dining areas or any other operations approved for outdoor food service are not required to be enclosed. [114266 (b)]

A produce stand that was in operation prior to July 1, 2007 may have no more than one side open to the outside air during business hours. [114266 (c)]

Public and private schools constructed before July 1, 2007 need not comply with the floor and coving requirements provided the existing floor surfaces are maintained in good repair and in a sanitary condition. [114268 (c)]

The walls and ceilings in the following areas need not be of a durable, smooth, nonabsorbent, and easily cleanable surface. [114271, 114268]

1. Bar areas in which alcoholic beverages are sold or served directly to the consumers, except wall areas adjacent to bar sinks and areas where food is prepared.
2. Areas where food is stored only in unopened bottles, cans, cartons, sacks, or other original shipping containers.
3. Dining and sales areas.
4. Offices.
5. Restrooms used exclusively by the consumers (walls and ceilings need to be nonabsorbent and washable).

Notes:

Smooth, nonabsorbent, and easily cleanable acoustical paneling is acceptable if installed at least 6 feet above the floor and meets the above requirements.

[114271 (c)]

Conduits must be installed within walls and ceilings as much as practicable, and if not, they shall be mounted or enclosed to facilitate cleaning. [114271 (d)]

Attachments to walls and ceilings, such as light fixtures, mechanical room ventilation system components, vent covers, wall mounted fans, decorative items, and other attachments, shall be easily cleanable. [114271 (e)]

46. Living and Sleeping Quarters	
CalCode 114285 114286	<p>No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.</p> <p>Living or sleeping quarters located on the premises of a food facility shall be separated from rooms and areas used for food facility operations by complete partitioning. No door or other opening shall be permitted in the partition that separates the food facility from the living or sleeping quarters.</p>
Minor Violations	<ul style="list-style-type: none"> • Bedding materials observed in the food preparation or storage area of facility.
<p>Exceptions:</p> <p>Restricted food service facilities are exempt provided that no sleeping accommodations are in any area where food is prepared or stored.</p>	

Signs / Requirements	
47. Signs Posted as Required	
CalCode 113953.5 113978 114276(f)	<p>A sign or poster that notifies food employees to wash their hands shall be posted at all handwashing lavatories used by food employees, and shall be clearly visible.</p> <p>A food facility constructed before January 1, 2004 that has been in continuous operation since January 1, 2004 and that provides space for the consumption of food on the premises shall either:</p> <ul style="list-style-type: none"> • Provide clean toilet facilities in good repair for consumers, guests, or invitees in the food facility. • Prominently post a sign within the food facility stating that toilet facilities are not provided. <p>Food facilities shall have "no smoking" signs posted as required.</p>
Minor Violations	<ul style="list-style-type: none"> • Hand washing sign is not posted at hand washing sinks used by food employees.
Exception: <p>Hand washing signs are not required in toilet rooms used by guests only or in toilet rooms of restricted food service facilities.</p>	

Compliance and Enforcement	
47b. Placard Posted in Approved Location	
Sutter County Ordinance	<p>Upon completion of a routine, complaint, or re-inspection, the Environmental Health Specialist shall post a color-coded placard indicating the compliance status of the facility during the inspection.</p> <p>The placard must be posted:</p> <ul style="list-style-type: none"> • In the front window within five feet of the front door, or • In an outside display case within five feet of the front door, or • In a location approved by the Environmental Health Specialist to ensure proper notice to patrons and the general public.
Minor Violations	<ul style="list-style-type: none"> • Placard has been defaced, marred, or camouflaged. • Placard has been removed or relocated. • Something has been placed over the placard, effectively hiding it from the public.
<p>Note: Violations in this category may result in re-inspection and fees charged to facility.</p>	

Signs / Requirements	
47c. Inspection Report Availability	
CalCode 113725.1	<p>A copy of the most recent routine inspection report shall be maintained at the food facility and made available upon request.</p> <p>The food facility shall post a notice advising consumers that a copy of the most recent routine inspection report is available for review by any interested party.</p>
Minor Violations	<ul style="list-style-type: none"> • A copy of the most recent routine inspection report is not available.

