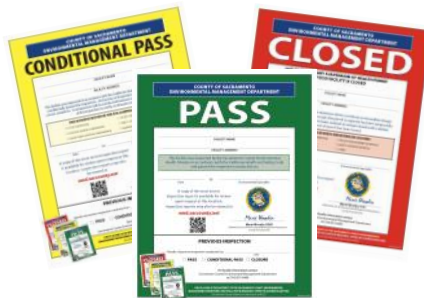


# SACRAMENTO COUNTY

## RETAIL FOOD INSPECTION GUIDE



**Environmental Management Department  
Environmental Health Division  
Consumer Protection Program**

**Environmental Management  
Department**

Marie Woodin, Interim Director



Dear Sacramento County Retail Food Facility Owner/Operator:

The Sacramento County Environmental Management Department's Retail Food Program is pleased to present you with the Retail Food Inspection Guide.

This guide provides easy to read summaries of California Retail Food Code sections, as well as examples of common violations. This guide will help you prepare for and succeed in future inspections.

Thank you for all you and your employees do to serve safe food and keep your customers safe.

For assistance, questions or feedback please contact us at (916) 875-8440.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Boetzer". The signature is stylized and written in cursive.

Jason Boetzer, Chief  
Environmental Health Division

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# INTRODUCTION

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

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

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

**The five most common CDC risk factors are:**

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

**The FDA's public health interventions are:**

1. Demonstration of knowledge
2. Employee health controls
3. Controlling hands as a vehicle of contamination
4. Time and temperature parameters for controlling pathogens
5. Consumer advisory

It is the responsibility of the Sacramento County Environmental Management Department to conduct routine inspections of retail food facilities in Sacramento County in order to ensure compliance with the California Health and Safety Code and the Sacramento County Code. Sacramento County's Retail Food Code Inspection Guide is intended to provide guidance to food service operators in matters related to retail food inspections, the placard program, and common terminology. This guide has also been developed to improve standardization among environmental specialists during their routine inspections of retail food facilities by providing them with a reference list of common violations.

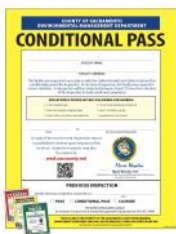
The procedures outlined in this guide are to be used in conjunction with the Sacramento County Food Facility Official Inspection Report (OIR). The guidelines provided are not intended to be all-inclusive due to the fact that individual establishments and the severity of their violations can vary greatly.

# POSTING OF COLOR-CODED PLACARDS FOR DISCLOSURE OF INSPECTION RESULTS

Placards will be issued following each inspection and will be required to be posted in a location that is visible to the public prior to entering the facility.



**Green Placard:** No more than one *major violation* was observed during the inspection. *Major violation* was corrected or mitigated during the inspection.



**Yellow Placard:** Two or more *major violations* were observed during the inspection. *Major violations* were corrected or mitigated during the inspection. A reinspection will be conducted within 24 to 72 hours.



**Red Placard:** Closure of the facility due to imminent danger to public health and safety.

**The placard shall be posted so as to be clearly visible to the general public and to patrons entering the food establishment.**

Acceptable methods of posting include the following:

- Posted in the front window of the food facility within 5 feet of the front door.
- Posted in a display case mounted on the outside front wall of the food establishment within 5 feet of the front door.
- Posted in a location approved by the Environmental Management Department to ensure proper notice to the general public and to patrons.

# COMMON TERMINOLOGY

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

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

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

**Department** is the Sacramento County Environmental Management Department.

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

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

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

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

- Heating, frying, baking, roasting, popping, blending, or assembly of non-prepackaged food (e.g. roasted corn on the cob, steamed or boiled hot dogs, and tamales in the original, inedible wrapper).
- Bulk dispensing of non-potentially hazardous beverages.
- Holding, portioning, and dispensing of any foods that are prepared for satellite food service by the onsite permanent food facility or prepackaged by another approved source.
- Slicing and chopping of food on a heated cooking surface during the cooking process.
- Cooking and seasoning to order.
- Juicing or preparing beverages that are for immediate service, in response to an individual consumer order, that do not contain frozen milk products.



# COMMON TERMINOLOGY

Limited food preparation does not include:

- Slicing and chopping unless it is on the heated cooking surface.
- Thawing.
- Cooling of cooked, potentially hazardous food.
- Grinding raw ingredients or potentially hazardous food.
- Reheating of potentially hazardous foods for hot holding, except for steamed or boiled hot dogs and tamales in the original, inedible wrapper.
- Hot holding of nonprepackaged, potentially hazardous food (unless prepared by an onsite Permanent Food Facility).
- Washing of foods.
- Cooking of potentially hazardous foods for later use.

**Major Food Allergen** means all of the following:



**Milk**



**Eggs**



**Wheat**



**Peanuts**



**Soybeans**



**Tree nuts**, including, but not limited to, almonds, pecans, and walnuts.



**Fish**, including, but not limited to, bass, flounder, and cod.



**Crustacean shellfish**, including, but not limited to, crab, lobster and shrimp

Major Food Allergen does not include either of the following:

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

# COMMON TERMINOLOGY

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

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

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

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

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



Potentially hazardous foods do not include foods that:

- have a pH level of 4.6 or below when measured at 75°F, or
- have a water activity ( $A_w$ ) value of 0.85 or less, or
- are in hermetically sealed containers processed to meet the commercial sterility standard, or
- have been shown through appropriate microbiology challenge studies not to support the rapid and progressive growth of infectious or toxigenic microorganisms
- have an air-cooled, hard-boiled egg with shell intact, or an egg with shell intact that is not hard boiled, but has been pasteurized to destroy all viable salmonellae

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

# 1a. Demonstration of Knowledge

CALCODE 113947

All food employees shall have adequate knowledge of, and shall be properly trained in, food safety as it relates to their assigned duties.

**MAJOR VIOLATIONS:** N/A

## MINOR VIOLATIONS



- The employee washing dishes did not know what concentration the sanitizer in the dishwasher should be or how to check the concentration of the sanitizer.
- The cook who is cooking hamburgers did not know the final cooking temperature for ground beef.
- The line cook does not know how to calibrate their probe thermometer



The Environmental Management Department offers free Food Safety Education classes upon request. Contact (916) 875-8440 for more information. In addition, visit [emd.saccounty.net](http://emd.saccounty.net) to watch the “How to Get a Green” video.

# 1b. Food Safety Certification

CALCODE 113947.1, 113947.3

Food facilities that prepare, handle or serve non-prepackaged potentially hazardous food (PHF) shall have an employee who has passed an approved food safety certification examination.

**MAJOR VIOLATIONS:** N/A

## MINOR VIOLATIONS

- The food safety certificate is not available during the inspection.
- The food safety certificate is expired.
- A new facility which prepares potentially hazardous foods has been operating for longer than 60 days without a certified employee.

### Notes:

The certificate shall be valid for 5 years from date of issuance.

The certification organization must be accredited by the American National Standards Institute (ANSI).

No certified person at a food facility may serve at any other food facility as the person required to be certified.

### Exception:

Food facilities that handle non-prepackaged non-potentially hazardous foods are not required to have a food safety certified employee. In lieu of the certification they are required to have food employees who can demonstrate knowledge relative to their assigned duties (Section 113947.1(b)(2)).



# 1c. Food Handler Cards

**CALCODE 113948**

Food handlers that prepare, handle, or serve non-prepackaged, potentially hazardous food, shall obtain a valid Food Handler Card within 30 days after date of hire.

The definition therefore effectively includes most restaurant employees such as those holding the positions of, but not limited to: wait staff, chefs, head cooks, cooks, bussers, bartenders, host/hostesses that handle food, beverage pourers (including alcoholic beverage pourers), and supervisory personnel, such as the general manager or managers (unless they are certified under the existing food managers certification program). The law applies to both salaried and hourly food handlers.

**MAJOR VIOLATIONS: N/A**

## MINOR VIOLATIONS

- Lack of records documenting valid food handler cards for employees, or approved in-house training as described in 113948(d)(9).
- The food handler card is expired.
- Food handler card not accredited by American National Standards Institute (ANSI).
- Food handler card not approved for use in California.

### Exemptions:

Temporary food facilities (food booths); certified farmers' markets; commissaries; grocery stores (including convenience stores); licensed health care facilities; mobile support units; public and private school cafeterias; restricted food service facilities; retail stores where a majority of sales are from a pharmacy; venues with snack bar services in which the majority of sales are from admission tickets (excluding any area in which restaurant-style-sit-down service is provided); certain food facilities with approved in-house food safety training; food facilities subject to a collective bargaining agreement; any city, county, city and county, state or regional facility used for the confinement of adults or minors, including, but not limited to, a county jail, juvenile hall, camp, ranch, or residential facility, an elderly nutrition program, administered by the California Department of Aging.

### Notes:

The food handler card shall be valid for 3 years from date of issuance.

Proof of food handler cards for all employees must be available upon request.

## 2. Communicable Disease Requirements

**CALCODE 113949.2, 113949.4, 113949.5 113950(b), 113950.5**

Employees diagnosed with a communicable disease that is transmissible through food shall be **excluded** from the food facility. An employee experiencing an acute gastrointestinal illness shall be **restricted** from working with food and/or clean utensils/equipment/linens. A food worker must properly cover (bandage and/or glove) any wounds or rashes on hands or exposed portions of the arms.

The permit holder shall require food employees to report incidents of illness or injury to the person in charge and comply with all applicable restrictions.

### MAJOR VIOLATIONS

- The person in charge is aware of an employee with a communicable disease or aware that two or more food employees are concurrently experiencing symptoms associated with an acute gastrointestinal illness and the person in charge has not reported to the local enforcement agency, EMD: (916) 875-8440.
- The person in charge is aware of a food employee who is suffering from an acute gastrointestinal illness and has not restricted the duties of the food employee to prevent spreading the illness.
- The person in charge removes a restriction from a food employee before resolution of the symptoms.
- The person in charge allows an excluded employee to return to work before receiving local health officer clearance.
- A food handler has a wound on their hands, arms or other part of their body that is not properly covered.

