

ITEM 01

Source and Sound Condition of Foods

Purpose:

All foods must be free of chemical, physical or biological contamination that could cause illness or injury. The contamination may be intentional or unintentional and is typically identified through visual inspection of foods, records or policies. Adulterated foods must be immediately removed from service.

Most Common Violations:

- Commercially canned foods with a loss of vacuum and/or swollen canned foods
- Canned foods with rust that has penetrated completely or significantly into the container
- Severely dented canned foods
 - Damage that creates a “v-shaped” dent to any seams (top, bottom or side seam)
 - Damage that prevents free roll of the can on a flat surface
 - Damage that creates a crimp, crease or metal to metal contact anywhere on the can
- Foods contaminated with foreign objects, materials or pest activity
 - Broken glass in ice bin
 - Contaminated liquid (condensate, blood, etc.) dripping into uncovered foods
 - Insects observed in foods
 - Rodent droppings observed in foods
 - Packages of food that have been gnawed into by rodents
 - Aluminum foil dissolved into acidic foods
- The storage of cracked eggs for use in the establishment
- Moldy, rotten or spoiled fresh or processed foods
 - Mold present on fresh produce and dairy products that are stored in-use container
 - Soured dairy products
 - Dead fish or seafood (i.e. shellfish) intended to be stored and/or sold alive
- Homemade foods and/or foods from unlicensed, unregulated establishments
 - Home-canned preserves
 - Home-cooked desserts and pastries
- Inadequate documentation of foods
 - Shellfish tags not maintained for at least 90 days
 - Foods in storage without a label or identification and cannot be verified through sales receipts

Preventative Measures:

- Establish policies that address receipt, storage and handling of approved foods. These policies should include record keeping and distinct corrective actions if unapproved or adulterated foods are identified.
- Communicate and train food protection policies to staff.
- Ensure a quarantine location is established for adulterated foods awaiting vendor credit. This location should be clearly identified “Not For Sale” and be physically separate from wholesome foods or food equipment.
- Substitute aluminum foil with plastic or stainless material when foods are acidic.
- When acidic foods is being stored substitute plastic or stainless steel material for aluminum foil.
- Rotate perishable foods and inspect regularly for signs of spoilage or pest contamination
- Store foods in sealed, pest-proof containers.

Updates:

- Damaged food must be earmarked for return or discard by being stored in a container or on a shelf clearly marked for return/credit/discard, or not used.
- Jams, jellies, preservatives, honey, apple butter, etc. made and served within the food service establishment are allowed, except when hermetically (vacuum) sealed.
- Cracked eggs are allowed if adjacent to a grill or stove for immediate short order cooking; or used as an ingredient in a food and is cooked immediately.

ITEM 02

Original Container, Properly Labeled

Purpose:

Foods must be clearly and accurately labeled to help prevent mistaken identity and/or accidental cross-contamination. Of greatest concern are foods which may consist of allergens or may be easily mistaken for chemicals. Therefore, foods that cannot be easily identified must be accurately and legibly labeled by its common name.

Most Common Violations:

- Bulk oil, sugar, flour, cornmeal, etc. that have been removed from their original container and are not labeled by their common name.

Preventative Measures:

- Ensure containers are marked with a legible, accurate label.
- Store foods in the original package (with label intact) inside the bulk storage bin.

Updates:

- Labeling of seasonings on cook lines such as “Wok” stations and in dining areas is not required. The labeling requirement is for items in bulk storage.
- It is not a requirement for labeling of re-package meats when it will be cooked in the facility. However, for the purpose of trace backs, freshness and identification of the product we should encourage stores and restaurant to place their common name on the package.

ITEM 03

Potentially Hazardous Food Temperature Requirements During Storage, Preparation, Display Service and Transportation

Purpose:

Temperature abuse of potentially hazardous foods (PHF) is the leading cause of foodborne illness. Harmful bacteria require as little as 4 hours to contaminate potentially hazardous food if held at temperatures between 41° F and 140° F. Bacterial growth and subsequent contamination can be reduced or eliminated by practicing strict temperature control during receiving, storage, preparation, cooking, cooling, reheating and hot/cold-holding of PHF.

Most Common Violations:

- Temperature abuse of food due to product stored at ambient temperatures following receiving, preparation or cooling.
- Food in refrigerated storage with internal temperatures exceeding 41° F.
- Food left unattended at room temperature with internal temperatures exceeding 41° F.
- Food improperly thawing at room temperature with internal temperature exceeding 41° F.
- Food improperly cooked to minimum internal temperature.
- Food that have been cooled over 4 hours with internal temperatures measuring between 41°F and 140° F.
- Food reheated using hot-holding devices such as steam tables or crock pots.
- Food in hot or cold-holding measuring between 41°F and 140° F.

Preventative Measures:

- Establish policies and procedures to address temperature control at all levels of food storage, preparation and service.
- Use appropriate thermometers to monitor food temperatures daily; document temperatures and maintain records for at least 90 days.
- Immediately upon receiving, PHF should be refrigerated or used. Deliveries should NOT be scheduled during busy periods of operation.
- Refrigeration units must be of adequate size and capacity to effectively maintain product temperature below 41° F. Service units regularly, monitor temperatures daily, keep doors fully closed and door gaskets in good working condition, provide vented shelving to facilitate air-flow and store PHF in the coolest areas of the unit.
- Do not leave PHF unattended at ambient temperatures. Return PHF to temperature control immediately following preparation. Make use of ice baths when mixing or preparing cold PHF. Reduce the batch size during preparation of cold PHF and make use of pre-chilled ingredients when possible.
- Defrost or thaw foods in a manner that prevents temperature abuse. See Item 06 for more information.
- Cook raw animal foods to the following minimum internal temperatures for at least 15 seconds:
 - Seafood – 145°F
 - Beef (whole cuts) – 145°F
 - Pork (whole cuts) – 150°F
 - Ground products (excluding poultry) – 155°F
 - Poultry – 165°F
- Cool foods from 140° F to 41° F within 4 hours.
 - Use shallow, stainless steel pans in walk-in cooler/freezer with product depth at 2-3 inches.
 - Use an ice bath.
 - Use bags of ice and/or ice beds
 - Use ice wands.
 - Verify your cooling procedure periodically.
- Reheat foods using conventional cooking equipment only. Do not use hot-holding units to reheat.
 - Foods prepared (cooked-chilled) on location must be reheated to 165° F.
 - Commercially pre-cooked foods may be reheated to 140° F.
- Foods in hot holding must be 140° F or above; PHF in cold holding must be 41° F or below.
 - Ensure equipment is working properly before use.
 - Ensure food is at proper temperature before placing in hold station.
 - Stir foods often.
 - Cover foods with lids where appropriate.
 - Avoid overfilling or heaping foods in hot or cold holding.

Updates:

- The following is a list of foods that are considered potentially hazardous and must be maintained at 140° F or above or 41° F or below:
 - *Sliced* smoked sausage, *sliced* country ham, small portions of cream/milk in individual containers or pitchers, beans with meat or meat grease (lard) seasoning, boiled or baked potatoes including mashed potatoes, cottage cheese, nacho cheese, cheese spread if package is broken, whipped or melted butter, cream pies, wieners (hot dogs), “non-dairy” creamers if they contain caseinate (milk protein), block cheese if unwrapped or wax containment material is broken, grated potentially hazardous cheese (see cheese list for cheeses considered potentially hazardous), cooked rice, tofu and raw seed sprouts. Rev. 8-3-06.
- The following is a list of foods that may have ingredients that would qualify them as potentially hazardous foods but can be stored at room temperature:
 - Pecan, apple and blueberry pie, bread dough, commercial mayonnaise if not mixed with other ingredients, crisp fried bacon, margarine, hush puppy batter, and sliced pasteurized processed cheese, ultra high-temperature (UHT) pasteurized creamers; blocked or sliced butter, an air-cooled, hard-boiled egg with shell intact, or a shell egg that is not hard-boiled, but has been treated to destroy all viable salmonella. Rev. 11-25-02.
- Due to fast turnover rate, potentially hazardous foods that are ready to be served and will be served within 20 minutes are not required to be held in temperature. This would be considered a period of necessary

preparation. Rev. 11-25-02. (Note: Establishments wishing to participate in this activity must provide an approved written policy to the MPHD Food Protection Services.)

