

CODIFIED ORDINANCES OF SPRINGFIELD

PART SEVENTEEN - HEALTH CODE

TITLE ONE - Foods and Food Products

Chap. 1711. Food Establishments.

Chap. 1715. Meat and Meat Products.

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CHAPTER 1711
Food Establishments

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CROSS REFERENCES

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Food service operations - see HLTH. Ch. 1717

1711.01 DEFINITIONS.

(a) "Food establishment" means any place whether temporary or permanent, stationary or mobile, or whether it be considered public, semi-public or private, where food or drink is prepared, processed, manufactured, packaged, stored, served, sold or offered for sale. Provided that the following places are not included: homes containing what is commonly known as the family unit and their nonpaying guests; food service operations as defined in Ohio R.C. 3732.01; dairy plants, meat plants, slaughter houses, abattoirs and food-processing and food-manufacturing establishments which are under regulatory authority of the State

and/or Federal Government.

(b) "Board of Health" means the Board of Health of the Springfield City Health District as created by the provisions of Ohio R.C. 3709.02 and 3709.05 and Chapter 159 of the Codified Ordinances of the City.

(c) "Health Commissioner" means the person occupying the office in the Springfield City Health District which is created by Ohio R.C. 3709.11 and 3709.14 and Chapter 137 of the Codified Ordinances of the City.

(d) "Mobile food establishment" means one which may be moved from one location to another without significant alteration of the structure or equipment.

(e) "Food product" means any raw, cooked or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.

(f) "Bulk food product" means processed or unprocessed food in aggregate containers from which individual quantities are withdrawn for the consumer.

(g) "Equipment" means items other than utensils used in the storage, preparation, display and transportation of food such as stoves, ovens, hoods, slicers, grinders, mixers, scales, meat blocks, tables, food shelving, reach-in refrigerators and freezers, sinks, ice makers and similar items used in the operation of food establishments.

(h) "Utensils" means and includes any food-contact implement used in the storage, preparation, transportation or dispensing of food and food products.

(i) "Food-contact surfaces" means those surfaces of equipment and utensils with which food normally comes into contact, and those surfaces from which food may drain, drip or splash back onto surfaces normally in contact with food.

(j) "Unwholesomeness" means adulteration as defined in Ohio R.C. 3715.59.

(k) "Corrosion-resistant materials" means those materials that maintain acceptable sanitary surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and sanitizing solutions, and other conditions of the use environment.

(l) "Easily cleanable" means that surfaces are readily accessible and made of material and finish and are so fabricated that residue can effectively be removed by normal cleaning methods.

(m) "Hermetically sealed container" means that container which is designed and intended to be secure against the entry of microorganisms and will maintain the commercial sterility of its contents after processing.

(n) "Packaged" means bottled, canned, cartoned, bagged or securely wrapped.

(o) "Operator" means any person, partnership, corporation, association, or other legal entity operating a food establishment within the jurisdiction of the City Health District.

(p) "Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea or other ingredients, including synthetic ingredients, and which is in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

(q) "Permit" means that document issued by the Board of Health which authorizes the operation of a food establishment within the jurisdiction of the City Health District. (Ord. 89-20. Passed 1-10-89.)

1711.02 COMPLIANCE PROCEDURES; PERMIT TO OPERATE.

(a) No person, partnership, corporation, association or other legal entity shall operate a food establishment in the Springfield City Health District without a permit from the Board of Health. Such permit shall be displayed in a conspicuous place in the food establishment.

(b) Prior to conducting a food establishment operation in the City Health District, every person, partnership, corporation, association or legal entity shall procure a permit to operate a food establishment from the Board of Health and shall renew the permit on or before the first day of July each year. If a permit fee is not received by the licensor on or before the date it is due, an additional processing fee of twenty-five percent (25%) of any such fee shall be imposed and paid. However, a seasonal food establishment as determined by the Board of Health, that operates no longer than forty-five consecutive days a year may obtain or renew a permit at any time before it begins operation of a food establishment during the calendar year.

(c) An annual permit fee shall be levied upon each food establishment for the purpose of enforcing and paying the expense of inspections. The permit fee for a food establishment is defined as follows:

<u>Permit Description</u>	<u>Fee</u>
(1) Seasonal food establishments (mobile or stationary, selling fruits and vegetables), operating no more than thirty consecutive days in a calendar year.	\$ 30.00
(2) Food establishments selling pre-packaged, nonperishable food only.	30.00
(3) Food establishments selling all prepackaged food items, including perishable foods.	52.50
(4) Carnival and/or fair operations and roadside stands (mobile or stationary) operating within the City for no more than thirty consecutive days and which are not covered under Ohio R.C. 3732.01, selling confections as such: cotton candy, snow cones, candy apples, popcorn, sugar waffles, peanuts, soft ice cream, etc.	30.00
(5) Non-seasonal food establishments selling fruits and vegetables.	52.50
(6) Food establishments that package or dispense candy, peanuts, ice cream and other confectionery items.	52.50
(7) Warehouses storing packaged food and/or beverages for distributing.	35.00

	<u>Permit Description (Cont.)</u>	<u>Fee</u>
(8)	Wholesale fruit and produce distributors.	\$ 52.50
(9)	Food establishments of less than 2,500 square feet, selling all food items, including the packaging and handling of various raw food products.	75.00
(10)	Food establishments of 2,500 square feet or more, selling all food items, including the packaging and handling of raw food products.	150.00
(11)	Beverage plants and all general bakeries.	150.00
(12)	Non-profit organizations, churches, schools, fraternal or veteran organizations selling products for five or more consecutive days or not more than fifty-two times per year.	7.50

(d) If an operator in one category becomes involved in the sale or production of products from a higher category, the latter shall take precedence.

(e) The following operations are exempt from the provisions of this chapter:

- (1) Milk-bread routes, when base of operations, where the product is placed in the vehicle, has been certified as inspected by the Health Department.
- (2) Food services whose entire operation and management is regulated by the State of Ohio or by another state.
- (3) Non-profit organizations, churches, schools, fraternal or veteran organizations selling products less than five consecutive days or less than fifty-two times per year.

(f) Each food operation at separate locations or at the same location, but leased or owned by different operators require separate permits.

(g) Suspension of permit. The Health Commissioner or an authorized representative may, upon written notice, without prior warning, notice, or hearing, suspend the permit to operate a food establishment, within the jurisdiction of the City Health District, if the operation constitutes an imminent hazard to the public health, such as an extended loss of water supply, adulterated foods, an extended power outage or sewage back-up into the establishment. When the permit is suspended, the food establishment shall suspend operations immediately.

(h) Revocation of food establishment permit.