**MINOR VIOLATIONS: N/A**



### Notes:

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

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

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

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

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

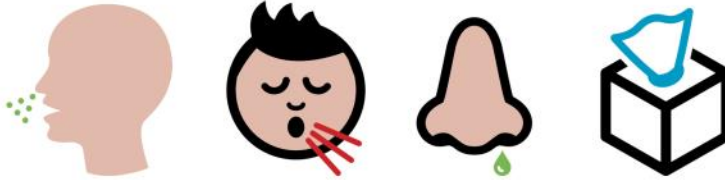
**Person in Charge** means the individual present who is responsible for the operation of the food facility.

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

### 3. Discharge From the Eyes, Nose, and Mouth

CALCODE 113974

Food employees are not allowed to work with exposed food, clean equipment, clean utensils, or clean linens while experiencing persistent sneezing, coughing or runny nose that is associated with discharges from the eyes, nose or mouth that cannot be controlled by medication.



#### MAJOR VIOLATIONS

- A food employee is suffering from uncontrolled allergies.
- A server with discharge from the eyes due to allergies is slicing bread.

MINOR VIOLATIONS: N/A

#### Corrective Action:

If a food employee is found working while having discharges from the eyes, nose, or mouth, they shall be restricted from working with exposed food, clean equipment, clean utensils, and clean linens until the symptoms have subsided.





## 4. Eating, Drinking, and Tobacco Use

CALCODE 113977, 114256(a)

No employee shall eat, drink, or smoke in any area where contamination of non-prepackaged food, clean equipment, clean utensils, clean linens, unwrapped single-use articles, or other items may result.

Areas designated for employees to eat and drink shall be located so that food, equipment, linens and single-use articles are protected from contamination.

**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- Employee drink stored without lid and straw in food preparation area.
- Employee is observed eating, drinking or smoking in non-designated areas where contamination may result.



#### Notes:

Personal drinks will be allowed in food preparation areas if the risk of contaminating the employee's hands, non-prepackaged food, and food contact surfaces with the employee's saliva is eliminated.

Approved practices include drinking from a closed container that is handled to prevent contamination of employee's hands or from a beverage container with a tight fitting lid and straw.

## 5a. Handwashing Procedures

CALCODE 113952, 113953.3, 113953.4

Employees are required to wash their hands:

- after using the restroom
- before beginning work
- before handling food or clean equipment/ utensils
- as often as necessary during food preparation to remove soil and contamination
- when switching from working with raw to ready-to-eat foods
- after touching body parts
- any time when contamination may occur



Hand sanitizer must be approved and shall **only** be applied to hands that have been properly cleaned.

Bare hand and arm contact with non-prepackaged ready-to-eat foods shall be minimized by using utensils such as scoops, tongs, gloves, paper wrappers, or other implements.



**DID YOU  
KNOW?**

.....

According to the Centers for Disease Control and Prevention (CDC), Norovirus is the leading cause of foodborne illness from contaminated food in the United States.

There are an estimated 48 million cases of foodborne illness in the United States each year, with 128,000 hospitalizations and 3,000 preventable deaths!

**Handwashing is one of the best ways to prevent foodborne illness!**

.....

**MAJOR VIOLATIONS**

- **Direct contamination** of food or food contact surfaces (such as in-use cutting boards and utensils) has occurred by unclean hands that have been in contact with:
  - ✗ secretions of the eyes, ears, nose and mouth
  - ✗ sweat    ✗ raw animal product
  - ✗ or other object that most likely contains *high* levels of contamination, for example exterior garbage dumpsters or toilets. This DOES NOT include objects like refrigerator handles or scoops
- An employee handles raw meat and then proceeds to handle vegetables or clean customer utensils without washing their hands.
- An employee is observed handling raw meat. The employee then applies hand sanitizer without properly washing their hands prior to the sanitizer application. The employee then handles ready-to-eat food items.
- An employee that handles food, clean equipment or utensils, clean linens, or single service utensils did not wash their hands after using the restroom.
- An employee did not wash their hands after eating or smoking and before handling food.

**MINOR VIOLATIONS**

- Dishwasher loads dirty dishes into dishwasher and then stacks clean dishes without washing hands in between. Note: This practice may result in a major violation if direct contamination is observed.
- Food preparer leaves preparation area and returns to engage in open food preparation without washing hands (no direct contamination observed as described in the major violation criteria).
- Employee washes hands and instead of using paper towels to dry hands, the employee uses a multi-use towel.
- Employee did not wash hands after talking on the phone or handling money and before handling food.
- Food employee did not wash hands before initially donning gloves for working with food.

**Corrective Action:**

The food employee shall wash their hands and portion of arms as required and use utensils when possible.

## 5b. Bare Hand Contact and Glove Use

CALCODE 113961, 113968, 113973 (b-f)

Employees shall minimize bare hand contact with non-prepackaged ready-to-eat food.

Single-use gloves shall be used for only one task and shall be discarded when damaged or soiled, or when interruptions in the food handling occur.

Gloves shall be changed as often as handwashing is required.

Slash-resistant gloves may be used with ready-to-eat food if the gloves have a smooth, durable, nonabsorbent surface, or are covered with a single-use glove.

Wash hands before donning gloves.

**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- A food employee with artificial nails, nail polish, or rings (other than a plain ring, such as a wedding band) is observed handling unpackaged food or clean utensils without the use of gloves (no direct cross contamination observed).
- An employee saves single-use gloves for re-use.

### Notes:

Hands are not required to be washed when changing gloves if the employee is performing the same task, such as making sandwiches. However, if changing gloves presents an opportunity for cross-contamination, proper handwashing procedures must be exercised. For information on approved multi-use gloves use, see Section 113973(d-e).



## 6. Handwashing Facilities

**CALCODE 113953, 113953.1, 113953.2, 114067(f)**

Adequate handwashing facilities that meet the following requirements, and are accessible at all times, shall be provided in each facility:

- Warm water at a minimum temperature of 100°F. If the water temperature provided to the hand sink is not adjustable, the water shall be provided between 100°F and 108°F.
- Handwashing soap and single-use, sanitary paper towels shall be provided in approved dispensers.
- Handwashing facilities shall be available within or adjacent to toilet rooms, in all food or beverage preparation areas and in warewashing areas.
- Handwashing facilities shall be separated from the warewashing sink, as well as any open food, food contact surfaces or utensils, by at least 24-inches or by a minimum 6-inch high metal splashguard.

### MAJOR VIOLATIONS

- Lack of soap or paper towels in the kitchen, employee or public restroom handwash sinks.
- Handwash sink is not accessible.
- Water at the handwashing sink is too hot to wash hands making the handwashing sink unusable (when water temperature is not readily adjustable at the faucet).

### MINOR VIOLATIONS

- Bar soap is used at the kitchen handwash sink instead of liquid soap in a dispenser.
- Paper towels not kept in the dispenser, but on top of or next to.

### Corrective Action:

Handwash facilities must be available to make handwashing not only possible, but likely.

Major violations must be immediately resolved so that handwashing can be performed properly otherwise the facility may be subject to closure.

### Notes:

A warewashing sink shall not be used for handwashing except in food facilities that were constructed prior to January 1, 1996, and where there are no facilities exclusively for handwashing in food preparation areas. (Section 114125)

## 7. Hot and Cold Holding Temperatures

**CALCODE 113996, 113998, 114037**

Potentially hazardous food (PHF) shall be held at or below 41°F or at or above 135°F.

Food preparation outside of required holding temperatures shall in no case exceed 2 cumulative hours without a return to the specified holding temperatures.

### MAJOR VIOLATIONS

- PHF is held between 51°F to 129°F as a result of an improper process, practice or equipment failure. **Note: Failure of all refrigeration equipment may lead to a facility closure.**

### MINOR VIOLATIONS

- PHF is held at or between 130°F – 134°F.
- PHF is held at or between 42°F – 50°F.
- PHF is thawing under standing or warm running water and the temperature of the PHF is between 42°F -50°F.

### Exceptions:

Refrigerated PHFs may be at a temperature of 45°F or below when received, if the PHF is cooled to 41°F or below within four hours of receipt. (Section 114037)

If a temperature other than 41°F for a PHF is specified in law governing its distribution, the PHF may be received at the specified temperature and cooled as specified in subdivisions (d) and (e) of Section 114002. (Section 114037)

PHF that is received hot shall be at a temperature of 135°F or above. (Section 114037)

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

The following foods may be held at or below 45°F: (Section 113996)

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

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

## Examples of Potentially Hazardous Foods (PHFs)

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### Dairy

- Cheesecake
  - Cream pastries (if cream is not commercially made, check label)
  - Cream cheese
  - Eggs
  - Facility-made salad dressing, mayonnaise, or aioli
  - Food containing eggs (i.e. quiche, custards, hollandaise sauce)
  - Batters containing PHFs, including waffle batter, and rehydrated pancake and cake mixes
  - Milk
  - Opened ultra-pasteurized products
  - Pizza
  - Sliced/Shredded/crumbled cheeses (cheddar, jack, blue etc.)
  - Soft cheeses: (feta, soft Mexican style cheese, feta, brie etc.)
  - Whipped butter
  - Whipped cream (including opened ultra pasteurized containers)
- 

### Fruits / Vegetables

- All cooked vegetables, cooked rice and legumes
  - All sprouts
  - Baked/cooked potato
  - Rehydrated mashed potatoes
  - Cut melon
  - Cut tomatoes
  - Cooked edamame
  - Hummus
  - Kimchi, if it includes cooked rice paste and/or proteins, including but not limited to octopus, squid, scallops
  - Opened canned vegetables
  - Rehydrated vegetable products containing PHFs
  - Tofu, texturized vegetable protein
  - Any root vegetable stored in oil, including garlic, onion, rehydrated garlic
- 