- Product internal temperatures are required when documenting PHF temperatures. Ambient air temperatures are not acceptable. If measuring liquid foods, do not stir or agitate the product prior to taking the measurement. When possible, measure temperatures at various locations within the product, documenting the temperature(s) closest to the temperature danger zone (41°F to 140° F). Rev. 8-3-06.
- Do not measure the temperature of banana pudding or other creamed desserts if they were prepared within the four hours previous to the inspection. (Note: Establishments wishing to participate in this activity must provide an approved written policy to the MPHD Food Protection Services.)
- Ready-to-eat food taken from a commercially processed, hermetically sealed container, or from an intact package from a food processing plant that is inspected by the food regulatory authority that has jurisdiction over the plant, shall be heated to a temperature of at least 140° F for hot holding. There are no reheating temperature requirements for these foods if served immediately. Rev. 10-16-06.

ITEM 04

Facilities to Maintain Product Temperature

Purpose:

Permitted establishments must be equipped with adequate facilities to maintain potentially hazardous foods in temperature during storage, hot & cold-holding, cooling, cooking and reheating. Both the volume of potentially hazardous food sales and tasks carried out by the establishment dictate the amount of refrigeration and/or cooking/heating equipment needed.

Most Common Violations:

- Failure of primary or secondary refrigeration units with inadequate back-up refrigeration units in use.
- Inadequate equipment to facilitate cool-down tasks for hot potentially hazardous foods.
- Inadequate cooking devices or reheating devices for potentially hazardous foods.
- PHF is stored at room temperature because the coolers are full.

Preventative Measures:

- Ensure all refrigeration, cooking and holding equipment is operating properly before use and/or at intervals throughout the day.
- Document unit temperatures periodically throughout the day.
- Have an emergency plan in place that address equipment failures such as:
 - Equipment repair person contact numbers.
 - Refrigeration emergency back-up contact numbers.
 - Corrective actions for the food
 - Potentially hazardous foods in storage or holding with an internal temperature of 54° F to 129° F should be discarded.
 - Potentially hazardous foods with an internal temperature between 42° F - 54° F and 130° F – 139° F should be immediately removed and apply rapid cooling or reheating procedures.

Updates:

- There are no updates at this time

ITEM 05

Thermometers Provided and Conspicuous

Purpose:

Working thermometers must be provided in all refrigeration units to facilitate temperature verification. All coolers and freezers must be equipped with thermometers designed to measure ambient temperatures. These thermometers must be conspicuously located in the warmest area of the refrigeration unit – typically near the door or opening to the unit.

Metal, stem-type, numerically scaled indicating thermometers for measuring the internal food temperatures must also be provided. These thermometers must be calibrated and accurate to within $\pm 2^{\circ}$ F. This may be accomplished using the ice-point or boiling-point methods of field calibration.

Most Common Violations:

- No thermometer present in all coolers and freezers
- Thermometer buried under or behind product and could not be located
- No food thermometer present for checking hot and cold PHF items

Preventative Measures:

- Install multiple ambient thermometers in large walk-in units
- Securely attach the thermometer to the door or lid of reach-in units susceptible to thermometer dislocation
- Attach thermometer with string to hinge of top-loading freezers. The thermometer will hang inside the unit and may be easily retrieved for verification.
- Ensure thermometers used are designed for foodservice ambient refrigeration

Updates:

- Thermometers used to take food temperatures must be calibrated according to manufacturers' recommendations.
- [Inspectors] Never accept the facilities thermometer temperature as official. Internal food temperatures must be verified and documented during the inspection.

ITEM 06

Potentially Hazardous Food Properly Thawed

Purpose:

Frozen potentially hazardous food must be thawed properly to prevent contamination. Contamination of primary concern may occur when foods are temperature abused during the defrost process. To ensure contamination does not occur, the internal temperature of potentially hazardous foods must not exceed 41° F unless cooking is used as part of the defrost process. This may be accomplished through the use of approved cooling methods described below.

Most Common Violations:

- PHF being thawed at ambient room temperature.
- PHF being thawed in standing water.
- PHF being thawed under warm running water
- PHF being thawed in equipment designed for hot holding.

Preventative Measures:

- PHF must be thawed by one of the 4 methods:
 - Under refrigeration. This process involves using a cooler that does not exceed 41° F ambient temperature which is the safest method to thaw foods from a frozen to refrigerated state.
 - Under cold running water.
 - The PHF must be under potable water with sufficient water velocity to agitate and float off loose particles into the overflow.
 - Once the product has thawed, it should be cooked immediately or placed in refrigeration.
 - Microwave – as part of a continual cooking, reheating for hot holding or reheating for immediate service.
 - Cooking – use of conventional cooking equipment only (i.e. oven, fryer, stove).

Updates:

- No updates provided at this time.

ITEM 07

**Unwrapped and Potentially Hazardous Food Not Reserved;
Cross-contamination prevented***

Purpose:

Unpackaged or potentially hazardous foods may only be served once. Re-service of these foods constitutes a health risk to consumers. *In TDA permitted locations, raw meats must be separated by species and away from ready-to-eat food products.

Most Common Violations (Restaurants):

- A potentially hazardous food being re-served to another customer
- Unpackaged foods being re-served to another customer
- Raw fruits and vegetables reserved, even if peeling is intact
- Butter, dressing or other unwrapped items served from one table and then transferred to another table

Most Common Violations (Markets):

- Raw meat not physically separated from ready-to-eat foods in storage or display
- Raw meat located above ready-to-eat foods in storage or display

Preventative Measures:

- Establish policies that address the re-service of potentially hazardous foods or unpackaged foods
- Establish policies that address storage and display of raw animal foods
- Communicate and train food protection policies to staff
- Make use of physical dividers when displaying raw potentially hazardous foods and ready-to-eat foods

Updates:

- Family-style service may be added to the food or drink on the table as long as there are customers at the table.
- Product packaging will not suffice as an approved physical barrier between raw animal foods and ready-to-eat foods. Physical dividers must be used between these products while in display or storage (Markets).

ITEM 08

Food Protection during Storage, Preparation, Service and Transportation

Purpose:

Foods must be protected from contamination such as dust, soil, splash and pests at all times during receipt, storage, preparation, service and transportation. Practices and/or equipment must be employed at all times to help ensure foods are protected from contamination.

Most Common Violations:

- Insect grid stored above food or food contact surfaces
- The peeling of sliced fruit or vegetable coming in contact with the edible product
- Raw animal food stored above ready-to-eat foods (TDH permitted establishments only)
- Storage of open and/or partially consumed drink container (whether approved or unapproved) above or next to food or food contact equipment
- Foods stored at ambient temperatures in unsealed containers
- Uncovered foods stored under refrigeration (Foods that are cooling or in-use are exempt)
- Sneeze guards not provided on self-serve or display foods
- Foods stored on the floor or ground

Preventative Measures:

- Establish policies that address food protection during receipt, storage and handling of all foods
- Communicate and train food protection policies to staff.
- Keep personal beverages stored in a solid container on a bottom shelf.
- Store all foods at least 6 inches off the floor.
- Keep dry foods sealed in a hard, covered container.
- Rotate perishable foods and inspect regularly for signs of spoilage or pest contamination.
- Store foods in sealed, pest-proof containers.

Updates:

- Plastic wrap may be used to cover stored foods provided the plastic forms an adequate seal around product
- Food is not required to be covered while cooling or other necessary periods of preparation
- Approved employee beverage containers shall not be placed above unprotected food or food contact surfaces (REV 3-31-03)
- Storage of open and/or partially consumed drink container (whether approved or unapproved) in a cooler, above or next to food or food contact equipment is an item #8 violation (REV 5-10-04)
- Electric insect grids must be installed in accordance with manufacturer recommendation. If manufacturer recommendation does not specify the number of feet that it should be away from food or food contact surfaces, then five (5') feet is to be the minimum.

ITEM 09

Handling of Food (Ice) Minimized

Purpose:

Ready-to-eat foods may become contaminated when handled with bare hands. To help reduce the potential for cross contamination resulting from bare hand contact, adequate utensils, gloves or other barriers should be incorporated where appropriate.

Most Common Violations:

- Foods handled with bare hands where it is an industry common practice to use a suitable utensils, tong, scoop, etc.
- Hands/fingers inadvertently contacting food when dispensing with utensil

Preventative Measures:

- Establish policies that address minimizing bare hand contact of ready-to-eat food
- Communicate and train food protection policies to staff
- Ensure adequate dispensing and preparation utensils are provided where necessary
- Provide a supply of disposable gloves at all times

Updates:

- During those processes when hands should not be in contact with food, the hands or fingers must be observed in contact with food before the violation may be debited.
- An Item 14 should be debited in the event an inappropriate utensil is used to dispense or prepare food and hands or fingers are not observed in contact with food.