- (1) The Board of Health of the City Health District may, after providing the operator of a food establishment an opportunity for a hearing, revoke a permit for:
 - A. Violations as denoted in Section 1711.02(g); or
 - B. Repeated violations of this chapter, found in consecutive inspections; or
 - C. Interference with the Health Commissioner or an authorized representative in the performance of his duty.
- (2) Before revocation, the Health Commissioner shall notify the holder of the permit to operate the food establishment, or the person in charge, in writing, of the reasons for which such permit is subject to revocation. The permit to operate the food establishment shall be revoked at the end of the ten days following service of such notice unless a written request for a

hearing is filed with the Board of Health by the holder of the permit within such ten-day period. If no request for a hearing is filed within the ten-day period, the revocation of the permit to operate the food establishment becomes final.

(i) **Service of notice.** A notice provided for in this section is properly served when it is delivered to the holder of the permit to operate, the person in charge, or when it is sent by registered or certified mail, with return receipt requested, or posted on the premises of the food establishment. A copy of the notice shall be filed in the record of the City Health Department.

(j) **Hearings.** A hearing, as provided for in this section, shall be conducted by the Board of Health at a time and place so designated by the Board of Health. Any oral testimony given at a hearing shall be reported verbatim, and the Board of Health shall make provisions for sufficient copies of the transcript of such hearings. The Board of Health of the City Health District shall make a final decision based upon the complete hearing record and shall sustain, modify or rescind any notice or orders considered in the hearing. A written report of the final decision of the Board of Health, including the reason(s) for such decision, shall be furnished to all interested parties within ten days after date of hearing.

(k) **Application of permit reinstatement.** Whenever a permit to operate a food establishment within the City Health District has been revoked, the holder of such permit may make written application to the Board of Health for a new permit as provided for in Section 1711.02(b).

(l) **Before approving an application to operate a food establishment within the City Health District, the Health Commissioner, or an authorized representative, shall inspect the proposed food establishment to determine compliance with all provisions of this chapter. (Ord. 89-20. Passed 1-10-89.)**

1711.03 CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES.

(a) **Floor Construction.**

- (1) Floors and floor coverings of all food preparation, food storage and warewashing areas, and floors of all walk-in refrigerators, dressing rooms, employee locker rooms, toilet rooms and vestibules, shall be constructed of smooth durable materials such as sealed concrete, terrazzo, quarry tile, ceramic tile, durable grades of vinyl or plastic tile or tightfitting wood impregnated with plastic, and shall be maintained in good repair.
- (2) Floors which are water flushed or receive discharge of water or other fluid wastes or are in areas where pressurized spray methods are used for cleaning, shall be provided with properly installed trapped drains. Such floors shall be constructed of sealed concrete, terrazzo tile, quarry tile, ceramic tile or similar materials and shall be graded to drain. All other floors shall be so constructed as to provide for the juncture between walls and floor to be covered with no more than a 1/32 inch (0.8mm) open seam.

(b) **Floor Carpeting.** Carpeting, if used as a floor covering, shall be of closely woven construction, properly installed, easily cleanable and maintained in good repair. Carpeting shall not be used in food preparation and warewashing areas, in food storage areas or in toilet areas where urinals or fixtures are located.

(c) **Prohibited Floor Coverings.** Sawdust, wood shavings, granular salt, baked clay,

diatomaceous earth or similar materials shall not be used as floor coverings; however, these materials may be used in amounts necessary for immediate clean-up of spills or drippage on floors.

(d) Mats and Duckboards. Mats and duckboards shall be of nonabsorbent, grease resistant materials, and shall be of such design and construction to facilitate cleaning and shall be maintained in good repair.

(e) Utility Line Installation. Exposed utility service lines and pipes shall be installed so as not to obstruct or prevent cleaning of the walls and floors. Installation of exposed horizontal utility service lines and pipes on the floor are prohibited.

(f) Walls and Ceilings. All walls, wall coverings and ceilings of refrigeration units, food preparation areas, warewashing areas, toilets and their vestibules shall be constructed of smooth nonabsorbent, and easily cleanable materials. Concrete or pumice blocks and bricks used for interior wall construction in these locations shall be finished and sealed so as to provide a smooth easily cleanable surface.

(g) Attachments and Covering Materials.

- (1) Light fixtures, vent coverings, wall mounted fans, decorative materials and similar attachments to walls and ceilings shall be easily cleanable and shall be maintained in good repair.
- (2) Walls and ceiling covering material shall be attached and sealed in such a manner so they may be easily cleanable.

(h) Cleaning Physical Facilities. Cleaning of floors, walls and ceilings shall be done as often as necessary. Only dustless methods of cleaning floors, walls and ceilings shall be used. Floors, mats, duckboards, walls, ceilings, attachments, and decorative material shall be kept clean at all times.

(i) Service Sinks. At least one service sink or curbed cleaning facility with floor drain shall be provided and used for cleaning of mops and similar wet floor cleaning tools and for the disposal of mop water or similar liquid cleaning waste water. Handwashing or warewashing facilities, or food preparation sinks shall not be used for this purpose.

(j) Lighting.

- (1) Permanently fixed artificial light sources shall be installed so as to provide at least twenty foot candles of light on all food preparation surfaces and at warewashing work levels.
- (2) Permanently fixed artificial light sources shall be so installed as to provide, at least a distance of thirty inches (762 mm) of light from the floor, and at least twenty foot candle (215 lux) of light in all sales areas, utensil and equipment storage areas, handwashing and toilet areas; and at least ten foot candles (108 lux) of light in walk-in refrigeration units, dry food storage areas, and all other areas.

(k) Protective Shielding.

- (1) All lighting located over or within food storage, food preparation, food display facilities and where utensils and equipment are cleaned and stored shall be shielded, coated or otherwise provided with shatter proof shielding devices or materials.

- (2) Infrared or other heat lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed.

(l) Ventilation. All rooms of a retail food establishment shall be properly ventilated and kept free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall be installed and operated so the discharge of intake and exhaust air shall not create nuisances and will be maintained to prevent the entrance of dust, dirt, insects and other contaminating materials.

(m) Dressing Rooms and Locker Areas. Rooms shall be provided and designated as employee dressing areas and lockers or other suitable facilities shall be provided and used for the orderly storage of employee clothing and other personal effects. This room shall be separated from all food preparation areas.

(n) Poisonous and Toxic Materials.

- (1) Only those poisonous or toxic materials necessary and intended for the maintenance of the food establishment, including the cleaning and sanitization of equipment and utensils, and the control of insects and rodents, shall be present in food establishments, except those items being stored and/or displayed for sale to the consumer or other persons.
- (2) Containers of poisonous and/or toxic materials necessary for operational maintenance of food establishments shall be prominently and distinctly labeled in accordance with all federal, state and local requirements. Small working containers of bulk cleaning agents shall be individually labeled for easy identification of contents.
- (3) Insecticides, rodenticides, detergents, sanitizers, and related cleaning or drying agents, and caustics, acids, polishes and other chemicals, shall be stored, located or displayed so they are physically separated from each other and shall be stored, located or displayed in such a manner so they are not intermingled with food, food products, equipment, utensils, or single-service articles, except detergents, sanitizers and sanitizers intended for warewashing facilities may be stored for convenient use.
- (4) Sanitizers, cleaning compounds or other compounds intended for use on food-contact surfaces shall not be used in any way that leaves a residue on such surfaces, nor in any way that constitutes a hazard to employees or other persons.
- (5) Poisonous or toxic materials shall not be used in any way that contaminates food, food products, equipment or utensils, or in any way other than specified in the manufacturer's labeling.