### Meats

- Bakery products containing meat, cooked vegetable, soft cheeses (bao, piroshki)
  - Balut (developing duck embryo in shell)
  - Beef, poultry, seafood (excluding live fish), lamb, pork, ratites (cooked or raw)
  - Bologna
  - Broths (such as vegetable, seafood, beef, chicken, or turkey)
  - Gravies (reconstituted or facility-made)
  - Hot dogs, sausage,
  - Chorizo (cooked or raw)
  - Live molluscan shellfish
  - Opened canned meat or fish
  - Raw bacon
- 

### Miscellaneous

- All casseroles containing PHFs
- Cooked noodles
- Liquid batter for dipping PHFs
- Tapioca balls (boba) in water

## Examples of Non Potentially Hazardous Foods (Non PHFs)

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### Dairy/Miscellaneous

- Butter/margarine
  - Eggs
    - hard boiled eggs in intact shells (must be air-cooled)
    - pasteurized eggs in intact shells
  - Manufacturer sealed hard cheeses (e.g. parmesan, whole block of cheddar)
  - Processed sliced cheeses
  - Unopened ultra-pasteurized products
  - Commercially processed mayonnaise
- 

### Fruits / Vegetables

- Cut/whole raw vegetables
  - Cut fruit (other than melon or tomatoes)
  - Garlic in water
  - Unopened, commercially canned meats and vegetables
- 

### Meat

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

### Miscellaneous

- Commercially manufactured icing, glazes
- Peanut butter
- Fish sauce, soy sauce, oyster sauce, miso paste
- Uncooked, rehydrated rice noodles



## 8. Time As a Public Health Control

### CALCODE 114000

When time only, rather than time in conjunction with temperature, is used as a public health control, proper records and documentation must be maintained.

#### MAJOR VIOLATIONS

- Time tracking is not utilized (no time logs or time stickers) for PHFs
- PHF's time on the sticker has expired.
- New time is written on expired item.
- Foods placed under Time as a Public Health Control is returned back to temperature control:
  - PHF is reheated/refrigerated to reset the time.
  - PHF that has expired is saved for next day's use.

#### MINOR VIOLATIONS

- Written procedures for Time as a Public Health Control are not maintained for foods that have been previously cooled before using Time as a Public Health Control.

#### Corrective Action:

If food is found with improper implementation of Time as a Public Health Control, it may be determined that food should be voluntarily discarded or impounded. Forms such as those used for impound or embargo must be completed following the jurisdiction's procedures. Disposition of any impounded food item shall be conducted within 30 days as specified in Section 114393.

#### Notes:

When facility has established with the enforcement agency that Time as a Public Health Control is used, temperature will not be used as a factor and will not be considered to be a control method.

Time as a Public Health Control cannot be used for raw eggs in licensed health care facilities or in public and private school cafeterias. (Section 114000)

Food may not be reheated or refrigerated in an effort to reset holding time while using Time as a Public Health Control. Additionally, once Time as a Public Health Control methods are initiated, foods must be discarded after 4 hours.

## 9. Cooling Methods

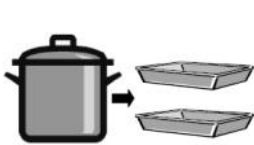
### CALCODE 114002, 114002.1

All potentially hazardous food shall be rapidly cooled from 135°F to 41°F, within 6 hours. The decrease in temperature from 135°F to 70°F, shall occur within the first 2 hours.

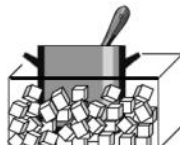
Potentially hazardous food shall be cooled within 4 hours to 41°F or less if it is prepared from ingredients at ambient temperature, (such as reconstituted foods and canned tuna) or it is received at a temperature above 41°F. Foods received at 45°F must be cooled to 41°F within 4 hours (Section 114037).

Potentially hazardous foods must be rapidly cooled using one or more of the following methods:

- Placing the food in shallow pans
- Using rapid cooling equipment
- Separating the food into smaller or thinner portions
- Using ice paddles
- Using containers that facilitate heat transfer
- Adding ice as an ingredient
- Inserting appropriately designed containers in an ice bath and stirring frequently
  - In accordance with an approved HACCP plan
- Utilizing other effective means as approved by the enforcement agency



Divide large containers into shallow pans



Ice bath with frequent stirring



Use an ice paddle or add ice as an ingredient



Reduce food mass

### MAJOR VIOLATIONS

- Food cooling with or without intervention that has exceeded the **first** critical time/temp limit of 70°F.
- Food cooling with or without intervention that has exceeded the **second** critical time/temperature limit of 41°F.

### MINOR VIOLATIONS

- Food cooling without intervention and has not exceeded the first critical time/temperature limit. Approved intervention or rapid reheating shall be initiated immediately.

# 10. Cooking Time and Temperatures

**CALCODE 114004, 114008, 114010**

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

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

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

Minimum for Ground Meat	
Temp. (°F)	Time
145	3 min.
150	1 min.
158	<1 sec. (instantaneous)

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

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

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

## MAJOR VIOLATIONS

- Any variation below the minimum standards set forth by CalCode Sections 114004, 114008, and 114010.
- The final cooking temperature of a chicken patty was measured at 140°F and then plated for service.

**MINOR VIOLATIONS: N/A**

**Corrective Action:**

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

**Exceptions:**

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

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

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

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

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

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

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

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

\*Holding time may include post oven heat rise.

# 11. Reheating Procedures for Hot Holding

CALCODE 114014, 114016

Any potentially hazardous food that has been cooked, cooled and subsequently reheated for hot holding shall be reheated to a temperature of 165°F for at least 15 seconds.



Reheating for hot holding shall be done rapidly, and the time the food is between 41°F and 165°F shall not exceed two hours.

Remaining unsliced portions of roasts that are cooked as specified under CalCode Section 114004 may be reheated for hot holding using the oven parameters and minimum time and temperature conditions as specified in Section 114004.

## MAJOR VIOLATIONS

- Leftover soup served before it reaches 165°F.

MINOR VIOLATIONS: N/A

## Exceptions:

Ready-to-eat foods taken from commercially processed, hermetically sealed containers, or from intact packages from a food processing plant shall be heated to a temperature of at least 135° F for hot holding. (Section 114016)

Cooked and refrigerated food that is prepared for immediate service in response to an individual consumer order may be served at any temperature. (Section 114014)

## 12. Re-service of Returned Food

CALCODE 114079

No unpackaged food that has been previously served to a consumer shall be re-served or later used for human consumption.

### MAJOR VIOLATIONS

- Leftover tortilla chips from one consumer were re-served to another consumer.
- Leftover bread from tables was made into croutons.



MINOR VIOLATIONS: N/A

### Exceptions:

A container of food that is not potentially hazardous may be transferred from one consumer to another if the food is dispensed so that it is protected from contamination and the container is closed between uses, such as salt and pepper shakers, a narrow-neck bottle containing ketchup, steak sauce, or if the food, such as crackers is in an unopened original package and is maintained in sound condition, and if the food is checked on a regular basis. Undamaged, unopened, non-potentially hazardous, individually prepackaged food may be re-served to another customer. (Section 114079)

## 13. Food in Good Condition, Safe, and Unadulterated

**CALCODE 113967, 113976, 113980, 113988,  
113990, 114035, 114039.2, 114167, 114254.3**

Any food is adulterated if it bears or contains any poisonous or deleterious substance that may render it impure or injurious to health.

No employee shall commit any act that may cause the contamination or adulteration of food, food contact surfaces, or utensils.

All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from approved sources; shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption.

Ice that has been used as a medium for cooling foods or prepackaged foods shall not be used for human consumption.

Food shall be inspected as soon as practical upon receipt and prior to any use, storage, or resale.

Potentially hazardous food shall be inspected for signs of spoilage and randomly checked for adherence to the temperature requirements as specified in Section 113996.

When received by a food facility, shellstock shall be reasonably free from mud, dead shellfish and shellfish with broken shells. Dead shellfish or shellstock with badly broken shells shall be discarded.

A container previously used to store poisonous or toxic materials shall not be used to store, transport, or dispense food.



## MAJOR VIOLATIONS

Major violations include any violation of these sections when actual contamination or adulteration of food has occurred.

- Foreign object found in food (glass, bandage).
- Rodent droppings or cockroach, excessive flies. **Note: Many flies hovering or sitting on food may be documented as a major violation and may lead to a facility closure.**
- Chemical contamination of food.
- Raw meat/juices in contact with ready-to-eat foods or those requiring a lower final cooking temperature
- Refrigerator condenser leaking directly on food.
- Containers that were previously used to store toxic materials are now used for food storage (laundry detergent bucket used for food storage).
- A food employee is observed using a utensil more than once to taste food without properly washing and sanitizing the utensil between uses.
- Washing produce in a warewashing compartment that is unclean.
- Use of moldy, spoiled food.
- Lubricants/cleaners that are not food grade are used on food contact surfaces.
- Bloated or leaking cans.
- Same equipment used for raw meat and ready-to-eat food items without sanitizing in between use.

## MINOR VIOLATIONS

- Weevils, moths or fruit flies in food items.
- Moldy food stored in the walk-in refrigerator not intended for service or moldy food on retail shelf in market.
- Major dents on the rim or seams of cans.
- Employee beverage stored in consumable ice.
- Beverage tubing or cold-plate beverage cooling devices are installed in contact with ice intended to be used for food or drink.

### Corrective Action:

If food is found to be contaminated or adulterated it shall be voluntarily discarded or impounded.



## 14a. Food Contact Surfaces Cleaned and Sanitized

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

All food contact surfaces and utensils shall be cleaned as required.