ITEM 10

In Use, Food (Ice) Dispensing Utensils Properly Stored

Purpose:

Improperly stored in-use food utensils may result in contamination of food due to cross-contamination. In-use utensils are defined as those utensils currently in use for dispensing or preparing foods. In-use utensils must be stored in a manner that helps prevent contamination of food.

Most Common Violations:

- Dispensing utensil handle in contact with food
- Knife or dispensing utensil stored on unsanitary surface or between pieces of equipment
- Ice cream scoop stored in dip well with water off or FCS not fully submerged
- Utensil stored in standing water or sanitizing solution

Preventative Measures:

- Establish policies that address proper storage of in-use utensils
- Communicate and train food protection policies to staff
- Provide an adequate number of utensils
- Store in-use utensils:
 - In the food product with the utensils' handle extended out of the food; or
 - On a clean and dry food contact surface; or
 - In continuously running water. (Rule 1200-23-1-02(5)(i))

Updates:

- In-use utensils may not be stored in ice bathes
- In-use utensils may be store in water provided the water temperature is 140° F or above
- In-use utensil may not be store in sanitizer solution between use
- Utensils in food (ice) must be stored handle-up, on a clean non-absorbent surface, attached to a chain or in a holder attached to the equipment

ITEM 11

Personnel with Infections Restricted

Purpose:

Foods must be protected from potential contamination resulting from infected workers. No person, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound, or an acute respiratory infection, shall work in a food service establishment in any capacity in which there is a likelihood of such person's contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to other persons. (Rule 1200-23-1-.02(7)(a))

Most Common Violations:

- Employee present who is experiencing foodborne illness symptoms
- Employee present diagnosed with foodborne illness
- Employee present living with someone diagnosed with foodborne illness
- Employee present with exposed sore or infection on exposed surface of the hand or fingers

Preventative Measures:

- Establish an ill worker agreement policy that addresses reporting illness to establishment management. (An example document may be obtained from the Food Protection Services of the Metro Public Health Department.)
- Require all staff to read and sign agreement and keep on file
- Agreement should include illnesses symptoms such as:
 - Diarrhea
 - Fever
 - Vomiting
 - Jaundice
 - Sore throat with fever
 - Lesions containing pus on the hand, wrist or an exposed body part
- Medical diagnosis for exclusion should include:
 - Salmonellosis
 - Shigellosis
 - *E. coli* infection
 - Hepatitis A infection
- Observe staff for indications of foodborne illness such as frequent restroom visits
- Provide a supply of bandages and disposable gloves at all times

Updates:

- It is acceptable if infected area (sore) is covered with bandaging and further covered with a non-absorbent plastic or rubber glove
- Finger cots may be substituted for a glove if the infected area is on the finger only

ITEM 12

Hands Washed and Clean, Good Hygienic Practices

Purpose:

Employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices, during all working periods in food service establishments. (Rule 1200-23-1-.02(7)(h))

Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, and after smoking, eating, drinking, using the toilet and again upon returning to the kitchen area. (Rule 1200-23-1-.02(7)(c))

Most Common Violations:

- Evidence of smoking in food preparation areas such as burning cigarette, cigarette butts, or cigarette ashes in the kitchen.
- Preparing food and sneezing or coughing into hands without washing
- Handling of a raw food then a cooked or prepared food without first washing hands
- Touching body or face then food or clean food equipment without washing hands
- Preparing food or working in a food preparation area with a dirty Band-Aid or bandage or without being covered with non-absorbent plastic or rubber gloves
- Wiping hands on a cloth towel used for another purpose
- Storage of mops, mop bucket or floor mats in a three compartment sink
- Emptying mop water into a three compartment sink
- Drinking from an open container (container with no lid and straw) in any unapproved area
 - Example documentation: "Employee observed drinking from an open cup in the food preparation area."
- Employee wiping hands on dirty aprons
- Food employees not washing their hands between handling money and food/clean food equipment
- Dish washer, server or food employee not washing hands between handling soiled dishes and food/clean food equipment
- Eye wash station installed at a dish wash or food preparation sink
- Washing hands in *any* sink other than designated hand sinks
- Food preparation employees handling food or clean food equipment dirty fingernails that are not covered with a glove
- Putting gloves on unwashed hand(s) if there was need to do so

Preventative Measures:

- Establish hand washing and hygiene policies and communicate and train those policies to staff.
- Monitor hand washing practices through observation
- Encourage hand washing through positive reinforcement or acknowledgement of good hand washing practices when observed
- Designate types of acceptable beverage containers and storage locations for beverages
- Lead by example when washing hands by the following method:
 - Wet hands at designated hand sink
 - Apply hand soap and scrub fingers, hands and exposed areas of arm thoroughly
 - Rinse soap under running water
 - Dry hands on disposable towel
 - Entire process should take at least 20 seconds

Updates:

- In relation to smoking violations, an opened or unopened package of cigarettes, snuff or chewing tobacco is not a violation of Item 12
- Be aware hand sanitizers may not be used as a substitute for hand washing
- It will be acceptable for foodservice establishment employees to consume beverages in the food preparation area under the following conditions:
 - The beverage must have a closed lid
 - Beverages shall be consumed through a straw only
- Beverages may be consumed using single-use cups provided:
 - The cup is used only once then discarded after use
 - Hands are properly washed immediately following consumption
- If jewelry on the arms or fingers is obviously dirty or if food is collecting, take item 12 violation. See item 13

ITEM 13

Clean Clothes, Hair Restraints

Purpose:

Employees shall keep their fingernails clean and trimmed. The outer clothing of all employees shall be clean. Employees shall use effective hair restraints to prevent the contamination of food or food-contact surfaces. (Rule 1200-23-1-.02(7)(c)(d)(e))

Most Common Violations:

- Excessive jewelry on hands
- Foodservice worker's hair not restrained
- Foodservice workers with soiled outer clothing
- Foodservice worker handling food or clean food equipment with polished or artificial nails

Preventative Measures:

- Establish a work attire, hair restraint, nail maintenance and jewelry policy that is communicated to all food workers
- Monitor employee appearance
- Provide a supply of disposable gloves and hair restraints
- Provide a supply of clean outer clothing such as aprons or smocks for food workers

Updates:

- Hair nets are the *recommended* hair restraint. However, there are other acceptable methods such as: bands (pony tail), hats, scarves or any device or apparel preventing hair from falling into food or onto food contact surfaces.
- Food service employees who handle food or food contact surfaces shall keep their fingernails trimmed, filed and maintained so the edges and surfaces are cleanable and not rough. Wearing intact gloves may be used to correct the violation. Rev 4-6-99.
- Unless wearing intact gloves in good repair, a foodservice employee may not wear fingernail polish or artificial fingernails when working with food or handling food contact surfaces. Rev 4-6-99.
- While preparing food, employees may wear only one ring on each hand. See Item 12. Rev 12-08-00.

ITEM 14

Food (Ice) Contact Surfaces, Design, Construction, Maintained, Installed, Located

Purpose:

All food equipment and utensils, including plasticware, shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, buckling, pitting, chipping, and crazing. Food contact surfaces shall be easily cleanable, smooth and free of breaks, open seams, cracks, chips, pits and similar imperfections, and free of difficult-to-clean internal corners and crevices. (Rule 1200-23-1-02(b))

Most Common Violations:

- Enamel pots, pans, dishes, etc.
- Non-food contact rated plastic and other material
- Glass utensils used as food (ice) scooping devices
- Damaged woven wire strainers

- Garbage bags (non-food grade) used to store food. Unused clear or light gray garbage bags are acceptable
- Bus pans used for food contact
- Rust on any food contact surface
- Reuse of aluminum foil containers
- All food contact surfaces with open seams, cracks or chips that could collect food particles or dirt, are not acceptable
- Cracked ice scoop
- Can opener blades scored or chipped
- Broken utensils
- Chipped or broken glassware or plateware
- Cracked rolling pins
- Cutting board and tabletops with grooves, cuts and/or cracks
- Lubricating oil leaking from equipment (indication of damage seal or gasket)
 - Note: If the oil comes in contact with food then an item # 01 should be debited

Preventative Measures:

- Establish policies that address preventative maintenance of food contact surfaces
- Ensure all equipment used for food preparation and storage is made of food-grade material

Updates:

- Heavy and/or thick gauge plastic containers such as mayonnaise, pickle or relish jars are acceptable. Any plastic (food contact rated) container that will withstand the washing process (without becoming deformed or melted) is acceptable. Plastic containers that will melt during the washing process can melt when containing hot food and thus become an ingredient of threat food.
- Pressed paper drain trays (used in frying operations) are acceptable for use if discarded at the end of each shift or every 4 hours.