(o) Storage and Display of Materials for Sale. Poisonous or toxic materials stored or displayed for sale shall be separated from food, food products and single-service articles by spacing, partitioning or dividers, nor shall they be stored or displayed above food, food products or single-service articles.

(p) First-Aid Supplies and Personal Medications. Food establishment employee first-aid supplies and personal medications shall be stored in a way that prevents contamination of food, food products and food-contact surfaces.

(q) Premises.

- (1) Food establishments and all parts thereto of the premises used in connection with the operation of the establishment shall be free from litter and other articles not essential to the operation or maintenance of the establishment.
- (2) Walkways and driving surfaces of all exterior areas of food establishments shall be surfaced with concrete, asphalt or other suitable material to facilitate maintenance and minimize dust. These surfaces shall be graded to facilitate drainage.

(r) Living Areas. No operation of a food establishment shall be conducted in any room used as living or sleeping quarters. All food establishment operations shall be separated from any living or sleeping quarters by complete partitioning and/or solid self-closing doors.

(s) Laundry Facilities.

- (1) Food establishments providing laundry facilities within the building shall be restricted to the washing and drying of linens and work clothes used only in the operation of the establishment. Where such articles are laundered on the premises, an electric or gas dryer shall be provided and used.
- (2) Separate rooms shall be provided for laundry facilities, away from storage rooms containing food, food products, packaged and single-service articles.
- (3) Clean laundered work clothes and linens, including articles such as clean wiping cloths shall be stored in a clean place and protected from contamination until used.
- (4) Soiled work clothes, linen and articles such as soiled wiping cloths shall be kept in nonabsorbent containers or washable laundry bags until removed for laundering and shall be stored to prevent contamination of food, food products, food equipment and utensils.

(t) Cleaning Equipment and Storage. Maintenance and cleaning tools such as brooms, mops, vacuum cleaners and similar equipment shall be maintained in good repair and stored in such a way that prevents contamination of food, food products, single-service articles, utensils, equipment or linens and facilitates cleaning of the storage location.

(u) Animals. Live animals shall be excluded from within all food establishments, with the exception of edible fish, crustacea, shellfish and fish in an aquarium.

- (1) Live or dead fish bait shall be stored separately from food and food products.
- (2) Patrol dogs accompanying security or police officers shall be permitted in offices, storage areas and outside establishment premises. Sentry dogs may be permitted to run loose in outside fenced areas for security reasons. Guide dogs accompanying blind persons shall be permitted in sales areas.
- (3) While on duty, persons employed in the food operational areas of a food establishment shall not care for or handle any pets or patrol or sentry dogs.
(Ord. 89-20. Passed 1-10-89.)

1711.04 HEALTH OF EMPLOYEES.

(a) No employee of a food establishment, while infected with a communicable disease, boils, infected wounds or acute respiratory infection shall work in a food establishment in any capacity in which there is the possibility of contamination of food, food products or food-contact surfaces, or the spread of pathogenic organisms to other persons.

(b) Employees engaged in food preparation and warewashing operations shall thoroughly wash their hands and exposed portions of their arms with soap or detergent and warm water before beginning work; after smoking, eating or using the toilet; before and after handling raw meat, or poultry or raw seafood; and as often as is necessary during working hours to keep them clean. Employees shall keep their fingernails trimmed and clean.

(c) Employees of food establishments shall wear clean clothing and use effective hair restraints where necessary to prevent the contamination of food and food-contact surfaces.

(d) Employees shall maintain personal cleanliness and shall conform to good hygienic practices at all times during working hours. Employees shall not consume food or use tobacco products in areas other than those so designated for such activities.

(e) When there is reasonable cause to suspect possible disease transmission from any food establishment employee, the Health Commissioner may secure a morbidity history of the suspected employee, or make any other investigation indicated and shall take appropriate action. The Health Commissioner may require:

- (1) The immediate exclusion of the employee from employment in all food establishments;
- (2) The immediate closing of the food establishment concerned until, in the opinion of the Health Commissioner, no further danger of disease outbreak exists;
- (3) Restriction of the employee's service to some area of the food establishment where there is no danger of transmitting disease;
- (4) Adequate medical and laboratory examination of the employee, or other employees, and the body discharges of such employees.
(Ord. 89-20. Passed 1-10-89.)

1711.05 APPROVAL OF PLANS AND EQUIPMENT.

(a) Before the construction or remodeling of a food establishment and whenever an existing structure is converted for the use of a food establishment, detail plans and specifications of such construction, major remodeling or conversion must be submitted to the Ohio Department of Agriculture and the City Board of Health for review and approval. When plans are submitted to the Board of Health, these plans shall be acted upon within thirty days after date of receipt.

(b) All plans and specifications submitted to the Board of Health shall clearly confirm that all provisions of this chapter can be met adequately. All plans and specifications shall include:

- (1) The type of operation proposed and foods and food products and other items to be prepared and/or offered for sale to the general public for their use or human consumption;
- (2) Total area to be used for the food establishment operation;
- (3) All locations within the establishment where food or food products are to be prepared, stored or displayed;
- (4) All entrances and exits;
- (5) Location, number and types of plumbing fixtures, including all water supply and toilet facilities;
- (6) All plans of lighting, both natural and artificial, with foot-candles indicated for critical areas;

- (7) All floor plans showing the general layout of fixtures and other equipment;
- (8) Building materials and surface finishes to be used; and
- (9) All equipment identified with manufacturers and model numbers.

(c) The City Health District shall treat plans and specifications as confidential and/or trade secret information in accordance with state and federal laws and shall approve all plans and specifications, provided they meet all requirements of these regulations within thirty days after receipt.

(d) Preoperational inspection. Whenever plans and specifications of a food establishment have been approved, and prior to the beginning of operations of the establishment an inspection of the food establishment shall be conducted to determine compliance with the approved plans and specifications and requirements of these regulations.

(e) Approval of equipment. All equipment used in a food establishment operation shall be of a type approved by the Board of Health or by the NSF (National Sanitation Foundation). All equipment shall be of such material and so constructed and installed as to readily conform to these regulations.