Utensils and food contact surfaces of equipment must be cleaned and sanitized at the following times:

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

Surfaces of utensils and equipment contacting food that is not potentially hazardous shall be cleaned in any of the following circumstances:

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



A reservoir that is used to supply water to a device, such as a produce fogger shall be cleaned and maintained in accordance with manufacturer's specifications, or according to the procedures specified below, whichever is more stringent.

These procedures shall be conducted at least once a week:

- Draining and complete disassembly of the water and aerosol contact parts.
- Brush-cleaning the reservoir, aerosol tubing, and discharge nozzles with an approved cleaning solution.
- Flushing the complete system with water to remove the cleaning solution and particulate accumulation.
- Rinsing by immersing, spraying, or swabbing the reservoir, aerosol tubing, and discharge nozzles with an approved sanitizer as specified in Section 114099.6.



No fogging devices installed after July 1, 2017 shall use a reservoir for holding water for fogging, but shall employ water under pressure for fogging or misting of foods.

### **MAJOR VIOLATIONS**

- Contamination of food contact surfaces that could result in food contamination.
- Meat slicer not washed at required frequency (every 4 hours or less in facility at room temperature).
- In-use food contact surfaces (including knives, basting brushes etc.) in contact with potentially hazardous foods are not cleaned and sanitized a minimum of every four hours.

### **MINOR VIOLATIONS**

- Equipment and utensils that are not currently in use are not clean to sight and touch.
- Unclean soda nozzles and gun holsters.
- A reservoir that supplies water to a produce fogger is not clean.
- Mold accumulation in the ice machine.
- Soda dispenser unit comes in contact with the drinking portion of the customer's cup.

## Exceptions:

Surfaces of utensils and equipment contacting potentially hazardous food may be cleaned less frequently than every four hours if any of the following occurs:

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

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

- Containers in serving displays such as salad bars, delis, and cafeteria lines holding ready-to-eat potentially hazardous foods that are maintained at proper temperatures are intermittently combined with additional supplies of the same food that is at the required temperature, and the containers are cleaned and sanitized at least every 24 hours.
- Thermometers that are kept in food that are at proper temperature.
- In-use utensils are intermittently stored in a container of water in which the water is maintained at or above 135°F and the utensils and container are cleaned at least every 24 hours or as needed to preclude accumulation of soil residues.
- In-use utensils used for moist foods, such as ice cream or mashed potatoes, are stored in running water of sufficient velocity to flush particulates to the drain (e.g. dipper well).

**Exceptions (cont.):**

Cleaning of the utensil or food contact surfaces of equipment is not required if the food contact surface or utensil is in contact with a succession of different raw foods of animal origin, each requiring a higher cooking temperature as specified in Section 114004 than the previous food, such as preparing raw fish followed by cutting raw poultry on the same cutting board. (Section 114117(b))

**Corrective Actions:**

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



## 14b. Warewashing and Sanitizing Procedures

**CALCODE 114097, 114099.1, 114099.2, 114099.4, 114099.6, 114099.7, 114101, 114105, 114109, 114111, 114185.3(a-c)**

Manual warewashing shall be accomplished by using a three-compartment sink where the utensils are first precleaned, then washed, rinsed, sanitized, and air dried.

All food contact surfaces of utensils and equipment shall be sanitized as required.

Manual sanitization shall be accomplished by one of the following:

- Contact with 100ppm chlorine solution for 30 seconds
- Contact with 200ppm quaternary ammonia solution for 1 minute
- Contact with 25ppm iodine solution for 1 minute
- Contact with water of at least 171°F for 30 seconds

Automatic warewash (low or high temperature) units shall meet manufacturers specifications for sanitizer concentrations.



### MAJOR VIOLATIONS

- Employee skips sanitization step during manual warewashing.
- In-use waremachine running with sanitizer reading at 0ppm. **Note: If the waremachine cannot be fixed during inspection and no manual warewashing facilities are available, the facility is subject to closure.**
- Water in rinse cycle <150°F at a high temperature waremachine.
- Dishes/equipment/food contact surface washed manually or in an automatic waremachine that are still soiled after a full cycle.

## MINOR VIOLATIONS

- Employee observed washing dishes using approved steps in the wrong order .
- Inadequate contact time with sanitizer (chlorine<30 seconds, quaternary ammonium<1 minute).
- During manual warewashing chlorine reading <100 ppm but >0ppm.
- Waremachine running with sanitizer reading less than 50 ppm but more than 0 ppm.
- Water in high temperature waremachine reaches 150°F - 159°F but not reaching 160°F (or manufacturers instructions).
- Towel drying of dishware, skipping the air drying step.
- Equipment and utensils that have been in sanitizer are not allowed to adequately dry before use.
- The washing temperature in the low temperature automatic waremachine is not reaching proper washing temperature per manufacturer's specifications but the dishes are coming out clean.

### Corrective Actions:

A food facility that prepares food shall not be operating if there is no method to properly clean and sanitize equipment or utensils. The food facility shall cease operation immediately. The food facility shall remain closed until a method to clean and sanitize equipment or utensils is provided.

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

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

### Notes:

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

Machine sanitization of utensils using high temperature must be at least 160°F measured at the utensil surface. (Section 114099.7)

## 15. Food Obtained from Approved Source

**CALCODE 113980, 113982 114021, 114023, 114024, 114025  
114027, 114029, 114031, 114041**

All food shall be obtained from an approved source.



All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from approved sources; shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption.

Food prepared in a private home, without a Cottage Food permit, may not be used or offered for sale in a food facility.

Liquid, frozen, and dry eggs and egg products shall be obtained pasteurized.

Shell eggs shall be received clean and sound and shall not exceed the restricted egg tolerances for United States Consumer Grade B Standards.

Frozen milk products, such as ice cream, shall be obtained pasteurized.

Fluid and dry milk and milk products complying with Grade A standard as specified in law shall be obtained pasteurized.

Ice for use as a food or a cooling medium shall be made from potable water.

Fish that is received for sale or service shall be commercially and legally caught or harvested.

Molluscan shellfish shall be obtained from approved sources.

Game animals shall be received from an approved source and shall not be received for sale or service if it is listed as an endangered or threatened animal by the Department of Fish and Game.

### MAJOR VIOLATIONS

- Flan made at home by owner.
- Meat from a hunting trip that is sold at the facility.

**MINOR VIOLATIONS: N/A**

## Exceptions:

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

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

## Corrective Actions:

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

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## Cottage Foods Requirements

Class A Registration: Sold directly from Cottage Food Operator (CFO) to Consumer.

Class B Registration: Sold directly from CFO to Retail Food Facilities (e.g., markets, bakeries, restaurants)



**Labeling:** All cottage food products must be properly labeled in compliance with the Federal, Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.). It shall include: • "Made in a Home Kitchen" or "Repackaged in a Home Kitchen" in 12-point type • Name commonly used for the food product • Name of CFO which produced the food product • Registration or permit number of the cottage food operation which produced the cottage food product and the name of the local enforcement agency that issued the number • Product ingredients in descending order by net weight

In a permitted food facility, cottage food products served without packaging or labeling shall be identified to the customer as "homemade" on the menu, menu board or other easily accessible location.

For more information on Cottage Foods, visit [emd.saccounty.net/EH/FoodProtect-RetailFood/Pages/CottageFood.aspx](http://emd.saccounty.net/EH/FoodProtect-RetailFood/Pages/CottageFood.aspx)



## 16. Shellstock Identification Tags

**CALCODE 114039, 114039.1, 114039.3, 114039.4**

Shellstock shall be obtained in containers that bear legible source identification tags. Shellstock tags shall remain attached to the container that they are received in until the container is empty.



Tags shall be maintained at the food facility in chronological order correlating to the sale date for **90 calendar days**. The source of the shellstock on display shall be identified. Shellstock that are portioned or prepackaged shall have a copy of the corresponding shellstock tag.

### MAJOR VIOLATIONS

- Missing or incomplete shellfish certification tags.
- Shellfish tags are not kept on file for a minimum of 90 days.

### MINOR VIOLATIONS

- Tags kept on file for 90 days are not stored in chronological order from the date of sale.
- Previously frozen shellstock is not labeled.

### Corrective Actions:

A package of raw shucked shellfish or shellstock that does not bear a label or that bears a label that does not contain all the information required by Section 114039.1 subdivision (a) shall be voluntarily discarded or impounded.



## 17. Shellstock Display and Commingling

**CALCODE 114039.4(c), 114039.5, TITLE 17 CA CODE OF REGULATIONS § 13675**

Except in accordance with an approved HACCP plan, molluscan shellfish life-support system display tanks shall not be used to display shellfish that are offered for human consumption. Exception: No HACCP is required if the display tank was installed before 7/1/07.

Food facility shall ensure that shellstock from one tagged or labeled container are not commingled with shellstock from another container with different certification numbers.

Raw Gulf Oysters shall not be offered for sale, without evidence of approved treatment, between the months of April 1 - October 31.

Raw Gulf Oyster warning signs are required to be posted for untreated oysters between the months of November 1 - March 31.



### MAJOR VIOLATIONS

- Same species shellfish from two different bags with different harvest information stored together (commingled).
- Shellfish stored in tanks with the same water recirculation system with crustaceans, fish, or sea snails.

### MINOR VIOLATIONS

- Different species of shellfish stored together (commingled), but can be easily differentiated.
- Self-service customer operation at molluscan shellfish tank.

### Corrective Actions:

Same species shellfish that are commingled or improperly stored and cannot be differentiated for separation shall be voluntarily discarded or impounded.

Immediately remove untreated Gulf Oysters from sale during banned months (April 1-October 31) unless evidence is provided that the oysters have been treated by a method approved by the California Department of Health Services Food and Drug Branch. If signs are missing during November 1-March 31, immediate corrective action should be taken to provide the approved signage.