ITEM 15

Non-Food Contact Surfaces, Design, Construction, Maintained, Installed, Located

Purpose:

Surfaces of equipment not intended for contact with food, but which are exposed to splash or food debris or which otherwise require frequent cleaning, shall be designed and fabricated to be smooth, washable, free of unnecessary ledges, projections or crevices and readily accessible for cleaning, and shall be of material and in such repair as to be easily maintained in a clean and sanitary condition. (Rule 1200-23-1-02(b)(6))

Most Common Violations:

- Rough surfaces that would not promote easy cleaning
- Shelves, cabinets, tops of counters that are not water repellent and are easily damaged (chipping or breaking)
- Wooden shelves installed for packaged bulk food storage such as cases of canned green beans do not have to be painted. However, they must be maintained.
- Contact papers as a shelf liner not in good repair
- Aluminum foil, cardboard, newspaper, etc. used as a shelf or drawer liner
- Excessive ice or frost build-up in refrigeration or freezer units
- Damage to equipment seals or closures such as gaskets or lids
- Chipping paint on equipment
- Rusty shelves
- Any damage to a non-food contact surface
- Dish, food, hand or utility sinks not sealed to wall

- Ice chest for food or drink storage that is not continuously self-draininig

Preventative Measures:

- Establish policies that address preventative maintenance of non-food contact surfaces

Updates:

- Devices that are used to electrocute flying insects shall be designed to have escape-resistant trays.

ITEM 16

Dishwashing Facilities Design, Constructed, Maintained, Installed, Located, Operated

Purpose:

Dish washing facilities must be designed, maintained and operated in a manner that is conducive to effective cleaning and sanitizing of food equipment.

Most Common Violations:

- Dish sink set up with appropriate sanitizer but incorrect order of wash, rinse, sanitize.
 - If the dish sink is set up in the incorrect order with no sanitizer, then item # 20 would be marked.
- Food residue accumulated on the exterior or interior of the dish sink, dish machine or drain boards while the dishwashing is taking place
- Three compartment sinks without two drain boards or two movable dish tables, or a combination of the two
- Sinks and drain boards in poor repair
- Cracks in washing sinks or gap between drain board and dish machine
- Missing drain plugs in sinks
- Broken seams in sinks and automatic dish machines
- Dish machines with plugged jets in manifolds
- Excessive lime deposits on sinks and/or dish machines
- Dish machine skirts in poor condition
- Dish machine in-line pressure gauge registers less than 15 PSI or more than 25 PSI
- Eating utensils (forks, spoons, and knives) washed through the dish machine in a flat rack instead of a silverware rack. (Note: This would be acceptable if they were using this method as a pre-wash and placed in appropriate racks for the final wash)

Preventative Measures:

- Establish policies that address preventative maintenance, cleaning and operation of dish washing facilities and ensure those responsible for dish washing activities are well trained in these policies

Updates:

- It is acceptable for a clean and sanitized three compartment sink to be used as a food preparation sink. However, it shall be adequately cleaned and sanitized prior to being used within the two operations.
- Group Day Care Homes (GDCH) may use a two-compartment sink or residential dish washer provided a separate container is used for sanitizing.
- It is acceptable to dry cleaned and sanitized equipment on a rack above the three-compartment sink. Rev 6-1-04

ITEM 17

Accurate Thermometers, Chemical Test Kits Provided, Gauge Cocks (1/4" IPS valve)

Purpose:

Appropriate and calibrated instruments must be provided to ensure accurate measures of key processes such as dish machine temperatures, sanitizer concentrations and dish machine water pressure.

Most Common Violations:

- Dish machine thermometers inoperable, inaccurate or damaged
- Sanitizer test strips not provided for sanitizer solutions

Preventative Measures:

- Ensure dish machine thermometers and pressure gauges are in good working order.
- Provide a supply of fresh sanitizer test strips at all times

Updates:

- Single-tank, stationary-rack, door- type dish machines and spray-type glass machines that use chemicals for sanitizing do not require a 1/4 " IPS valve for checking the flow pressure of the final rinse water.
Rev 3-8-99

ITEM 18

Pre-flushed, Scraped and Soaked

Purpose:

Equipment and utensils shall be flushed or scraped and, when necessary, soaked to removed gross food particles and soil prior to being washed in a dishwashing machine operation. Equipment and utensils shall be placed in racks, trays or baskets, or on conveyors in a way that food-contact surfaces are exposed to the unobstructed application of detergent wash and clean rinse waters and that permits free draining. (Rule 1200-23-1-.02(d)(6))

Most Common Violations:

- Employee observed not removing heavy food residue from food equipment prior to washing in dish machine or dish sink
- Food residue remaining on equipment following the final rinse step of the dish washing

Preventative Measures:

- Establish policies that address proper manual and mechanical cleaning of food equipment and ensure those responsible for dish washing activities are well trained in these policies

Updates:

- No updates provided at this time.

ITEM 19

Wash, Rinse Water Clean, Proper Temperature

Purpose:

Equipment and utensils shall be thoroughly washed in the first compartment with hot detergent solution that is kept clean. Equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment (Rule 1200-23-1-.02(c)(4)(ii-iii))

Machines (single-tank, stationary-rack door-type machines and spray-type glass washers) using chemicals for sanitization may be used provided that the temperature of the wash water shall not be less than 120° F and the water shall be kept clean. (Rule 1200-23-1-.02(7))

Machines using hot water for sanitizing may be used, provided that wash water and pumped rinse water shall be kept clean and the water shall be maintained at not less than the temperatures stated in Rule 1200-23-1-.02(d)(8)(i-v).

Most Common Violations:

- Manual dish sink set up and in use with cold or dirty wash/rinse water
- Chemical sanitizing dish machine providing wash water that is below 120° F
- High temperature dish machine providing wash water that is below 140° F
- Establish policies that address proper manual and mechanical cleaning of food equipment and ensure those responsible for dish washing activities are well trained in these policies

Updates:

- No updates provided at this time.

ITEM 20

Sanitizing Rinse: Clean, Temperature, Concentration, and Exposure Time; Equipment, Utensils Sanitized

Purpose:

All food equipment must be properly sanitized to prevent cross-contamination. Manual and mechanical sanitizing equipment shall be operated in accordance with Rule 1200-23-1-.02. Sanitizer solutions must remain clean, in proper temperature and concentration at all times while in use. Hot water sanitizing systems must meet minimum temperature requirements in Rule 1200-23-1-.02(c-d).

Most Common Violations:

- Dish sink or low-temp dish machine in operation with sanitizer concentration below minimum standards
- High-temp dish machine final rinse measuring below 160° F at the equipment surface
- Dish sink in use with dirty sanitizer solution in third basin
- Dish sink set up and in use with only wash water and rinse water present
- Equipment not fully submerged for at least 1 minute in manual chemical sanitizer solutions
- Dishes removed from dish machine before the completion of all automatic cycles

Preventative Measures:

- Establish policies that address proper manual and mechanical cleaning of food equipment and ensure those responsible for dish washing activities are well trained in these policies
- Ensure automated sanitizing equipment is properly calibrated
- Manual sanitizer solutions must be:

- 50-200 ppm chlorine
- 150-300 ppm quaternary ammonium
- 12.5-25 ppm iodine
- Fully submerge all dishes into sanitizing solution for at least one minute
- Ensure all food equipment surfaces reach 160°F during the rinse cycle of high-temperature dish machines
- Ensure water temperature of chemical sanitizing solutions is at least 75°F or within the sanitizer manufacturer's guidelines
- For manual hot-water sanitizing operations, ensure the sanitizer rinse water is at least 170°F and equipment is immersed for at least 30 seconds
- Closely follow the test strip manufacturer's instructions when checking chemical sanitizer solutions

Updates:

- Approved sanitizers and concentrations are listed in Appendix B of the regulations
- If the concentration exceeds maximum levels in chlorine-based sanitizers, a violation 41 would occur. Rev 6-1-04.
- For quaternary based sanitizers, many factors alter the reading on QT-10 testing strips such as water temperature above 75°F, water pH higher than 7.5 or inaccurate testing methods. Therefore, the QT-10 test strips should only be used as an indicator of the presence of sanitizer and NOT an indicator of a toxic level of the solution. DO NOT take an item 41 violation of quaternary sanitizers. Rev 6-1-04
- Swabbing of large, non-mobile stationary equipment and utensils too large for submersion with an approved chemical sanitizing solution of a least twice the strength required for that particular sanitizing solution is acceptable.
- Pay particular attention to operations data plate on machines. Chemical sanitizing machines operate less than 160°F during the final rinse.
- To obtain an accurate temperature reading, mercury-filled thermometers shall be held or supported in an upright position by using a basket, racks or attached to outside of glasses, cups, etc.
- Soft-serve machines must be broken down and washed, rinsed and sanitized daily. Machines such as dispensing freezers that meet NSF Standard #6 are exempt from daily cleaning. These machines must have an automatic cycle that pasteurizes the ingredients and will cease to operate if the machine is not broken down and cleaned (washed, rinsed and sanitized) with fourteen (14) consecutive days of operation. Taylor machines that meet NSF Standard #6 include: Model #'s 5472 HT, 8634 HT, 8784 HT, H 60, H 63, H 71, H 84, PH 61, PH 64, PH 85, PH 90. Rev 12/1/98
- Supply lines that dispense potentially hazardous foods must be sanitized daily either by manually breaking down the fixture or by acceptable Cleaning In Place method.

ITEM 21

Wiping Cloths Clean, Use Restricted

Purpose:

Wiping cloths used for cleaning or sanitizing surfaces must be used and stored in a manner that does not promote cross-contamination. In-use wet cloths must be stored in appropriate sanitizer solution between uses. Dry wiping cloths should be stored in dirty cloths bin after use. Adequate clean towel supply is required if dry-cloth method is used. Clean, dry wiping cloths must be stored in clean areas protected from contamination.

Most Common Violations:

- Wet wiping cloth stored outside of sanitizer solution between use
- Soiled dry wiping cloth not stored in dirty cloths bin/container
- Sanitizer solution concentration below acceptable levels
- Sanitizer solution heavily soiled

Preventative Measures:

- Establish policies that address proper use of wiping towels

- Establish a sanitizer fill system that addresses appropriate concentration levels of all sanitizer types being used
- Conveniently locate sanitizer solutions to facilitate storage of in-use towels
- Change sanitizer solutions as often as necessary to keep solutions clean and at proper concentration levels

Updates:

- Do not confuse the storage requirement of wiping cloths with storage of linens addressed in item #44.
- The storage of the container of sanitizer solution for wiping towels with food or food contact surfaces should not be debited.

ITEM 22

Food Contact Surfaces of Equipment and Utensils Clean, Free of Abrasives, Detergents

Purpose:

Food contact surfaces are those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip or splash back onto surfaces normally in contact with food. To prevent cross-contamination, kitchenware and food contact surfaces of equipment shall be washed, rinsed and sanitized after each use and following each interruption of operations during which time contamination may have occurred. (Rule 1200-23-1-.02(9)(a))

Unusual Food Contact Surfaces:

- Inside microwave oven
- Inside reach-in prep cooler with uncovered food present
- Inside bread pans
- Under surface of dirty shelf:
 - Covered container of food underneath the dirty shelf – mark Item 22
 - Uncovered container of food underneath dirty shelf – mark Item 08 and Item 22
- Highchair trays
- Grill hood if over and/or drips onto food or food contact surfaces

Preventative Measures:

- Establish policies that address cleaning frequencies of food contact surfaces and train staff according to policy
- Establish cleaning schedules consistent with codes that include all food contact surfaces

Updates:

- Refer to food contact surface definition when determining whether a surface is food contact
- Unless excessive, carbon buildup on the inside of baking pans or other cooking utensils is not considered a violation.
- Scouring powder residue on food contact surfaces is considered a violation
- Steel wool particles on food contact surfaces are considered a violation
- Scrubbing compound residue on food contact surfaces is considered a violation

ITEM 23

Non-Food Contact Surfaces of Equipment and Utensils Clean

Purpose:

Non-food contact surfaces include any surface found inside the establishment that does not meet the definition of food contact surface or physical facilities (floors, walls, ceilings and attachments). Non-food contact surfaces of equipment shall be cleaned as often as necessary to keep the equipment free of accumulation of dust, dirt, food particles and other debris. (Rule 1200-23-1-.02(9)(a)(5))

Most Common Violations:

- Soil and/or mold present on cooler's door gaskets
- Heavy soil accumulated on storage shelves
- Old soil accumulated in bottom of reach-in coolers
- Sides of cooking equipment soiled

Preventative Measures:

- Establish policies that address cleaning frequencies of non-food contact surfaces and train staff according to policy
- Establish cleaning schedules consistent with codes that include all non-food contact surfaces

Updates:

- Due to the subjectivity of this violation, discretion should be incorporated when interpreting cleanliness of non-food contact surfaces. When noting this violation use descriptive terms such as excessive, old, encrusted, heavy, etc. Avoid debiting this violation for "working debris" unless clearly excessive.

ITEM 24

Storage, Handling of Clean Equipment/Utensils

Purpose:

Clean food equipment shall be handled and stored in a manner that protects food contact surfaces from contamination. (Rule 1200-23-1-.02(9)(e-f))

Most Common Violations:

- Clean food containers stored upright/uncovered
- Clean food pans wet-nested
- Clean dishes or utensils stored on towels, cloth, paper or other absorbent material
- Clean food equipment in storage where food contact surfaces are in contact with unsanitary surfaces
 - Note: "In-use" equipment stored on unsanitary surfaces is an item # 10
- Clean silverware stored with handles not unidirectional and/or presented to worker or consumer
- Clean food equipment stored in restroom
- Clean food equipment stored on the floor/ground
- Clean cutting boards stack horizontally with water collected between boards
- Any clean item stored in an unsanitary manner

Preventative Measures:

- Establish policies that addresses handling and storage of clean food equipment and train staff according to policy
- Ensure adequate storage space for clean equipment to spread out for proper air drying

Updates:

- No updates available at this time

ITEM 25

Single Service Articles, Storage, Dispensing

Purpose:

Single service articles are cups, lids, plates, knives, forks, spoon, stirrers, paddles, straws, napkins, wrapping materials, toothpicks and similar articles intended to be used for one-time, one-person use and then to be discarded. These articles must be stored and dispensed in a sanitary manner.

Most Common Violations:

- Cups stored upright/uncovered
- Box of single service articles stored on floor
- Single service articles stored in contact with unsanitary surfaces (e.g. bowls inverted on a dirty shelf)
- Plastic forks, knives or spoons with handles not unidirectional and/or presented to worker or consumer
- Single service articles stored in restroom

Preventative Measures:

- Establish policies that addresses storage and dispensing of single service articles and train staff according to policy
- Ensure adequate and safe storage space for clean all single service articles
- When possible, keep single service articles in their original packaging and/or covered in plastic
- Ensure single service article dispensers are designed and maintained to prevent contamination

Updates:

- Single service articles presented to customers by employees do not have to be wrapped.

ITEM 26

No Reuse of Single Service Articles

Purpose:

Single service articles are cups, lids, closures, plates, knives, forks, spoon, stirrers, paddles, straws, napkins, wrapping materials, toothpicks and similar articles intended to be used for one-time, one-person use and then to be discarded. These articles must be discarded following single use.

Most Common Violations:

- Re-using aluminum foil
- Single-service articles being washed for re-use

Preventative Measures:

- Establish policies that addresses proper use of single service articles and train staff according to policy
- Ensure adequate and safe storage space for clean all single service articles

Updates:

- Reuse of aluminum pans should be marked as an item # 14
- Using a plastic spoon, etc. to dispense sugar into a coffee cup, etc. may be used until there is a necessity for it to be washed. In this case it must be discarded.

ITEM 27

Water: Source, Safe, Hot and Cold Under Pressure

Purpose:

Enough potable water for the needs of the food service establishment shall be provided from a source constructed and operated according to law. Any food service established provided with water from any source other than approved public water public supply shall have a bacteriological test at least annually or as often as necessary by the Commissioner.