(f) Plan review fee. The following plan review fees shall be paid:

<u>Food Establishment</u>	<u>Plan Review Fee</u>
(1) Food establishments selling pre-packaged, nonperishable food only.	\$ 10.00
(2) Food establishments selling all pre-packaged food items, including perishable foods.	20.00
(3) Carnival and/or fair operations and roadside stands (mobile or stationary), operating within the City for no more than thirty consecutive days and which are not covered under Ohio R.C. 3732.01, selling confections such as: cotton candy, snow cones, candy apples, popcorn, sugar waffles, peanuts, soft ice cream, etc.	20.00
(4) Non-seasonal food establishments selling fruits and vegetables.	20.00
(5) Food establishments that package or dispense candy, peanuts, ice cream and other confectionery items.	20.00
(6) Warehouses storing packaged food and/or beverages for distributing.	20.00
(7) Wholesale fruit and produce distributors.	20.00
(8) Food establishments of less than 2,500 square feet, selling all food items, including the packaging and handling of various raw food products.	20.00
(9) Food establishments of 2,500 feet or more selling all food items, including the packaging and handling of raw food	

products.	30.00
(10) Beverage plants and bakeries. (Ord. 89-20. Passed 1-10-89.)	30.00

1711.06 EQUIPMENT AND UTENSILS.

(a) Multi-Use Equipment and Utensils. Multi-use equipment shall be constructed of material and design which under normal use shall be resistant to denting, buckling, distortion, pitting, scratching, crazing, chipping and decomposition, and shall be nonabsorbent with a smooth, easily cleanable surface. Single-service articles shall be made from clean, sanitary, safe materials. All equipment, utensils and single-service articles shall not impart odors, color, taste or contribute to the contamination of food or food products.

(b) Solder. If solder is used, it shall be composed of safe materials and be corrosion-resistant.

(c) Wood Construction. All equipment and utensils constructed of wood shall be of the hard maple variety or equivalent which is nonabsorbent and meets all requirements of this chapter, as set forth in subsection (a) hereof. Wood shall not be used as a food-contact surface under any circumstances, except for contact with raw fruits, raw vegetables and nuts in the shell.

(d) Plastics and Rubber Materials. Safe plastic or safe rubber or safe rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition, crazing, chipping and distortion, that are of sufficient weight and thickness to permit cleaning and sanitizing by normal warewashing methods, and which meet the general requirements set forth in subsection (a) hereof, may be permitted for repeated use.

(e) Cutting Surfaces. Cutting surfaces subject to scratching and scoring must be resurfaced so as to be easily cleanable, or be discarded when the surface can no longer be effectively cleaned and sanitized.

(f) Single-Service Articles. Single-service articles shall not be reused.

(g) Equipment and Utensil Design and Fabrication.

(1) All equipment and utensils, including plasticware, shall be designed and fabricated for durability under normal circumstances and shall conform to the regulations as set forth in this section.

(2) Food-contact surfaces shall be easily cleanable, smooth and free of breaks, open seams, cracks, chips, pits and similar imperfection, and free of difficult-to-clean internal corners and crevices. Cast iron may be used as a food-contact surface only if the surface is used for cooking. Threads shall be designed to facilitate cleaning; ordinary "V" type threads are prohibited in food-contact surfaces, except that in equipment such as ice makers, hot oil cooking equipment or hot oil filtering systems, such threads shall be minimized.

(3) Equipment containing bearings and gears requiring lubricants not made of safe materials shall be designed and constructed so that the lubricant cannot leak, drip or be forced into food or onto food contact surfaces. Equipment designed to receive lubrication of bearings and gears on or within food-contact surfaces shall be lubricated with materials meeting the requirements of 21 CFR 178.3570.

(4) Sinks and drain boards shall be sloped to drain and be self-draining.

(h) Food-Contact Surface. Food-contact surface equipment shall be designed for in-place cleaning or be easily accessible for cleaning and inspection:

- (1) Without being disassembled; or
- (2) By disassembling without the use of tools; or
- (3) By easy disassembling with the use of only simple tools, such as mallets, screwdrivers or open-end wrenches which are kept near the equipment.

(i) Equipment Cleaning in Place. Equipment designed and constructed for cleaning-in-place shall meet the requirements equivalent to those contained in subsection (h) hereof.

(j) Food Product Thermometers. Indicating thermometers required for immersion into food or cooking media shall be of metal stem-type construction, numerically scaled and accurate to $\pm 2^{\circ}$ F. ($\pm 1^{\circ}$ C).

(k) Non-Food-Contact Surfaces. 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 such materials to be easily cleaned and maintained and in good sanitary condition.

(l) Ventilation Hoods. Ventilation hoods and devices, where installed, shall be designed to prevent grease or condensation from collecting on walls and ceilings, and from dripping into food or onto food-contact surfaces. Filter or other grease extracting equipment shall be readily removable for cleaning and replacement, if not designed to be cleaned in place.

(m) Maintenance of Equipment and Utensils. All equipment and utensils shall be maintained in good repair and comply with the requirements of this chapter.

(n) Equipment Installation and Location. Equipment, including ice makers and ice storage equipment, shall not be located under exposed or unprotected sewer lines, water lines that are leaking or on which condensed water accumulates, open stairwells or other sources of contamination.

(o) Table-Mounted Equipment.

- (1) Table-mounted equipment shall be installed to facilitate the cleaning of the equipment and adjacent areas.
- (2) Equipment that is mounted on tables or counters, unless portable, shall be sealed to the table or counter or elevated on legs to provide at least a four-inch (102 mm) clearance between the table or counter, except that if no parts of the table under the equipment is no more than eighteen inches (457 mm) from cleaning access, the clearance space shall be three inches (76 mm) or more; or if no part of the table under the equipment is more than three inches (76 mm) from cleaning access, the clearance space shall be two inches (51 mm) or more.
- (3) Equipment is portable within the meaning of this subsection (o) if:
 - A. It is small and light enough to be moved easily by one person; and

- B. It has no utility connection, has a utility that disconnects quickly or has a flexible utility connection line of sufficient length to permit the equipment to be moved for easy cleaning; and
 - C. It is table-mounted, such as powered mixers, grinders, slicers, tenderizers and similar equipment, and;
 - 1. Does not exceed eighty pounds (thirty-six kilograms), or
 - 2. Is equipped with mechanical means of safety tilting the unit for cleaning.
- (p) Floor-Mounted Equipment.
- (1) Floor-mounted equipment, unless easily movable, shall be:
 - A. Sealed to the floor; or
 - B. Elevated on legs to provide at least six-inches (152 mm) clearance between the floor and equipment, except that equipment may be elevated to provide at least a four-inch (102 mm) clearance between the floor and equipment if no part of the floor under the equipment is more than six-inches (152 mm) from cleaning access.
 - C. Display shelving units, display refrigeration units, and display freezer units are exempt from provisions of subsection (p)(1) hereof, if they are installed so that the floor beneath the units can be easily cleaned.
 - (2) Equipment is easily movable if:
 - A. It is mounted on wheels or casters; and
 - B. It has no utility connection, has a utility connection that disconnects quickly or has a flexible utility line of sufficient length to permit the equipment to be moved for easy cleaning.
 - (3) Unless sufficient space is provided for easy cleaning between, behind, and above each unit of fixed equipment, the space between it and the adjoining equipment units and adjacent walls or ceilings shall be no more than 1/32 inch (.08 mm) and, if exposed to seepage, the space shall be sealed.