## 18. HACCP Requirements

**CALCODE 113799, 113801, 114039.5, 114057, 114057.1, 114417.6, 114419, 114419.1, 114419.2, 114419.3**

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

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

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

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

- 1) Using acidification or water activity to prevent the growth of *Clostridium botulinum*.
- 2) Packaging potentially hazardous food using a reduced oxygen packaging method as specified in Section 114057.1.

If the California Department of Public Health grants a variance, or if an HACCP plan is required pursuant to Section 114419, the permit holder shall follow all requirements listed in CalCode.

Food facilities may engage in any of the following activities only pursuant to an HACCP plan as specified in Section 114419.1:

- 1) Smoking food as a method of food preservation rather than as a method of flavor enhancement.
- 2) Curing food.
- 3) Using food additives or adding components such as vinegar as a method of food preservation rather than as a method of flavor enhancement, or to render a food so that it is not potentially hazardous.
- 4) Operating a molluscan shellfish life support system display tank used to store and display shellfish that are offered for human consumption.
- 5) Custom processing animals that are for personal use as food and not for sale or service in a food facility.
- 6) Preparing food by another method that is determined by the enforcement agency to require an HACCP plan.

See CalCode Section 114057.1(d).

**MAJOR VIOLATIONS**

- The food facility is not following the California Department of Public Health approved HACCP plan procedures.
- The food facility has obtained a Variance from the California Department of Public Health to allow for deviation from specific code requirements and is not following the approved variance conditions or procedures.
- The food facility is reduced oxygen packaging fresh fish.

**MINOR VIOLATIONS**

- If the food facility operator is utilizing a practice that requires a HACCP plan without having an approved written HACCP plan, or is not following the HACCP plan as written.

### **Minor Violations (cont.):**

- If the food facility operator is utilizing any of the following practices without a written HACCP plan, or is not following the HACCP plan as written:
  - Smoking food as a method of preservation
  - Curing food
  - Using food additives as a method of preservation or as a means to change the food to non-PHF
  - Operating a molluscan shellfish life support tank for shellfish intended for human consumption
  - Preparing food by another method that requires a HACCP plan as determined by the enforcement officer.

### **Exceptions:**

Food that is labeled with the production time and date, held at 41F or below, and removed from its package in the food facility within 48 hours after packaging, is not required to have an HACCP plan. (CalCode Section 114057.1(d))

Except for fish that is frozen before, during, and after packaging, a food facility shall not package fish using a reduced oxygen packaging method. (CalCode Section 114057.1(c)).

Whole Chinese-style roast duck (CalCode Section 114425) and Korean Rice Cakes (CalCode Section 114429) do not require a HACCP plan.

### **Corrective Actions:**

If a California Department of Public Health variance is issued, a copy of the document must be kept at the food facility and provided to the enforcement officer upon request. If it is determined during an inspection that the alternate procedures detailed in the variance letter or HACCP Plan are not being followed, the enforcement officer shall impound the affected food products and notify the California Department of Public Health in writing as soon as possible.

### **Notes:**

Except for HACCP plans requiring approval by the California Department of Public Health, HACCP plans do not require prior approval by the enforcement agency prior to implementation.

If it is determined during an inspection that a HACCP plan is required, the written HACCP plan and supporting documentation should be reviewed. The specific food handling procedures detailed in the HACCP plan should then be evaluated to verify that the HACCP plan is being followed as written.

## 19. Consumer Advisory for Undercooked Food

CALCODE 114012, 114093, 114093.1

Ready-to-eat food containing undercooked, raw animal foods, including beef, eggs, fish, lamb, milk, pork, poultry, or shellfish may only be served if the food facility permit holder shall inform consumers of the significantly increased risk of consuming such foods.

A consumer advisory requires a **disclosure** and a **reminder**.

A **disclosure** is a clearly written statement that includes either:

- 1) A description of the animal-derived foods, such as “oysters on the half shell (raw oysters), “raw-egg Caesar salad” and “hamburger (can be cooked to order) or
- 2) Identification of animal derived foods marked by an asterisk (\*) directing to a footnote that states that the items are served raw or undercooked, or contain or may contain raw or undercooked ingredients.

A **reminder** is a written statement that identifies the animal-derived foods by an asterisk that marks a footnote that includes either of the following disclosure statements:

- 1) Written information regarding the safety of these food items is available upon request or
- 2) Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.

Unlabeled or unpackaged confectionery food containing more than ½% alcohol may only be served if the facility provides written notice to the consumer.

**MAJOR VIOLATIONS: N/A**

**MINOR VIOLATIONS**

- Pasteurized eggs or pasteurized egg products are not substituted for raw shell eggs in foods such as Caesar salad dressing or Hollandaise sauce and no consumer warning is provided.
- Raw Oysters on the half shell is missing a disclosure and reminder statement on the menu.

**Exceptions:**

Raw or undercooked animal foods shall not be served to a highly susceptible population.

Ready-to-eat raw, comminuted meat cannot be offered on a children’s menu.

Raw, whole beef steak that is cooked to 145°F on all external surfaces is considered ready-to-eat and does not require a consumer advisory.



**DID YOU KNOW?**

**Common Examples of Foods That May Contain Raw or Undercooked Animal-Derived Foods and Require a Consumer Advisory**

including but not limited to:



- house-made Caesar salad dressing
- house-made mayonnaise, hollandaise, or aioli
- tiramisu
- beverages containing raw egg whites (e.g. Gin Fizz, Whiskey Sour)
- sushi
- ceviche
- steak tartare

## 20. School and Licensed Health Care Prohibited Foods

CALCODE 114091

Prohibited foods may not be offered in licensed health care facilities or public/ private schools.

Prohibited foods include:

- Unpasteurized juice, fluid milk or dry milk
- Unpasteurized shell eggs are used, unless raw eggs are used for one consumer's serving at a single meal and cooked as required by code, or combined as an ingredient before baking and thoroughly cooked to a ready-to-eat form, or the facility is operating pursuant to a HACCP Plan.
- Raw or undercooked meat products
- Raw seed sprouts

### MAJOR VIOLATIONS

- Serving any of the foods listed above.
- Raw seed sprouts are served.
- Ready-to-eat foods that contain raw food of an animal origin or partially cooked foods are served.

MINOR VIOLATIONS: N/A

### Corrective Action:

Food shall be voluntarily discarded or impounded.



## 21. Hot and Cold Water Supply

**CALCODE 113953(c), 114189, 114192, 114192.1, 114195**

An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided.



Hot water shall be supplied at a minimum temperature of 120°F measured from the warewashing, prep sink and mop sink faucets.

Handwashing facilities shall be equipped to provide warm water (100°F) under pressure for a minimum of 15 seconds through a mixing valve or combination faucet.

A food preparation sink shall be provided with hot and cold running water through a mixing valve.

### MAJOR VIOLATIONS

- Hot water from the faucet at warewashing sinks is less than 100°F and utensils remain soiled after warewashing.
- Contaminated or unapproved water supply.
- No potable water is available to the facility.

**Note: If any of the above scenario occurs, facility may be subject to closure.**

### MINOR VIOLATIONS

- Hot water from the faucet less than 120°F, provided effective warewashing can be achieved, and wares are coming out clean and not soiled.
- Water <100°F at the handwash sink, or above 108F through a mixing valve and hands can still be washed.

### Exceptions:

A food facility may provide only warm water if the water supply is used only for handwashing, as required in Section 113953.

**Corrective Actions:**

A food facility with hot water measured below 100°F at the warewashing sink faucet shall immediately correct the violation (relighting a pilot light for example), find a suitable alternative, or cease food preparation in the impacted areas until water, hot water, or potable water is restored.

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

The water temperature, once it reaches maximum, must remain at the required temperature. Peaks and valleys in water temperature may be due to an inadequately sized water heater.



.....  
Installation of a new water heater that is of a different make, model or size than what was previously approved may require Plan Review approval. Contact EMD Plan Review at (916) 874-6010 prior to making changes.  
.....

## 22. Sewage and Wastewater Disposal

CALCODE 114197, 114201

Liquid waste shall be disposed through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system.

### MAJOR VIOLATIONS



- Overflows or back-ups of sewage / wastewater into the food facility.
- A clogged floor sink/grease interceptor that adversely impacts the use of necessary equipment.

**Note: If any of the above scenarios occur, facility may be subject to closure.**

### MINOR VIOLATIONS

- Mop water disposed of in parking lot.
- Condensation line from walk-in refrigerator draining outside into parking lot.

### Corrective Actions:

In the event the overflow from the facility is occurring outside, the source of the discharge must immediately cease.

## 23. Vermin and Animal Contamination

**CALCODE 113903, 114259, 114259.1, 114259.4, 114259.5**

Each food facility shall be kept free of vermin: rodents (rats, mice), cockroaches, flies.

Service animals may have limited access to food preparation and dining areas as specified in section 114259.4 and 114259.5.



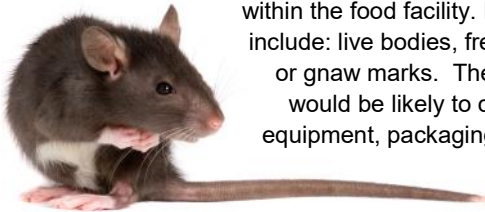
Service animal means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, or that is in training to do that work or perform those tasks. It does not include any other species of animals, whether wild or domestic, trained or untrained.

The work or tasks performed by a service animal shall include assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, or helping person with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of the section.

### MAJOR VIOLATIONS

- Cockroaches, rodents, flies and similar disease carrying vermin are present within the food facility. Evidence of their presence would include: live bodies, fresh droppings, vomitus, urine stains, or gnaw marks. The presence of vermin has caused, or would be likely to cause contamination of food, equipment, packaging, or utensils.



**Evidence of cockroach, rodent or fly infestation may be subject to facility closure.**

### MINOR VIOLATIONS

- Insects that do not carry disease, such as weevils and gnats, present in facility.
- Live animals (other than service animals) are allowed in a food facility.