All potable water not provided directly by pipe to the food service establishment from the source shall be transported in a bulk water transport system and shall be delivered to a closed-water system.

Bottled or packaged potable water shall be obtained from a source that complies with all law and shall be handled and stored in a way that protects it from contamination. Bottled or packaged potable water shall be dispensed from the original container.

Water under pressure at the required temperatures shall be provided to all fixtures and equipment that use water. (Rule 1200-23-1-.02(10) (a-d)

Most Common Violations:

- Faucets or sprayer hoses that do not provide water to all compartments of a ware washing sink
- Water line(s) cut off under sink
- Damage faucet(s) that cannot be turned on by hand, conveniently available tool or by other acceptable means
- Any sink without hot ($\geq 90^{\circ}\text{F}$) or cold water where required
- Slow running faucet(s) without adequate pressure
- Water too hot for hand washing ($> 120^{\circ}\text{F}$)
- Water too cold for effective hand washing ($< 90^{\circ}\text{F}$) Rev 5/08/01
- Absence of current acceptable water bacteriological analysis (non-community supplies)

Preventative Measures:

- Ensure adequate and safe water supply at all times of operation
- Establishment must cease operations immediately if water supply is interrupted

Updates:

- Although it is recommended, utility sinks do not require hot water
- Vegetable sinks and sinks used as dump stations do not require hot water. Rev 1-23-03
- Any water supply acceptable to the Department of Environment and Conservation is acceptable
- Evidence of hot water ($\geq 90^{\circ}\text{F}$) should be provided within 20 seconds. If no hot water detected during the normal procedure, turn faucet on full force. If after 20 seconds water is not warm, take an item 27 violation. Rev 9-20-00.

ITEM 28

Sewage and Waste Water Disposal

Purpose:

All sewage, including liquid waste, shall be disposed of by a public sewerage system or by a sewage disposal system constructed and operated according to law. Non-water-carried sewage disposal facilities are prohibited, except as authorized for mobile food units. (Rule 1200-23-1-.02(10)(f))

Most Common Violations:

- Wastewater being discharged from a waste water drain pipe onto the floor or surface of the ground
- Container used to collect waste water from a leaking sink trap that is overflowing onto the floor
- Waste in toilet that cannot be removed by flushing
- Commode or urinal overflowing onto floor
- Commode floor seal leaking
- Disposal of mop water onto the ground surface
- Malfunctioning floor drains
- Overflowing septic system onto top of ground
- Open septic tanks
- Excessive waste water leaking from outside garbage or grease storage bin
- Water leaking from ceiling into kitchen area

Preventative Measures:

- Ensure adequate sewage disposal at all times of operation
- Establishment must cease operations immediately if sewage is backed up onto floor or ground
- All areas effected by sewage backup must be thoroughly cleaned with a 50/50 bleach water solution or the equivalent before operation may resume
- Place a container temporarily underneath a leaking waste water drain in order to collect all liquid until a permanent repair can be made

Updates:

- Do not mark Item 28 when condensation lines from ice machines, refrigeration units, air conditioners and/or soft drink machines are draining outside onto the surface of the ground. However, excessive moisture may increase pest activity which could warrant a violation Item 35.
- In the event sewage is backed up inside the facility and the area of contamination may be blocked from any foot traffic, the operation may close off that area and remain open for business.

ITEM 29

Plumbing Installed, Maintained

Purpose:

Plumbing shall be sized, installed and maintained according to law. (Rule 1200-23-1-.02(10)(g))

Most Common Violations:

- Potable water systems leaking
- Any obvious plumbing problem not related to sewage and waste water
- Ice storage bins and dipper well drains without an air gap but not directly connected
- Condensation drain not plumbed to an appropriate drain (floor or sink hub)
- No backflow prevention device installed on threaded faucet with no water hose connected
 - Note: If faucet has no backflow prevention device and a water hose is connected, it is an item # 30

Preventative Measures:

- Ensure all potable water fixtures area designed and maintained properly

Updates:

- No updates at this time

**ITEM 30
Cross Connection, Back Siphonage, Backflow**

Purpose:

Improper plumbing installation or maintenance may result in potential health hazards such as cross-connection, back siphonage or backflow. These conditions may result in the contamination of the water supply, food utensils and equipment, in the creation of obnoxious odors or nuisances, and may adversely affect the operation of equipment such as dishwashing machines, garbage grinders and other equipment which depend on sufficient water volume and pressure to perform their intended functions.

Definitions:

Cross Connection – Any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water and the other contains water of unknown or questionable safety, or steam, gases, or chemicals whereby there may be a flow from one system to the other. No physical cross connection shall be permitted between public or private water distribution systems containing contaminated or polluting substances.

Backflow – The flow of water or other liquids, mixtures or substances into the distributing pipes of a potable supply of water from any source or sources other than its intended source. Back siphonage is a type backflow.

Back Siphonage – Backflow resulting from negative pressure in the distributing pipes of a potable water supply.

Air Gap (potable water systems) – The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of the receptacle. A proper air gap is calculated as twice the diameter of the discharge pipe. Discharge pipes less than one inch diameter require a minimum one inch air gap. This diameter only applies to water supply inlets.

Air Gap (waste water systems) – The unobstructed vertical distance through the free atmosphere between the lowest opening from any waste water pipe and opening or rim of the downstream receptacle. A proper air gap is calculated as twice the diameter of the discharge pipe. Discharge pipes less than one inch diameter require a minimum two inch air gap.

Flood Level Rim – The edge of the receptacle from which water overflows.

Air Break – A piping arrangement where the drain from a fixture or device discharges indirectly into another fixture, such as a floor sink or hub drain but does not meet the definition of an air gap.

Most Common Violations:

- A hose connected on a faucet that supplies potable water that is not equipped with a vacuum breaker
- Vacuum breaker installed upstream from the last cut off valve
- Water faucets or other fixed water inlets to equipment without proper air gap or vacuum breaker
- Ice storage bins, dipper well drains directly connected to sewage lines
- Dish sink or food prep sink with no air gap on drainage system
- Pop-off valve lines on water heaters without an air gap
- Atmospheric vacuum breakers installed upside down. Rev 5-8-01

- Atmospheric vacuum breakers installed horizontally.
- Water leaking from the backflow prevention device (vacuum breaker)

Preventative Measures:

- Ensure all potable water fixtures area designed and maintained properly
- Install working vacuum breakers on all water hoses

Updates:

- Air gaps on dish sinks are not required if a separate food preparation sink is provided. Sinks that are directly connected may not be used for food preparation.
- Use the following procedure to identify the need for a vacuum breaker on all spray hoses located at commercial dishwashing facilities (NSF approved or equivalent):
 - Take the hose loose from where it is hanging and let it hang freely
 - Verify the nozzle is above the flood rim by at least one inch
 - If the nozzle is below the flood rim, a vacuum breaker is required
- Use the following procedure to identify the need for a vacuum breaker on spray hoses located on non-commercial, "home-style" sinks ONLY:
 - If the spray hose will operate WITHOUT the sink faucet being turned on, require a vacuum breaker Rev 2-19-99.

ITEM 31

**Toilet & Hand Washing Facilities
Number, Convenient, Accessible, Designed, Installed**

Purpose:

Toilet facilities shall be installed according to law, shall be the number required by law, shall be conveniently located, and shall be accessible to employees at all times. (Rule 1200-23-1-.02(10)(m)(1))

Most Common Violations:

- Pots and pans in the hand sink
- Food in the hand sink
- Any situation preventing access to the hand washing facilities (This does not mean movable tables or other equipment or conditions that can be easily moved or corrected to gain access.)
- Hand sink located adjacent to food, food equipment or food contact surfaces with no splash guard provided
- Split faucets
- Metered faucets that do not hold for at least 15 seconds
- Hand sink that is temporarily or permanently out of service or removed without approval
 - Note: Out of service hand sink resulting from fresh water failure is an item # 27
 - Note: Out of service hand sink resulting from waste water failure is an item #28
- Establishment with no operable restroom (and/or hand sink) for employees
- Establishment constructed or extensively altered after July 1, 1986 l with > 16 seats without a restroom facilities for each sex for the use of patrons

Preventative Measures:

- Use hand sinks for hand washing only
- Keep hand sinks accessible at all times
- Install adequate splash guards where necessary
- Relocate food or hand sinks to provide an appropriate space barrier

Updates:

- In restrooms with no hand sink, it is acceptable to install a hand sink on an outside wall or vestibule provided hand washing can be accomplished without going through a food preparation area.
- Establishments with 16 or fewer seats are not required to provide public restrooms.