(q) Aisles and Working Areas. Aisles and working areas between units of equipment and between equipment and walls, shall be unobstructed and of sufficient width to permit employees to perform their duties readily without contamination of food or food-contact surfaces by clothing or personal contact. All easily movable storage equipment such as dollies, skids, racks and open-ended pallets shall be positioned to provide accessibility to working areas.

(Ord. 89-20. Passed 1-10-89.)

1711.07 CLEANING, SANITIZATION AND STORAGE OF EQUIPMENT AND UTENSILS.

- (a) Cleaning Frequency.
- (1) Utensils and food-contact surfaces of equipment shall be cleaned and sanitized;
 - A. Each time there is a change in processing between raw beef, raw pork, raw poultry or raw seafood, or a change in processing from raw to ready-to-eat foods;
 - B. After any interruption of operations during which time contamination may have occurred; and
 - C. After final use each working day.
 - (2) Where equipment and utensils are used for the preparation of potentially

hazardous foods on a continuous or production-line basis, utensils and the food-contact surfaces of equipment shall be cleaned and sanitized at intervals throughout the day on a schedule based on food temperature, type of food and amount of food particle accumulation.

- (3) The food-contact surfaces of cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once each day of use, except that this shall not apply to hot oil cooking equipment and hot oil filtering systems. The food-contact surfaces of all baking equipment and pans shall be kept free of encrusted grease deposits and other accumulated soils.
- (4) Non-food-contact surfaces of equipment, including transport vehicles, shall be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles and other debris.

(b) Cleaning Materials.

- (1) Cloths or sponges used for wiping food spills on food-contact surfaces of equipment shall be clean and rinsed frequently in an approved sanitizing solution. These cloths and sponges shall be kept in the sanitizing solution between uses.
- (2) Cloths or sponges used for cleaning non-food-contact surfaces of equipment shall be clean and rinsed as specified in subsection (b)(1) hereof and used for no other purpose.
- (3) Single-service disposable towels are permitted in lieu of wiping cloths or sponges if they are discarded after each use.

(c) Manual Cleaning and Sanitizing.

- (1) For manual cleaning and sanitizing of equipment and utensils, a sink with not less than three compartments shall be provided and used. Sink compartments shall be large enough to accommodate the immersion of equipment and utensils, and each compartment of the sink shall be supplied with hot and cold potable running water. Where immersion in sinks is impracticable, equipment and utensils shall be cleaned and sanitized manually or by pressure spray methods.
- (2) Drain boards or easily moveable utensil tables of adequate size shall be provided for proper storage and handling of soiled utensils prior to cleaning and for cleaned utensils following sanitizing and shall be located so as not to interfere with proper use of warewashing facilities.
- (3) Equipment and utensils shall be preflushed or prescraped and, when necessary, presoaked to remove food particles and soil.
- (4) All sinks shall be cleaned before use, and the cleaning process of equipment and utensils shall be in the following manner:
 - A. Equipment and utensils shall be thoroughly cleaned in the first compartment with hot detergent solution that is kept clean and at a concentration indicated on the manufacturer's label; and
 - B. Equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment; and
 - C. Equipment and utensils shall be sanitized in the third compartment according to methods required in this chapter.
- (5) When pressure spray methods are utilized for cleaning and sanitizing, the equipment and utensils shall be thoroughly flushed with a detergent-sanitizer solution until the article is free of visible food particles and soil.

- The detergent-sanitizer shall be used in accordance with the manufacturer's instructions and shall be of a type that does not require a potable water rinse when used according to the manufacturer's instruction.
- (6) The food-contact surface of all equipment and utensils shall be sanitized by:
- A. Immersion for at least thirty seconds in clean, hot water of a temperature of at least 170^o F (77^o C); or
 - B. Immersion for at least one minute in a clean solution containing at least fifty parts per million of available chlorine as a hypochlorite and having a temperature of at least 75^o F (24^o C); or
 - C. Immersion for at least one minute in a clean solution containing at least twelve and one-half parts per million of available iodine, having a pH range which the manufacturer has demonstrated to be effective and at a temperature of at least 75^o F (24^o C); or
 - D. Immersion for at least one minute in a clean solution containing 200 parts per million of a quaternary ammonium compound and having a temperature of at least 75^o F (24^o C). The quaternary ammonium compound used shall have been compounded by the manufacturer to assure effectiveness in waters up to 500 parts per million hardness at use concentration; or
 - E. Immersion in a clean solution containing any other chemical sanitizing agent allowed under 21 CFR 178.1010 that will provide the equivalent bactericidal effect of a solution containing at least fifty parts per million of available chlorine as a hypochlorite at a temperature of at least 75^o F (24^o C) for one minute; or
 - F. Treatment with steam free from materials or additives other than those specified in 21 CFR 173.310 in the case of equipment too large to sanitize by immersion, but in which steam can be confined; or
 - G. Rinsing, spraying or swabbing with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution under this section in the case of equipment too large to sanitize by immersion.
- (7) When hot water is used for sanitizing, the following equipment shall be provided and used:
- A. An integral heating device or fixture installed in, on or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least 170^o F (77^o C); and
 - B. A numerically scaled indicating thermometer, accurate to $\pm 2^{\circ}$ F ($\pm 1^{\circ}$ C) convenient to the sink for frequent checks of water temperature; and
 - C. Utensil racks or baskets of such size and design to permit complete immersion of utensils and equipment in the hot water.
- (8) When chemicals are used for sanitization, they shall not have concentrations higher than the maximum permitted under 21 CFR 178.1010 and a test kit or other device that measures the parts per million concentration of the solution shall be provided and used.

(d) Notwithstanding subsection (c)(1) hereof, a two-compartment sink may be used for manually washing and sanitizing utensils and equipment when an approved detergent-sanitizer is used and the two-compartment sink meet the requirements of Chapter 3701-21 of

the Ohio Administrative Code and has been in use prior to May 1, 1983.

(e) Unless used immediately after sanitizing, all equipment and utensils shall be air dried. Towel drying shall not be permitted.

(f) Food establishments that do not have facilities for proper cleaning and sanitizing of utensils and equipment shall not prepare or package food or dispense unpackaged food other than raw fruits and raw vegetables.

(g) Equipment and Utensil Handling and Storage. Cleaned and sanitized equipment and utensils shall be handled in such a manner that they will be protected from contamination.

- (1) Cleaned and sanitized equipment and utensils shall be stored at least six inches (152 mm) above the floor in a clean, dry location in a way that protects them from splash, dust and other means of contamination. The food-contact surfaces of fixed equipment shall also be protected from contamination. Equipment and utensils shall not be placed under exposed or unprotected sewer lines, or water lines that are leaking or on which condensation has accumulated.
- (2) Utensils shall be air dried before being stored or shall be stored in self-draining positions.
- (3) Stored utensils shall be covered or inverted wherever practical.