Compliance and Enforcement	
48. Plan Review, Construction and Remodeling	
CalCode 114380	A person proposing to build or remodel a food facility shall submit building plans to Sutter County Environmental Health for approval before starting any new construction or remodeling.
Minor Violations	<ul style="list-style-type: none"> • Building plans for a new food facility, or plans for a minor remodel to an existing facility, have not been approved by Sutter County Environmental Health prior to beginning construction. • New equipment (e.g. walk-in refrigerator) added to facility without approval.
<p>Notes:</p> <p>Plans may be required due to the addition of new menu items requiring a change in the facility’s food preparation methods, equipment, or storage capacity previously approved by Sutter County Environmental Health.</p> <p>Structural and sanitation requirements are based on the food service activity to be conducted, the type of food prepared or served, and the extent of food preparation to be conducted at the food facility.</p>	

Permanent Food Facilities	
49. Permit Requirements	
CalCode 114067(b-c) 114381 114387	<p>A food facility shall not be open for business without a valid health permit.</p> <p>Any person who operates a food facility shall obtain all necessary permits to conduct business, including, but not limited to, a permit issue by the enforcement agency.</p> <p>The Permit to Operate shall be posted in a conspicuous place within the food facility.</p>
Minor Violations	<ul style="list-style-type: none"> • Food facility is open for business and does not have a valid Permit to Operate. • Permit to Operate is not posted in a conspicuous location. • Facility expands food service menu or seating in a manner requiring a permit upgrade but does not obtain it.
<p>Notes:</p> <p>Food facilities that operate without a valid permit shall be subject to closure and a penalty fee not to exceed three times the cost of the permit. [114387]</p> <p>For purposes of enforcement, the Environmental Health Specialist may, during the facility's hours of operation or other reasonable times, enter, inspect, issue citations to, and secure any sample, photographs, or other evidence from a food facility.</p>	

50. Impoundment**CalCode
114393**

Based upon inspection findings or other evidence, the Environmental Health Specialist may impound food, equipment, or utensils found to be unsanitary or in such disrepair that food, equipment, or utensils may become contaminated or adulterated.

51. Permit Suspension	
CalCode 114405	A Permit to Operate may be suspended or revoked by the enforcement officer for a violation of this part. Any food facility for which the permit has been suspended shall close and remain closed until the permit has been reinstated.

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facility. See #27
Protected from contamination.
See #27
Protected from cross-
contamination. See #27
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Space for storage. See #30a
Stored 6 inches off ground. See
#30a
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Food shall be inspected. See #13

G

Gloves
Proper use of. See #5b
Slash-resistant. See #5b
Use with cuts, sores. See #2

H

Hand sanitizer
Not properly applied. See #5a
Not when required. See #5a
Handwashing
At warewashing sink. See #34
Hair Restraints See #25
Hood. See Ventilation

I

Ice machines
Cleaning. See #14a
Improper use of
Handwashing, warewashing,
preparation sink. See #44b

J

Janitorial sink
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L

Lighting
Shatterproof. See #38
Linen
Clean. See #36
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M

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O

Open-air barbecues
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P

Packaged foods stored in ice or water. See #30b
Pass-thru windows. See #44e
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Requirement. See #35
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R

Rice scoop. See Multi-use utensils
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S

Scoops without handles. See #36
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T

Tableware
Preset. See #36
Temperature measuring device for warewashing machine. See #34
Thermometer. See #39
Toilet paper
Lack of (Major). See #22
Lack of (Minor). See #43

U

Utensils
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Utensils and equipment
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Operative, good repair. See #35

V

Ventilation. See #38

Vermin

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Presence in facility See#23

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W

Warewashing

Data plate. See #34

Equipment to measure sanitizer.

See #34

Water

Hot / Warm / Supplied. See #21

**SUTTER COUNTY DEVELOPMENT SERVICES
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