ITEM 32

Toilet Rooms: Enclosed, Self-closing Doors; Fixtures: Good Repair, Clean; Hand Cleanser, Sanitary Towels/Hand Drying Devices Provided; Proper Waste Receptacles

Purpose:

Adequate, sanitary toilet facilities are necessary for the proper disposal of human waste and the prevention of the spread of disease by insects, clothing, hands and other means. Facilities that are kept clean and of a sanitary design help promote positive attitudes toward sanitary practices among guests and employees.

Most Common Violations:

- Louvered doors leading into restroom
- Restroom door not self-closing and tight-fitting
- Commode cover or toilet bowl broken
- Soap/towels not provided at hand sink
- Hand sink cracked or broken but still operational
- Mechanical hand drying device not working
- Soiled fixtures in restroom
- Covered trash container not provided in female restroom. If container is available in each toilet area, then each must be covered.

Preventative Measures:

- Establish a cleaning/stocking schedule for all restrooms

Updates:

- If toilets have an entrance vestibule with a self-closing and tight-fitting door, each toilet door does not have to be self-closing or tight fitting.
- An enclosed establishment in a mall setting is required to provide restroom facilities according to the rules and regulations.
- Bar, powder or liquid soap is acceptable.
- At least one covered trash container must be provided in the all female restrooms.
- Sinks or fixtures not adequately sealed to wall is an item # 15
- If the mechanical hand drying device is not working, but paper towel available, do not take a violation

ITEM 33

Containers or Receptacles: Covered, Adequate Number, Insect/Rodent Proof, Frequency, Clean

Purpose:

Garbage and refuse shall be kept in clean, durable, easily cleanable, insect-proof and rodent-proof containers that do not leak and do not absorb liquids. Containers used in food preparation and utensil washing areas shall be kept covered when not in use and after they are filled. (Rule 1200-23-1-.02(10)(o)(1))

Most Common Violations:

- Dumpster lids/doors open or drain plug removed
- Plastic or paper garbage bags stored outside or in open dumpsters
- Garbage stored in cardboard boxes

Preventative Measures:

- Establish a routine cleaning and maintenance policy for all trash containers
- Schedule garbage pick-up at frequencies that prevent overfilled waste receptacles

Updates:

- Dumpster drains are not required; however, if dumpster has a drain, plugs must be place.
- Observe handles of trash containers (if applicable) for cleanliness
- Item 33 addresses waste receptacles specifically. See item 34 for all areas around waste receptacles.
- The dumpster for cardboard recycling does not have to be closed/covered unless food waste is present

ITEM 34

Outside Storage Area Enclosures Properly Constructed, Clean, Controlled Incineration

Purpose:

Outside storage areas or enclosures shall be large enough to store the garbage and refuse containers that accumulate and shall be kept clean. Garbage and refuse containers, dumpsters and compactor systems located outside shall be stored on or above a smooth surface of nonabsorbent material such as concrete or machine-laid asphalt that is kept clean and maintained in good repair. (Rule 1200-23-1-.02(10)(o)(2)(iii))

Most Common Violations:

- Debris on ground around outside dumpster
- Dumpster/grease bin not on approved dumpster pad
- Dumpster pad not constructed from hard, impervious material
- Dumpster pad in poor repair
- High weeds/grass around dumpster areas

Preventative Measures:

- Establish a routine cleaning and maintenance policy for all trash containers
- Schedule garbage pick-up at frequencies that prevent overfilled waste receptacles
- Ensure dumpsters and grease bins are positioned on approved pads

Updates:

- Any incineration process used as a means of garbage and waste or refuse disposal must have the approval of the Division of Air Pollution Control before it can operate.
- Item 34 addresses all areas around waste receptacles addresses waste receptacles specifically. See item 33 for violations related specifically to dumpsters.

ITEM 35

Presence of Insects/Rodents; Outer Openings Protected, No Birds, Turtles, Other Animals

Purpose/Rule:

Effective measures intended to control the presence of rodents, flies, cockroaches and other insects on the premises shall be utilized. The premises shall be kept in such condition as will prevent the entry, harborage or feeding of insects or rodents. (Rule 1200-23-1-.02(10)(p)(1)(iii))

Most Common Violations:

- Evidence of rodent activity, live cockroaches, or excessive fly activity
- Openings to the outside from around doors, windows, pipes, equipment, conduit, etc.
- Doors leading outside that are not self-closing and/or left opened
- Non-functioning air screens.
- Service windows left open after customer is served

Preventative Measures:

- Ensure interior and exterior physical facilities are in good repair and free of pest entry sites
- Keep moisture and soil removed to help reduce pest breeding areas
- Consult with and/or employ a reputable pest control firm to address existing or potential pest opportunities
- Store waste and garbage away from restaurant entrances and in sealed, covered containers
- Keep moisture, debris and vegetation removed from exterior of building

Updates:

- An opening is defined as any space ¼” or larger which leads from indoors to outside. Openings that allow a standard pencil to pass through constitute a violation.
- Animals. Live animals, including birds and turtles, shall be excluded from all areas of the food service operational premises under control of the permit holder, unless upon proof of the installation of an adequately engineered forced air exhaust system. Exclusion does not apply to edible fish, crustacean, shellfish, or to fish in aquariums.
- Guide dogs in training accompanied by their trainer, patrol dogs under the control of law enforcement personnel while performing their official duties, and service dogs accompanying physically disable or hearing impaired persons are acceptable. See TCA 62-7-112.
- Do not require self-closing doors on outside storage buildings.
- Any observed live cockroach activity is an Item 35. Dead cockroaches are debited as a non-critical violation.
- Any evidence of rodent activity is considered an Item 35.
- Screening shall not be less than 16-mesh to the inch.
- Exhaust fan openings must be protected by screens or louvered panels when not in operation
- Storage buildings or covered/walled areas that house any food must be vermin proof.

ITEM 36

Floors Constructed, Drained, Clean, Good Repair, Covering Installation, Dustless Cleaning Methods

Purpose/Rule:

Floors shall be constructed, maintained and cleaned in a manner that is in compliance with Rule 200-23-1-.02(11)(a)(1-7).

Most Common Violations:

- Old or excessive soil or debris buildup on the floor
- Damage floor surfaces
- Cover removed from floor drain
- Coving at floor/wall juncture greater than 1/32"
- Concrete floor that are unsealed
- Carpet located in areas where food or food equipment is handled or stored

Preventative Measures:

- Establish a cleaning and maintenance policy that addresses floors
- Communicate policies to appropriate staff

Updates:

- Baseboards are considered the floor and should be marked as an Item # 36 when applicable.
- Applicable violations associated with walk-in coolers/freezers and storage room floors should be marked as an Item # 36.
- Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the floor.

ITEM 37

Walls, Ceilings, Attached Equipment, Constructed, Good Repair, Clean Surfaces, Dustless Cleaning Methods

Purpose/Rule:

Walls, ceilings and attached equipment shall be constructed, maintained and cleaned in a manner that is in compliance with Rule 200-23-1-.02(11)(b)(1-6).

Examples of Attached Equipment:

Compressor outside of walk-in units
Fan(s) and/or covers attached to walls
Light fixtures attached to ceilings or walls
Wall vents
Ceiling fans
Conduit and other pipes on walls or ceilings
Air conditioning units

Most Common Violations:

- Old or excessive soil or debris buildup on the walls or ceiling

- Damage wall or ceiling surfaces
- Excessive dust accumulated on intake or exhaust vents
- Peeling paint chips
- Missing or damage ceiling tiles
- Loose or exposed insulation in walls or ceiling
- Filters removed from exhaust hood
- Light fixtures in poor repair
 - Note: If it is the shield that is affected then it should be an item # 38

Preventative Measures:

- Establish a cleaning and maintenance policy that addresses walls and ceilings
- Communicate policies to appropriate staff

Updates:

- “Walls” include those walls located within walk-in coolers/freezers, restrooms and commode stalls.
- “Ceilings” include those ceilings located in walk-in coolers/freezers and restrooms.

ITEM 38

Lighting Provided as Required, Fixtures Shielded

Purpose/Rule:

Permanently fixed artificial light sources shall be installed to provide adequate, protected lighting in all work areas, storage areas, dish washing areas, and lavatory and toilet areas. Rule 200-23-1-.02(11) (d) (1-2).