(h) Single-Service Articles.

- (1) Single-service articles shall be stored in closed cartons or containers at least six inches (152 mm) above the floor or on easily movable dollies, skids, racks or open-ended pallets. Such storage shall protect the articles from contamination and shall not be located under exposed or unprotected sewer lines, or water lines that are leaking or on which condensation accumulates.
- (2) Single-service articles shall be handled in a manner which prevents contamination of surfaces that may come in contact with food.

(i) Prohibited Storage Areas. Food equipment, utensils or single-service articles shall not be stored in locker rooms, toilet rooms or their vestibules, garbage rooms or mechanical rooms.

(Ord. 89-20. Passed 1-10-89.)

1711.08 SANITARY FACILITIES AND CONTROLS.

(a) Water supply. A sufficient potable water supply shall be provided food establishments from a source constructed, maintained and operated in accordance with all applicable state, federal and local regulations.

(b) All potable water not provided a food establishment directly from an approved source by pipe shall be delivered in a bulk water transport system and shall be transferred to a closed water system. Both systems shall be constructed, maintained, and operated in accordance with all applicable state, federal and local regulations.

(c) Water, under pressure, at the required temperatures shall be provided to all fixtures and equipment that use water.

(d) Steam used in contact with food or food-contact surfaces shall be free from material or additives other than those specified in 21 CFR 173.310.

(e) **Sewage.** All sewage, including liquid waste, shall be disposed of by a sanitary sewage system or by a sewage disposal system constructed and maintained in accordance with state and local regulations. Nonwater carried sewage disposal facilities are prohibited, except as permitted by the Board of Health.
(Ord. 89-20. Passed 1-10-89.)

1711.09 PLUMBING.

(a) **Installation.** Plumbing shall be installed in food establishments in accordance with Chapter 4101-2-51 of the Ohio Plumbing Code. There shall be no cross-connections between the potable water supply and any other containing:

- (1) Water of unknown or questionable quality; or
- (2) Contaminants or pollutants.

(b) **Nonpotable Water System.**

- (1) A nonpotable water system is permitted for air conditioning, equipment cooling and fire protection, and shall be installed in accordance with applicable state, federal and local regulations. Nonpotable water shall not directly or indirectly contact food or equipment or utensils that contact food.
- (2) All piping from a nonpotable water system shall be durably identified and readily distinguishable from the potable water supply.

(c) **Backflow.** The potable water supply to a food establishment shall be protected with a backflow prevention device in accordance with the requirement of Section 4101-2-51-38 of the Ohio Plumbing Code. The backflow device shall be installed to protect the potable water supply against contamination from any backflow or backsiphonage within the establishment structure. All water faucets and fixtures shall be installed in such a manner as to provide an air gap of at least twice the diameter of the water supply inlet and the flood level rim of the fixture. No hose shall be attached to a faucet that is not equipped with a backflow prevention device.

(d) **Grease Traps.** All grease traps shall be installed in accordance with Section 4101-2-51-20 of the Ohio Plumbing Code and located in easily accessible places for maintenance and cleaning.

(e) **Drains.** Except for properly trapped open sinks, there shall be no direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment or utensils are placed. When a warewashing machine is located within five feet of a trapped floor drain, the warewasher waste outlet may be connected directly to the inlet of a properly vented and trapped floor drain.

(f) **Toilet Facilities.** Toilet facilities shall be provided in accordance with Section 4101:2-28-08 of the Ohio Administrative Code (Article 28 of the Ohio Basic Building Code). Toilet rooms shall be provided each sex and all toilet rooms that open into food preparation, equipment and utensil washing, or storage areas shall be completely enclosed and shall have tight-fitting, self-closing doors, which shall be closed except during cleaning and maintenance. Toilet facilities shall be conveniently located and shall be accessible to employees at all times.

- (1) Toilets and urinals shall be designed and installed so as to be easily cleanable.
- (2) Lavatories shall be provided and installed in accordance with all applicable regulations and shall be located for convenient use by all employees in food

packaging and/or preparation areas, and equipment and utensil washing areas. Lavatories shall be located in or immediately adjacent to toilet rooms or vestibules.

- (3) Each lavatory shall be provided with hot and cold potable running water.
- (4) A supply of hand-cleaning soap or detergent shall be available at each lavatory. Each lavatory shall be supplied with sanitary hand towels or a hand-drying device providing heated air which is conveniently located for employee use when using the lavatory.
- (5) Toilet facilities, including toilet fixtures and related vestibules, shall be kept clean and in good repair. A supply of toilet tissue shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms provided women shall have at least one covered waste receptacle.

(g) Handwashing Facilities. Handwashing facilities shall be installed in accordance with all applicable regulations, and there shall be at least one and not less than the number required by all applicable food protection regulations, and shall be conveniently located for employee use in food preparation and warewashing areas. Handwashing facilities shall be accessible to employees at all times. Sinks used for food preparation or warewashing shall not be used for washing of hands or other such uses.

- (1) Each handwashing facility shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. Any self-closing, slow-closing or metering faucet used shall be designed to provide a flow of water for at least fifteen seconds without having to be reactivated. Steam mixing valves are prohibited at handwashing facilities.
- (2) A supply of hand-cleaning soap or detergent shall be available at each handwashing facility. A supply of sanitary towels or a hand-drying device providing heated air shall be conveniently located near each handwashing facility. Common towels are prohibited. At least one easily cleanable waste receptacle shall be conveniently located near each handwashing facility.
- (3) Handwashing facilities, soap or detergent dispensers, hand-drying devices and all related facilities shall be kept clean and in good repair.

(h) Garbage and Refuse. Garbage and refuse shall be held in durable, easily cleanable, insect-resistant, and rodent-proof containers that do not leak and do not absorb liquids. Plastic bags and wet strength paper bags may be used to line these containers. Such bags and durable plastic garbage and refuse containers may be used for storage inside the retail food store.

- (1) Containers used in food preparation and equipment and utensil washing areas shall be kept covered during nonworking hours and after they have been filled.
- (2) Containers stored outside the establishment, including dumpsters, compactors and compactor systems, shall be provided with tight-fitting lids, doors, or covers, and shall be kept covered when not in use. In containers designed with drains, drain plugs shall be in place at all times, except during cleaning.
- (3) There shall be a sufficient number of containers to hold all the garbage and refuse that accumulates.
- (4) Soiled containers shall be cleaned as needed to prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and

on the outside in a manner that does not contaminate food, food products, equipment, utensils or food preparation areas. Suitable facilities, detergent, and hot water or steam, shall be provided and used for cleaning containers. Liquid waste from compacting or cleaning operations shall be disposed of as sewage.