## Notes and Exceptions:

Food employees with service animals may handle or care for their service animals if they wash their hands as required.

Live animals may be allowed in specific situations (service animals) if the contamination of food, clean equipment, utensils, linens, and unwrapped single-use articles cannot result.

Pets may be in outdoor dining areas, provided that there is no food preparation, and that they enter through a separate outdoor entrance.



## Compliance Recommendations:

- Clean all areas of food debris and grease on a daily basis. Ensure facility is thoroughly cleaned by night, to prevent food foraging by nocturnal pests.
- Seal all gaps, cracks and holes in facility to prevent harborage.
- Provide routine preventative professional pest control service.
- Place monitoring traps (glue traps) throughout facility to monitor areas that are highly susceptible to cockroach or rodent infestations.
- Remove dead cockroaches to prevent hatching of egg sacs.



## Cockroaches

The most common cockroach species in a commercial kitchen is the German cockroach. The kitchen environment, with food, moisture, heat and harborage areas, is ideal for the species to live and breed. Each German cockroach ootheca (egg sac) can hatch up to 50 eggs. Lack of cleaning and pest control can result in an infestation.



*German Egg Sac*



*German Nymph*



*German Adult*

## Rodents

Rodents can squeeze through a gap of 1/4 inch.



*Rat Droppings*



*Mouse Droppings*

**Rodents and cockroaches are nocturnal pests. Observation of live activity during the day is evidence of an infestation. Facility may be subject to closure until the infestation has been eliminated.**

## 24. Person in Charge is Present and Performs Duties

**CALCODE 113820.5, 113945, 113945.1, 113947, 113984.1, 114075**

A "Person in Charge" who is responsible for operation of facility shall be present at the food facility during all hours of operation.

The "Person in Charge" shall have knowledge of safe food handling practices as they relate to the specific food preparation activities that occur at the food facility.

The "Person in Charge" shall have adequate knowledge of major food allergens, foods identified as major food allergens, and the symptoms that a major food allergen could cause in a sensitive individual who has an allergic reaction. They shall also educate food employees on major food allergens.

The "Person in Charge" shall restrict unnecessary animals from entering the facility.

The "Person in Charge" must ensure that customer access through preparation area is limited and in compliance with requirements.

Consumers shall be notified that clean tableware is to be used when they return to self-service areas such as salad bars and buffets.

Drinking cups may be refilled provided that the refill process does not permit contamination.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- The Person in Charge is not present during operating hours.
- Customers are allowed access through the food preparation area.
- Consumers are not notified orally or in writing that they must use clean tableware when returning to self-service areas such as salad bars and buffets.
- Person in Charge does not know any of the major food allergens or their symptoms.
- Animals (not service animals) allowed in the food facility by the Person in Charge.

### Notes:

The permit holder or person designated by the permit holder is the person in charge (PIC). The PIC does not have to be the certified food safety manager certificate holder.

## 25. Personal Cleanliness and Hair Restraints

**CALCODE 113968, 113969, 113971**

All employees preparing, serving or handling food or utensils shall wear clean, washable outer garments or uniforms and shall wear a hairnet, cap, or other suitable covering to confine hair.



Food employees shall keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough.

**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS



- Food employees preparing, serving or handling food or utensil are not wearing hair restraints.
- Food employees coming into work with visibly unclean clothing.
- Food employees observed with unclean fingernails.

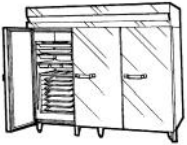
### Exceptions:

Food employees such as counter staff, who only serve beverages and wrapped or prepackaged foods, host and wait staff, need not confine their hair if the hair presents a minimal risk of contaminating non-prepackaged food, clean equipment, utensils, linens, and/or unwrapped single-use articles.

## 26. Thawing Methods

CALCODE 114018, 114020

Food shall be thawed under refrigeration; completely submerged under cold running water ( $\leq 70^{\circ}\text{F}$ ) of sufficient velocity to flush loose particles for a period not to exceed two hours; in microwave oven, if immediately followed by preparation; or during the cooking process.



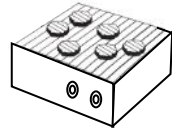
Thaw meat on bottom shelf



Cold running water



Microwave



Cooking process

### MAJOR VIOLATIONS: N/A

Note: Improper thawing that allows food in the temperature danger zone may result in an improper holding violation. See Violation #7.

### MINOR VIOLATIONS

Potentially hazardous food is observed not being thawed by one of the following approved procedures:

- Water temperature above  $70^{\circ}\text{F}$  in use to thaw food.
- Food thawing under running water is not completely submerged.
- Potentially hazardous foods thawing at room temperature on the counter top and not under refrigeration.



- Monitor the food frequently to see if food has fully thawed to  $41^{\circ}\text{F}$ .
- Break up large, frozen pieces of food during the process for even thawing. Example: frozen blocks of shrimp.



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



## 27. Food Protected from Contamination

**CALCODE 113984, 113986, 114060, 114069, 114077,  
114073, 114089.1(c), 114143(c-d)**

All food shall be separated and protected from contamination.

Food preparation shall be conducted within a fully enclosed food facility.

Food shall be protected from cross-contamination.

Food on display shall be protected from contamination by the use of packaging, covers, sneeze guards, containers with tight-fitting securely attached lids, display cases, mechanical dispensers, or other effective means.

Overhead protection shall be provided above all food preparation, food display, and food storage areas.

French style, hearth-baked, or hard-cruste loaves or rolls shall be considered properly wrapped if contained in an open-end bag that encloses the loaves or rolls.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Food items stored in open/uncovered bag or container.
- Raw meat or other raw products of animal origin stored above ready-to-eat food items and there is a potential for cross contamination.
- Food is not being prepared in a fully enclosed food facility.
- Preparing food in a dining room, office or any other unapproved area.
- Uncovered ready-to-eat foods displayed for sale on counter.
- Foods other than prepackaged non-potentially hazardous food or uncut produce are displayed outdoors.
- Bulk milk container dispensing tubes not cut diagonally so as to leave no more than 1 inch protruding from the chilled dispensing head.
- The open-air barbecue or outdoor wood burning oven is not separated from public access to prevent food contamination or injury to public.
- Use of a cutting board on top of a trash can, or other contaminated surface.
- Beverage bottles/cans stored in drink barrel cooler in a customer self service area floating in ice water or completely submerged in water.
- Food stored under a soap or paper towel dispenser.

**Exceptions:**

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

1. It is whole uncut raw fruits, vegetables, and nuts in the shell.
2. Primal cuts of raw meat hung on clean, sanitized hooks or racks.
3. Food is in the cooling process.
4. It is shellstock.

Note: These are acceptable provided that proper temperature conditions, as required, are met.

.....

**Proper Food Storage in Refrigerators and Freezers**



## 28. Washing Fruits and Vegetables

CALCODE 113992

Produce shall be thoroughly washed in potable water prior to being cut, combined with other ingredients, cooked, served, or offered for human consumption.

Chemicals used to wash or peel produce shall meet the requirements specified in 21 C.F.R. 173.315 to ensure they are safe for use on food products.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Raw whole produce has not been washed prior to being cut, combined with other ingredients, cooked, served, or offered for human consumption in the ready-to-eat form.

### Exceptions:

Produce that is intended for washing by the consumer before consumption such as that found in the produce section of a retail market.

Produce that comes prewashed and commercially packaged is not required to be washed before serving.



## 29. Identification and Storage of Toxic Substances

CALCODE 114254, 114254.1, 114254.2

Only those pesticides that are necessary and specifically approved for use in a food facility may be used (in accordance with the manufacturer's instructions).

All poisonous substances, detergents, bleaches, cleaning compounds, shall be stored and used only in a manner that is not likely to cause contamination or adulteration of food, food contact surfaces, utensils, or packaging materials.

Containers of poisonous or toxic materials and personal care items shall bear a legible manufacturer's label.

Working containers of cleaners and sanitizers taken from bulk supplies shall be clearly and individually identified with the common name of the material.



**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- Household pesticide unapproved for use at food facility in use at food facility.
- Spray bottle for cleaner lacking legible label.
- Chemicals not stored separate from food items.

### Exceptions:

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

## 30a. Food Stored in Approved Location

**CALCODE 114047, 114049, 114053, 114055, 114069(b)**

Adequate and suitable space shall be provided for the storage of food.

Food shall be protected from contamination by storing the food in a clean, dry location, where it is not exposed to splash, dust, vermin, or other forms of contamination or adulteration, and at least six inches above the floor.

Food shall not be stored in lockers, toilet rooms, dressing rooms, refuse rooms, mechanical rooms, under unshielded sewer lines, leaking water lines, under stairwells, under other sources of contamination.

Products that are held for credit, redemption, or return to the distributor, such as damaged, spoiled, or recalled products, shall be segregated and held in designated areas that are separated from food, equipment, utensils, linens and single-use articles and stored in a sanitary manner to prevent adulteration of other foods and shall not contribute to a vermin problem.

Prepackaged nonpotentially hazardous foods or uncut produce displayed outdoors during operating hours, must be stored inside the fully enclosed food facility during non-business hours.

Prepackaged foods may not be stored in direct contact with ice or water if the food is subject to the entry of water.



**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Food is not stored at least 6 inches above the floor
- Food stored in places other than the approved location, such as outside of permitted facility.

**Exceptions:**

Food in packages and working containers may be stored less than six inches above the floor on case lot handling equipment as specified under Section 114165.

Pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to moisture. (Section 114047 (d))

Items in enclosed packages may be stored less than six inches above the floor on dollies, pallets, racks, or skids that are designed to be easily movable. (Section 114178 (d))

**FOOD STORAGE / DISPLAY / SERVICE**

## 30b. Food Containers Labeled

**CALCODE 114051**

Working containers holding food or food ingredients shall be identified with the common name of the food, except those foods that can be readily and unmistakably recognized.