Most Common Violations:

- Missing or broken lights in walk-in coolers/freezers
- Missing or broken lights in storage rooms
- Obvious inadequate lighting in the above required locations
- Lights located above food or food preparation areas that are not fully shielded
- Lights that are not properly covered with end-caps
- Shields that are cracked

Preventative Measures:

- Establish a maintenance policy that addresses lighting
- Communicate policies to appropriate staff

Updates:

- No updates at this time

ITEM 39

Rooms and Equipment Vented as Required

Purpose/Rule:

All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall be installed and operated according to law and, when vented to the outside, shall not create an unsightly, harmful or unlawful discharge. Rule 200-23-1-.02(11)(e).

Most Common Violations:

- Exhaust hood not working or turned off during the cooking process
- No exhaust hood above equipment that produce heat-laden vapors
- Obnoxious odors, vapors or fumes present

Preventative Measures:

- Establish a maintenance policy that addresses ventilation

Updates:

- No updates at this time

ITEM 40

Rooms Clean, Lockers Provided, Facilities Clean, Located

Purpose/Rule:

If employees routinely change clothes within the establishment, rooms or areas shall be designated and used for that purpose. These designate rooms or areas shall not be used for food preparation, storage or service, or for utensil washing or storage.

Enough locker or other suitable facilities shall be provided and used for the orderly storage of employee clothing and other belongings. Lockers or other suitable facilities may be located only in the designated dressing rooms or in the food storage rooms or areas containing only completely packaged food or packaged single-service articles. Rule 200-23-1-.02(11)(f).

Most Common Violations:

- Employee clothing or personal articles located in food preparation areas or areas where foods are exposed
- Eye glasses, car keys, cell phone, cigarettes, etc. located on food prep table
- Radio in contact with food contact surface

Preventative Measures:

- Designate areas for the storage of employee articles that is in compliance with the above Rule.
- Ensure staff area aware of designated storage locations for personal articles

Updates:

- Allow storage of employee's personal items in the food preparation, storage, and service areas as long as they are stored separately from food, food contact surfaces, and single service areas. If stored above food items, we need to ensure that item is not or does not contain a toxic item.

ITEM 41

Toxic Items Properly Stored, Labeled, Used

Purpose/Rule:

To help prevent contamination of food or food contact surfaces, only those toxic chemicals necessary for foodservice operation shall be permitted. These chemicals must be stored in a manner that does not present a contamination risk to food or food equipment. They must be clearly, accurately and legibly identified with common name. They must be used appropriately and within the required concentrations. Rule 1200-23-1-.02(11)(g)(1-5).

Most Common Violations:

- Foods being cleaned or rinsed in a dish machine
- Intermittent insect sprayers shall not be located within twelve (12) feet, if labeled directions do not specify a minimum distance, from any food contact surface, preparation, storage or food serving area.
- Personal care chemicals (medication, lotion, etc.) stored inappropriately
- Dish machine or dish sink in use with sanitizer concentration above acceptable limits
 - Note: This only applies to dish machines and/or sinks that use chlorine sanitizers
- Toxic chemicals without common name labels or is illegible
- Toxic chemicals stored with food, food equipment, single-service articles or food prep tables
- Food stored in container that originally contained toxic chemicals
- Unapproved pesticides located within the establishment
- Approved pesticides stored with cleaning supplies

Preventative Measures:

- Establish appropriate storage locations for all chemicals on premises
- Ensure correct labeling is present on all chemicals
- Train staff on the appropriate handling and use of all chemicals
- Keep only those chemicals necessary for foodservice operation available

Updates:

- Only detergents, rinse additives and/or sanitizers may be stored on the wash side of a three-compartment sink or stored on/or above attached appurtenances on the wash side of a three compartment sink or dish machine.
- Detergents, rinse additives and/or sanitizers may be physically attached for use to the top of the dish machine if so designed by the manufacturer. Rev 12-23-02.
- Category II shall only include detergents, sanitizers, drying agents and related chemicals used for washing, rinsing and sanitizing equipment, food contact surfaces, kitchenware, tableware, linens, cloths, uniforms, aprons, window, etc. Rev 5-08-01.
- Medicines may be stored in the refrigerator in a locked leak-proof container.
- Wiping cloth containers are not required to be labeled.
- In-use sanitizer solutions are not considered a toxic item.
- Fly bait located outside of the establishment is not a violation.
- Filter powder is not considered a toxic item.
- Personal care items including herbs must not be stored above unprotected food or on food or food contact surfaces. Rev 5-08-01.

ITEM 42

Premises Maintained Free of Litter, Unnecessary Articles, Cleaning Maintenance Equipment Properly Stored Authorized Personnel

Purpose/Rule:

Food service establishments and all parts of property used in connection with their operations shall be kept free of litter. The walking and driving surfaces of all exterior areas of food service establishments shall be surfaced with concrete or asphalt, or with gravel or similar material effectively treated to facilitate maintenance and minimize dust. Only articles necessary for the operation and maintenance of the food service establishment shall be stored on the premises. The traffic of unnecessary persons through the food-preparation and utensil-washing areas is prohibited. Rule 1200-23-1-.02(11)(h)(1).

Maintenance and cleaning tools such as brooms, mops, vacuum cleaners and similar tools shall be maintained and stored in a way that does not contaminate food, utensils, equipment or linens and shall be stored in an orderly manner for the cleaning of that storage location. Rule 1200-23-1-.02(11)(h)(5).

Most Common Violations:

- Cleaning surface of mop or broom stored on the floor
- Water pooling on outside driving surfaces
- Unnecessary equipment present inside or outside of establishment
- Trash/litter on the ground of the establishment's property

Preventative Measures:

- Store all maintenance equipment appropriately
- Keep outside grounds free of potholes that may hold standing water

Updates:

- There are no updates at this time.

ITEM 43

Complete Separation from Living/Sleeping Quarters, Laundry

Purpose/Rule:

No operation of a food service establishment shall be conducted in any room used as living or sleeping quarters. Food service operations shall be separated from any living or sleeping quarters by complete partitioning and solid, self-closing doors.

Laundry facilities in a food service establishment shall be restricted to the washing and drying of linens, cloths, uniforms, and aprons necessary to the operation. If such items are laundered on the premises, an electric or gas dryer shall be provided and used.

Rooms shall be provided for laundry facilities except that such operation may be conducted in storage rooms containing only packaged foods or package single-service articles Rule 1200-23-1-.02(11)(h)(2-3).

Most Common Violations:

- Cot and bedding in storage rooms and/or food preparation areas
- Laundry facilities located in food preparation or ware washing area

Updates:

- In group daycare homes kitchen and restroom areas are designated as the food service establishment.

ITEM 44

Clean, Soiled Linen Properly Stored

Purpose/Rule:

Clean linen shall be stored in a clean place protected from contamination until used.

Soiled linens shall be stored in nonabsorbent containers or washable laundry bags until removed for laundering. Rule 1200-23-1-.02(11)(h)(2-3).

Most Common Violations:

- Clean linen stored in or on dirty shelves or surfaces
- Clean linen stored on floor
- Clean linen stored in absorbent containers such as cardboard boxes

Preventative Measures:

- Establish a linen storage policy and communicate that policy to staff

Updates:

- Some examples of linen are aprons, tablecloths, uniform coats, shirts and pants.
- Wiping cloths are not considered linen. See item # 21 for wiping cloth violations.

ITEM 45

Current Permit Posted

Purpose:

Approved food service establishments are issued a food permit that must be publicly displayed at all times.

Most Common Violations:

- Expired permit posted
- Entire permit not displayed in plain view of the public
- Invalid permit posted

Preventative Measures:

- Keep the most current food permit posted in prominent view of the public.

Updates:

- Current permit shall be posted where the greatest number of customers can view it before they eat.

ITEM 46

Most Current Complete Inspection Report Posted

Purpose:

Complete inspections with scores are issued throughout the year. It is the responsibility of the establishment to keep the most recent inspection report cover page displayed at all times to the public. Inspection report including comment forms must be readily available and provided to the general public if so requested.

Most Common Violations:

- Entire cover sheet of most recent inspection report not posted in plain view of the public
- Most recent inspection report comments documents not available

Preventative Measures:

- Keep the most current food inspection report posted in prominent view of the public and all other inspection related documents available at all times.

Updates:

- The most current inspection shall be posted where the greatest number of customers can view it before they dining.