(i) Garbage and Refuse Storage. Garbage and refuse on the premises of a food establishment shall be stored in a manner to make them inaccessible to insects and rodents. Outside storage of non-rodent-resistant plastic containers, unprotected plastic bags, wet strength paper bags or baled units which contain garbage or refuse is prohibited. Cardboard or other packing materials not containing garbage or food wastes need not be stored in covered containers, but must be stored in such a manner as to not create a nuisance.

- (1) Garbage or refuse storage rooms, if used, shall be constructed of easily cleanable, non-absorbent, washable materials, shall be kept clean, shall be insect and rodent proof, and shall be large enough to store all the garbage and refuse containers necessitated by disposal pick-up frequency.
- (2) Outside storage areas or enclosures, shall be kept clean and shall be large enough to store all the garbage and refuse containers necessitated by disposal pick-up frequency. 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.

(j) Garbage and Refuse Disposal. Garbage and refuse shall be stored and disposed of as often as is necessary to prevent the development of objectionable odors and the attraction of insects and rodents.

(k) Insect and Rodent Control. Effective measures shall be utilized to prevent the entry, presence, and propagation of rodents, flies, cockroaches or other insects. The premises shall be maintained in a state of repair that prevents the harborage or feeding of insects or rodents.

(l) Rodent Protection. All openings to the outside shall be protected against the entry of rodents. Outside openings shall be protected against the entry of insects by tight-fitting, self-closing doors; closed windows, screening; controlled air currents; or other means. Screen doors shall be self-closing, and screens for windows, skylights, intake and exhaust air ducts, and other openings to the outside shall be tight-fitting and free of breaks. Screening materials shall not be less than sixteen mesh to the inch.
(Ord. 89-20. Passed 1-10-89.)

1711.10 FOOD.

Food shall be wholesome, in sound condition and safe for human consumption. Food shall be obtained from sources that comply with all applicable laws relating to food safety. Food prepared in a home shall not be used or offered for sale.

- (a) Milk. Fluid milk and fluid milk products used or offered for sale shall comply with Grade A standards as established by law. Dry milk and milk products used or offered for sale shall be made from pasteurized milk and milk products.
- (b) Shellfish. Fresh and frozen shucked shellfish shall be packed in non-returnable containers and identified with the name and address of the shucker-packer and the state certification number issued according to law. Shucked shellfish should be kept in their original container until used or sold. Each container of

unshucked shellfish shall be identified by an attached identifying tag, which shall be retained for a period of ninety days, that states the name and address of the original shellfish processor, the kind and quantity of shellfish and the certification number issued by the state or foreign shellfish control agency, where applicable.

- (c) Eggs. Only eggs, in clean shells, meeting applicable grade standards or pasteurized liquid, frozen or dry eggs, or pasteurized dry egg products shall be used or offered for sale.
- (d) Ice. Only ice manufactured from potable water and handled in a sanitary manner shall be used or offered for sale. Ice offered for sale shall be packaged.
- (e) Food Protection. Food shall be protected at all times from cross-contamination between foods and potential contamination by insects, insecticides, rodents, redenticides, probe-type pricing or probe-type identification tags, unclean equipment and utensils, unnecessary handling, flooding, draining and overhead leakage or condensation, or other agents of public health significance. The temperature of potentially hazardous foods shall be 45° F. (7° C) or below or 140° F. (60° C) or above at all times, except as otherwise provided in this section. Hermetically sealed packages shall be handled so as to maintain product and container integrity. Food items that are spoiled, outdated or in damaged containers that may affect the product and those food items that have been returned to, or are being detained by, the food establishment because of spoilage, container damage or other public health considerations, shall be segregated and held in designated areas pending proper disposition unless disposed of under the supervision of the City Health Department or the Ohio Department of Agriculture.
- (f) Food Storage. Food packaged in an immediate closed container, once the container is opened in the food establishment prior to use or sale, shall be kept covered and protected from contamination. Food, whether raw or prepared, if removed from the immediate closed container in which it was originally packaged prior to use or offered for sale, shall be stored in a clean, covered container, except during necessary periods of preparation. Whole and unprocessed fresh raw vegetables and fresh raw fruits shall be exempted from this requirement. Container covers shall be impervious and nonabsorbent. During periods of storage, subprimal cuts of meat shall be covered with single-service wrapping material. Primal cuts, quarters or sides of meat, or processed meats such as country hams, slab bacon and smoked or cured sausages, may be hung uncovered on clean, sanitized hooks or placed on clean, sanitized metal racks in such a manner as to preclude contamination of any food products in storage.
 - (1) Containers of food shall be stored a minimum of six inches (152 mm) above the floor or stored on dollies, skids, racks or open-ended pallets, provided such equipment is easily movable, either by hand or with the use of pallet-moving equipment that is on the premises and used. Such storage areas shall be kept clean. Cased food packaged in cans, glass or other waterproof containers need not be elevated when the case of food is not exposed to floor moisture and the storage area is kept clean.
 - (2) Food and containers of food shall not be stored under exposed or unprotected sewer lines, or water lines that are leaking or on which condensed water accumulates.
 - (3) Packaged foods shall not be stored in contact with water or undrained ice.
 - (4) Food ingredients such as flour, sugar, salt, baking power, cooking oil or vinegar, that is not stored in the original container and is not readily

identifiable on sight, shall be stored in containers and identified by their common name.

- (5) Toilet rooms and their vestibules, and garbage or mechanical rooms shall not be used for storage of food or food products.

(g) Refrigerated Storage.

(1) Refrigeration units or effectively insulated units shall be provided in sufficient number and capacity to assure the proper refrigerated storage of potentially hazardous foods at their required temperatures. Each mechanically refrigerated unit storing potentially hazardous food shall be equipped with numerically scaled indicating thermometer, accurate to $\pm 2^{\circ}$ F ($\pm 1^{\circ}$ C). The sensing element shall be located to measure the air temperature in the unit at a location that is representative of the air temperature in the unit. The thermometer scale shall be located to be easily readable. Recording thermometers, accurate to $\pm 2^{\circ}$ F ($\pm 1^{\circ}$ C) may be used in lieu of indicating thermometers.

(2) Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to an internal temperature of 45° F (7° C) or below. Potentially hazardous food of large volume or prepared in large quantities shall be rapidly cooled utilizing such methods as shallow pans, agitation, quick chilling, or water circulation external to the food container so the cooling period shall not exceed four hours. Potentially hazardous food to be transported shall be pre-chilled and held at a temperature of 45° F (7° C) or below unless maintained in accordance with hot storage requirements of this section.

(3) Potentially hazardous frozen foods shall be kept frozen and stored at air temperature of 0° F (-18° C) or below except for defrost cycles and brief periods of loading or unloading.

(4) Ice used as a cooling medium for foods or food storage shall not be used or sold for human consumption.

(h) Hot Storage.