**MAJOR VIOLATIONS: N/A**

**MINOR VIOLATIONS**

- Bulk food storage containers without any labels.
- Spray bottle on preparation table without a label.



**Exceptions:**

Containers holding food that can be readily and unmistakably recognized, such as dry pasta, rice or beans need not be identified.

## 31. Consumer Self-Service Operations

**CALCODE 114063, 114065, 114063, 114075**

Non prepackaged food may be displayed in bulk for consumer self-service if all of the following conditions are satisfied:

- 1) A label is provided. Nonfood items shall be displayed and stored in an area separate from food.
- 2) A suitable food dispensing utensil is provided for each container.
- 3) Consumer self-service operations such as buffets and salad bars shall be checked periodically on a regular basis by food employees trained in safe operating procedures.

Consumer self-service bulk beverage dispensing operations may not be required to be located within an enclosed facility if all the requirements in Section 114065 are met.

Raw, non prepackaged food of animal origin, such as beef, lamb, pork, poultry, and eviscerated fish, shall not be offered for consumer self-service.

Consumers shall be notified that clean tableware is to be used when they return to self-service areas such as salad bars and buffets.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- A food scooping utensil is not provided for each container at the buffet and salad bars.
- Consumer self-service bulk beverage dispensers are not properly operated or maintained.
- Unwrapped straws stored in unenclosed dispenser for customer self-service.
- Utensils (spoons, forks) stored with mouth part exposed in customer self-service area.
- Raw, non-prepackaged food of animal origin such as lamb, beef, pork, poultry, and eviscerated fish is offered for customer self service.
- Consumers re-use the same plate when they return to the buffet.

**Exceptions:**

Produce and food requiring further processing, except raw food of animal origin, may be displayed on open counters or in containers.

Salad bar and buffet-type food service or salad bars that serve foods such as sushi or raw shellfish do not require labels.

Ready-to-cook individual portions for immediate cooking and consumption on the premises, such as consumer-cooked meats or consumer-selected ingredients for Mongolian barbecue, or raw foods such as: frozen shrimp, lobster, finfish, or scallop adductor muscle, or frozen breaded seafood.

French style, hearth-baked, or hard-crust loaves and rolls shall be considered properly wrapped if contained in an open-end bag of sufficient size to enclose the loaves or rolls.

**FOOD STORAGE / DISPLAY / SERVICE**

## 32a. Food Presentation and Labeling

**CALCODE 114087, 114088, 114089, 114089.1, 114090, 114093.1**

Any food is misbranded if its labeling is false or misleading, if it is offered for sale under the name of another food, or if it is an imitation of another food for which a definition and standard of identity has been established by regulation.

Food offered for human consumption shall be honestly presented in a way that does not mislead or misinform the consumer.

Food prepackaged in a food facility shall bear a label that complies with the labeling requirements prescribed by the Sherman Food, Drug, and Cosmetic Law, Part 5 and label information shall include:

- 1) The common name of the food.
- 2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the food.
- 3) An accurate declaration of the quantity of contents.
- 4) The name and place of business of the manufacturer, packer, or distributor.

Bulk food that is available for consumer self-service shall be prominently labeled with either of the following information in plain view of the consumer:

- 1) The manufacturer's or processor's label that was provided with the food.
- 2) A card, sign, or other method of notification that includes the information specified above.



Bakery items that are not considered bulk food available to the consumer shall have a protective wrapping which bears a label which complies with the Sherman Food, Drug, and Cosmetic Law, Part 5 commencing with section 109875. **Note:** Bakery products sold directly to a restaurant, catering service, retail bakery, or sold over the counter directly to the consumer by the manufacturer or bakery distributor shall be exempt from these labeling requirements.

Cottage Food Labeling requirements also apply. Refer to violation #15 for additional information on Cottage Food Labeling requirements.

**MAJOR VIOLATIONS: N/A**

**MINOR VIOLATIONS**

- "Fresh" fish is advertised, but the fish had been frozen.
- "Quarter pounder" is not ¼ lb before cooking.
- Pink light shields used in a meat display case, to disguise browning meat.
- Bulk food available for consumer self-service does not have label information or does not have a sign or other method of notification that includes the label information.
- Any prepackaged food item (regardless of whether item was packaged at the retail facility or at the manufacturer level) that does not bear a label that complies with the labeling requirements as prescribed by the Sherman Food, Drug and Cosmetic Law.
- The manufacturer's dating information on foods is concealed.
- Missing pertinent information on a label for Cottage Food items.



## 32b. Compliance with Trans Fat Ban

**CALCODE 114377**



No food containing artificial trans fat may be stored, distributed, served by, or used in the preparation of any food within a food facility.

Every food facility shall maintain on the premises, the label for any food that

contains fat, oil, or shortening, for as long as this food is stored, distributed, served by, or used in the preparation of food within the food

facility. Food sold or served in a manufacturer's original

sealed package is exempt from this requirement.

A food contains artificial trans fat if the food contains vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil, unless the label required on the food, pursuant to applicable federal and state law, lists the trans fat content as less than 0.5 grams per serving.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Food served to customers contain 0.5 g or more of artificial trans fats and contains partially hydrogenated oils as part of the ingredients.
- Missing trans fat information for any foods that contain fat, oil, or shortening that are stored, distributed, served by, or used in the preparation of any food in the facility.



### Exceptions:

Trans fat requirements shall not apply to:

- Food sold or served in a manufacturer's original, sealed package.
- Public elementary, middle, junior high or high school cafeterias

## 32c. Compliance with Menu Labeling

### TITLE 21 OF THE CODE OF FEDERAL REGULATIONS, SECTION 101.11 (21 CFR 101.11) CALCODE 114094

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

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

Facilities are required to:

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

For more U.S Food and Drug Administration (FDA) Menu Labeling information, visit:

[www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation](http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation)

## MINOR VIOLATIONS

- Chain restaurant does not list calorie count on the menu, displayed food or self-service food/ beverage.
- Calorie font size is smaller than the name or price of the menu item.
- Missing “Calories” or “Cal” next to the standard menu item.
- Missing daily caloric intake statement on the bottom of each menu board or page(s)
- Additional nutrition information is not available upon request.

**Exceptions:** School cafeterias, food trucks, planes, trains, hotels with complimentary breakfast, and in-patient only food service

## EQUIPMENT / UTENSILS / LINEN

### 33. Nonfood Contact Surfaces Clean

**CALCODE 114115 (b), 114257**

Nonfood contact surfaces of equipment shall be kept free of an accumulation of dust, dirt, food residue, and other debris.

**MAJOR VIOLATIONS:** N/A

## MINOR VIOLATIONS

- Shelving throughout facility is sticky/dirty.
- Grime buildup on underside of refrigerator door handle.
- Grease accumulation on sides of deep fryer.
- Floor sinks have slime buildup.
- Floors or walls have old food debris and grease.
- Ceiling vents have an accumulation of dirt and dust buildup.



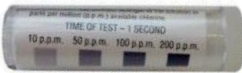
## 34. Warewashing Facilities and Testing Methods

**CALCODE 114099, 114067(f), 114067(g), 114099.3, 114099.5, 114101, 114101.1, 114101.2, 114103, 114107**

A warewashing machine shall be provided with an easily accessible and readable data plate affixed to the machine by the manufacturer that indicates the machine's design and operating specifications.

A warewashing machine shall be equipped with a temperature measuring device that indicates the temperature of the water as the water enters the hot water sanitizing final rinse manifold or in the chemical sanitizing solution tank.

All warewashing sinks shall be provided with two integral metal drainboards of adequate size, sloped in construction.



Testing equipment and materials shall be provided to adequately measure the applicable sanitization method.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- The food facility prepares food and does not have two integral metal drain boards on the 3-compartment sink.
- Sink compartments are not large enough to accommodate the largest piece of equipment or utensil and facility does not have any procedure in place to wash rinse and sanitize the larger utensils.
- The drain boards are unavailable for use during active warewashing.
- Lack of plugs/stoppers to fill up the warewashing sink.
- Mechanical warewashing machine is not installed and operated according to manufacturer's specifications.
- The warewashing machine does not have readable data plate affixed to the machine by the manufacturer that lists the machine's design and operating specifications.
- A facility with a high-temperature warewashing machine, requiring 160°F on the utensil surface, lacks an irreversible registering temperature indicator.
- Means for adequately measuring the applicable sanitization method are not readily available (ex. sanitizer test strips, thermal strips).



**Exceptions:**

A two compartment sink that is in use on January 1, 1996, need not be replaced when used as specified in Section 114099.3(e). Facilities with a 2-compartment sink that is approved and in use on January 1, 1996, may wash and rinse in the first compartment then sanitize in the second compartment.

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

**EQUIPMENT / UTENSILS / LINEN**

## 35. Equipment Approved and Maintained

**CALCODE 114101(a), 114175, 114130, 114130.1-114130.6,  
114132, 114133, 114137, 114139, 114153, 114163,  
114165, 114169, 114177, 114185.2**

All utensils and equipment shall be fully operative and in good repair. All utensils and equipment shall be approved, installed properly, and meet applicable standards.

Multiuse food contact surfaces shall be all of the following: smooth; free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections; free of sharp internal angles, corners, and crevices; finished to have smooth welds and joints; accessible for cleaning.

Nonfood contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material that allows easy cleaning.

Soft wood such as wood wicker shall not be used as a food contact surface. Hard maple or equivalent may be used as cutting boards, rolling pins, chopsticks, etc.