(1) Hot food storage units shall be provided in such number and of such capacity to assure the maintenance of potentially hazardous food at required temperature during storage. Each hot food storage unit storing potentially hazardous food shall be equipped with a numerically scaled indicating thermometer, accurate to $\pm 2^{\circ}$ F ($\pm 1^{\circ}$ C). The sensing element shall be located to measure the air temperature in the unit at a location that is representative of the temperature in the unit. The thermometer scale shall be located to be easily readable. Recording thermometers accurate to $\pm 2^{\circ}$ F ($\pm 1^{\circ}$ C) may be used in lieu of indicating thermometers. Where it is impractical to install thermometers on equipment such as heat lamps, calrod units or insulated food transport carrier, a food product thermometer shall be available to check internal food temperatures.

(2) The internal temperature of potentially hazardous food requiring hot storage shall be 140° F (60° C) or above, except during necessary periods of preparation. Potentially hazardous food to be transported shall be held at a temperature of 140° F (60° C) or above unless maintained in accordance with the refrigerated storage requirements of this section.

(i) Food Preparation.

(1) All food shall be prepared with a minimum of manual contact. Food shall

- be prepared on food-contact surfaces and with utensils which are clean and have been sanitized.
- (2) With each change in the processing of raw beef, raw pork, raw poultry or raw seafood, or a change in processing from raw to ready-to-eat foods, each new operation shall begin with clean food-contact surfaces and utensils which have been sanitized. Salads and other ready-to-eat foods should be prepared in separate rooms or in areas that are separated by a barrier or open space from areas used for processing potentially hazardous raw products.
 - (3) Potentially hazardous foods are in a form to be consumed without further cooking such as salads, sandwiches and filled pastry products should be prepared from chilled products.
- 7(j) Raw Fruits and Raw Vegetables. Raw fruits and raw vegetables that will be cut or combined with other ingredients or will be otherwise processed into food products by the food establishment shall be thoroughly cleaned with potable water before being used.
- (k) Preparing Potentially Hazardous Foods. Potentially hazardous foods being processed within the food establishment by cooking shall be cooked to heat all parts of the food to a temperature of at least 140° F (60° C) except that:
- (1) Poultry, poultry stuffings, stuffed meats and stuffings containing meat, shall be cooked to all parts of the food to at least 165° F (74° C) with no interruption of the cooking process.
 - (2) Pork and pork products shall be cooked to heat all parts of the food to at least 150° F (66° C), or, if cooked in a microwave oven, to at least 170° F (77° C).
 - (3) When beef roasts under ten pounds in weight are cooked in a still dry heat oven, the oven shall be preheated to and held at an air temperature of at least 350° F (177° C) throughout the process. When cooked in a convection oven, the oven shall be pre-heated to and held at an air temperature of at least 325° F (163° C) throughout the process. When beef roasts of ten pounds or over in weight are cooked in a dry heat oven, the oven shall be pre-heated to and held at an air temperature of at least 250° F (122° C) throughout the process.
 - (4) Beef roasts, if cooked in a microwave oven, shall be cooked to an internal temperature of at least 145° F (63° C).
- (l) Bakery Product Fillings. Custards, cream fillings, and similar products, including synthetic fillings, shall meet the temperature requirements in subsection (g) hereof following preparation and be maintained at that temperature during storage, transportation, and display. Products with synthetic fillings may be excluded from this requirement if:
- (1) The food, including the interface between the bakery product and the filling has a pH level of 4.6 or below or a water activity (a_w) value of 0.85 or less under standard conditions; or
 - (2) It is handled in such a manner as to preclude contamination with and the growth of pathogenic microorganisms after heat processing; or
 - (3) Other scientific evidence is on file with the City Health Department demonstrating that the specific product will not support the growth of pathogenic microorganisms.
- (m) Reheating Food. Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to an internal temperature of 165° F (74° C) or higher before being placed in hot food storage holding units. Food

warmers and other hot food holding units shall not be used for the reheating of potentially hazardous foods.

- (n) Food Product Thermometers. Metal stem-type numerically scaled indicating thermometers, accurate to $\pm 2^{\circ}$ F ($\pm 1^{\circ}$ C) shall be provided and used to assure attainment and maintenance of proper temperatures during preparation of all potentially hazardous foods.
- (o) Thawing Potentially Hazardous Foods. Potentially hazardous foods shall be thawed:
 - (1) In a refrigerated unit at a temperature not to exceed 45° F (7° C); or
 - (2) Under potable running water at a temperature of 170° F (21° C) or below, with sufficient water velocity to agitate and float off loose food particles into the overflow and for a period not to exceed that necessary to thaw the food; or
 - (3) In a microwave oven only when the food will be immediately transferred to conventional cooking units as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in a microwave oven; or
 - (4) As part of the conventional cooking process.
- (p) Food Display. Potentially hazardous foods shall be held at an internal temperature of 45° F (7° C) or below or at an internal temperature of 140° F (60° C) or higher during display, except that rare roast beef offered for sale hot shall be held at a temperature of at least 130° F (55° C).
- (q) Frozen Foods. Food intended for sale in a frozen state shall be displayed at an air temperature of 0° F (-18° C) or below, except for defrost cycles and brief periods of loading or unloading. Frozen foods should be displayed below or behind product food lines according to cabinet manufacturer's specification.
- (r) Food Products. Food on display, other than whole, unprocessed raw fruits and unprocessed raw vegetables, shall be protected from contamination by being packaged, by display cases, by covered containers for self-service, or by similar protective equipment. All food shall be displayed above the floor in a manner that protects the food from contamination. Hot and cold food units shall be provided to assure the maintenance of potentially hazardous food at the required temperature during display. Potentially hazardous food shall not be provided for consumer self-service.
- (s) Food Dispensing Utensils. Unnecessary manual contact with food shall be avoided and suitable dispensing utensils and single-service articles shall be provided and used by the food establishment employees. Consumers who serve themselves bulk food shall be provided suitable dispensing utensils. Dispensing utensils shall be:
 - (1) Stored in the food with the dispensing utensil handle extended out of the food;
 - (2) Stored clean and dry in a place free from contamination;
 - (3) Stored in potable running water with sufficient water velocity to agitate and float-off loose particles into the overflow.
- (t) Food Promotion and Demonstration Samples. When food sample demonstrations and food promotions are carried out in food establishments, the person in charge shall ensure that such promotional activities comply with applicable sanitation provisions of this chapter.
- (u) Food Transport By Food Establishment. Food, other than hanging primal cuts, quarters or sides of meat, and raw fruits and raw vegetables, shall be protected from contamination by use of packaging or covered containers while being

transported. All food being transported shall meet the applicable requirements of this chapter relating to food protection and food storage. Food packaged in immediate closed containers do not need to be overwrapped or covered if immediate closed containers have not been opened, torn or broken.

(Ord. 89-20. Passed 1-10-89.)

1711.99 PENALTY.

(a) Whoever violates any provision of this chapter or any rule, regulation or order promulgated thereunder shall be guilty of a minor misdemeanor.

(b) Any violation of this chapter shall constitute a separate offense on each successive day such violation continues.

(Ord. 89-20. Passed 1-10-89.)