### Examples of American National Standards Institute (ANSI) Certification



**Intertek**

## MAJOR VIOLATIONS: N/A

## MINOR VIOLATIONS

- New and/or replacement food equipment is not certified or classified for sanitation by an ANSI accredited certification program.
- New electrical appliances do not meet UL standards for electrical equipment.
- The display refrigerator that is approved only for prepackaged food items is in use to store unpackaged potentially hazardous foods
- Ink printed plastic bags used in direct contact with food.
- Cardboard box used as food container or to line shelves.
- Reuse of empty food can to store food or equipment.
- Raw wood or wood wicker is used as a food contact surface.
- Cutting or piercing parts of can openers are not readily cleanable and removable.
- Equipment and utensils are not fully operative or in good repair.
- Surfaces of equipment such as cutting blocks and boards are scratched and scored so that they can no longer be effectively cleaned and sanitized.
- Cold or hot holding equipment is not functioning properly to ensure proper food temperatures.
- A hose used for conveying potable water is used for a variety of other purposes, or it is not clearly labeled as to its use.
- Condensation pooling at the bottom of a reach in refrigerator due to a plugged condensation line.

### Exceptions:

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

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

## 36. Equipment Stored in Approved Location

**CALCODE 113778.4, 114074, 114081, 114118, 114119, 114161, 114179(a) (1-8), 114172, 114178, 14185.4**

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

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

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

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

- 1) In locker rooms.
- 2) In restrooms.
- 3) In refuse rooms.
- 4) In mechanical rooms.
- 5) Under sewer lines that are not shielded to intercept potential drips.
- 6) Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed.
- 7) Under open stairwells.
- 8) Under other sources of contamination.



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

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

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

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

Soiled linens shall be kept in clean, nonabsorbent receptacles or clean, washable laundry bags and stored and transported to prevent contamination of clean surfaces.





**MAJOR VIOLATIONS:** N/A

#### **MINOR VIOLATIONS**

- After a customer is finished eating, extra place settings that had been on the table are re-used without cleaning and sanitizing.
- Clean equipment and dishware in self-service area are not stored covered or inverted to prevent contamination of the food contact surface.
- Handle to ice scoop is in contact with ice, or food product.
- Open boxes of to-go containers stored next to a handwash sink.
- Water pitchers stored in a location where they are exposed to handwash splash.
- Cabinets used for storing food are located in a janitorial closet.
- All pressurized cylinders are not securely fastened to a rigid structure.

#### **Exceptions:**

Laundered linens and single-use articles may be stored in a locker room if protected by packaging or a storage compartment.

Items in enclosed packages may be stored less than six inches above the floor on dollies, pallets, racks, or skids that are designed to be easily movable.

(Section 114178 (d))

## 37. Satellite Food Service

CALCODE 114067

Satellite food service shall be operated by a fully-enclosed permanent food facility that meets all requirements for food preparation and service.

The operator of the permanent food facility shall submit written standard operating procedures to the enforcement agency prior to operation that include all of the following information:

- 1) All food products that will be handled and dispensed.
- 2) The proposed procedures and methods of food preparation and handling.
- 3) Procedures, methods, and schedules for cleaning utensils, equipment, structures, and for the disposal of refuse.
- 4) How food will be transported to and from the permanent food facility and the satellite food service operation, and procedures to prevent contamination of foods.
- 5) How potentially hazardous foods will be maintained in accordance with Section 113996 at the proper hot and cold holding temperatures.

All food preparation shall be conducted within a food compartment or within a fully-enclosed facility. Satellite food service areas shall have overhead protection that extends over all food handling areas.

Satellite food service operations that handle non-prepackaged food shall be equipped with approved handwashing and warewashing facilities. Use of warewashing in the fully enclosed food facility may be used to fulfill this requirement.

**MAJOR VIOLATIONS:** N/A

**MINOR VIOLATIONS**

- Procedures are not followed per approved written procedures.

### Notes:

Satellite food service activity must be conducted by and under the constant and complete control of the permit holder of the fully enclosed food facility.

## 38. Ventilation and Lighting

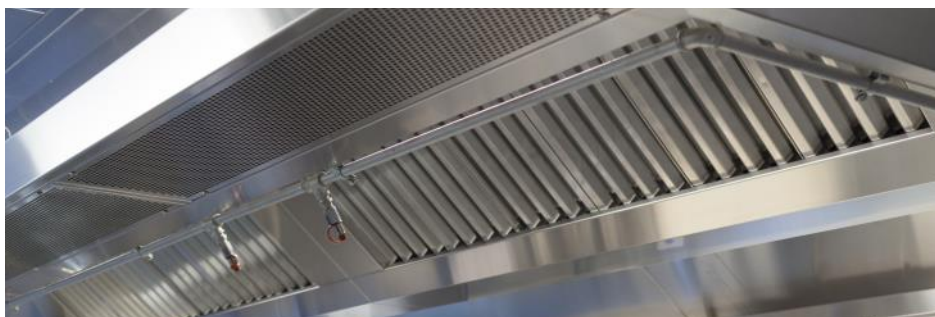
**CALCODE 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1**

All areas of a food facility shall have sufficient ventilation to facilitate proper food storage and to provide a reasonable condition of comfort for each employee, consistent with the job performed by the employee.

Restrooms shall have an openable screened window, an air shaft, or a light switch-activated exhaust fan, consistent with the requirements of local building codes.

Mechanical exhaust ventilation shall be provided over all cooking equipment to remove cooking odors, smoke, steam, grease, heat, and vapors.

The ventilating hood system shall be installed and designed as required in CalCode section 114149.2.



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

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

Light bulbs shall be shielded, coated or otherwise shatter-resistant in areas where there is unpackaged foods, clean equipment, utensils, linens, or unwrapped single use articles.

## MAJOR VIOLATIONS: N/A

## MINOR VIOLATIONS

- The restroom has a window that is permanently unopenable and no other source of ventilation.
- Less than 6 inches overhang of ventilation hood over deep fryer or gas rice cooker.
- Filters that do not fit have been installed in the mechanical exhaust ventilation over cooking equipment.
- Hood filters are installed horizontally.
- Gaps observed between the grease filters inside the hood.
- Facility not using hood when required.



- Inoperable ventilation fan in restroom.
- Fluorescent tubes are not shielded, coated, or otherwise shatter-resistant over open food preparation areas.
- Infrared or other heat lamps are not protected against breakage by a shield or by using shatter resistant bulbs.
- Plastic tube style shatterproof light covers lack end caps.

### Exceptions:

Restricted food service facilities shall be exempt from subdivision (a) of Section 114149.1, but shall still provide ventilation to remove gases, odors, steam, heat, grease, vapors and smoke from the kitchen. In the event that the enforcement officer determines that the ventilation must be mechanical in nature, the ventilation shall be accomplished by methods approved by the enforcement agency.

Shielded, coated, or otherwise shatter-resistant bulbs need not be used in areas used only for storing prepackaged food in unopened packages, if the integrity of the packages cannot be affected by broken glass falling onto them and the packages are capable of being cleaned of debris from broken bulbs before the packages are opened.

### Notes:

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

## 39. Temperature Measuring Devices

**CALCODE 114157, 114159**

A thermometer accurate to  $\pm 2^{\circ}\text{F}$  shall be provided and correctly located in each hot and cold holding unit containing potentially hazardous foods.

An accurate, easily readable, metal probe thermometer (accurate to  $\pm 2^{\circ}\text{F}$ ) that is designed to measure the temperature of thin masses shall be provided and readily accessible to accurately measure the temperatures of potentially hazardous foods shall be available to the food handler.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- The reach in refrigerator has a thermometer located in the coldest part of the unit.
- The only thermometer for the walk-in refrigerator is not working.
- The cold or hot holding case lacks a monitoring thermometer.
- A metal probe thermometer is not readily available (e.g. is locked in the manager's office).
- The temperature measuring devices used for food are not accurate to within  $\pm 2^{\circ}\text{F}$ .



### Notes:

A probe type thermometer need not be of the calibratable type. If a thermometer of this type is found to not be accurate after checking in an ice bath or in boiling water, it will be deemed inoperable and the facility will be required to replace it.

## 40. Wiping Cloths Storage and Use

**CALCODE 114135, 114185.1, 114185.3(d-e), 114185.5**

Sponges shall not be used in contact with cleaned and sanitized or in use food contact surfaces.

Wiping cloths that are in use for cleaning food spills shall not be used for any other purpose.

Cloths used for wiping food spills shall be dry and used for cleaning food spills from tableware and carry-out containers or used only once, or if used repeatedly, held in a sanitizing solution of:

- 100ppm chlorine
- 200ppm quaternary ammonia or
- 25ppm iodine



Dry or wet cloths that are used with raw foods of animal origin shall be kept separate from cloths used for other purposes, and wet cloths used with raw foods of animal origin shall be kept in a separate sanitizing solution.

Wiping cloths shall be free of food debris and visible soil.

Wet wiping cloths shall be laundered daily or placed into a laundry bag for no further use until laundered.

Dry wiping cloths shall be laundered as necessary.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Sponges are used for wiping counters in the kitchen during food preparation.
- Sanitizing solution in wiping cloth bucket is measured less than the required concentration.
- Multi-use wiping cloths lack required sanitizer concentration.
- Wiping cloths used for raw meats are placed in the same sanitizing solution as wiping cloths used for ready-to-eat foods.
- Wet wiping cloths are re-used every day without being laundered.

## 41. Plumbing Fixtures and Backflow Prevention

**CALCODE 114269, 114171, 114190, 114192, 114193  
114193.1, 114199, 114201**

All plumbing and plumbing fixtures shall be: installed in compliance with applicable local plumbing ordinances, maintained so as to prevent any contamination, kept clean, fully operative, and in good repair.

All equipment that discharges liquid waste shall be drained by means of indirect waste pipes, and all wastes drained by them shall discharge through an air gap into a floor sink or other approved type of receptor.

Air gaps at water supply inlets must be at least twice the diameter of the inlet and no less than 1 inch.

Floor sinks shall be visible and accessible for cleaning.

Warewashing machines may be connected directly to the sewer immediately downstream from a floor drain, or they may be drained through an approved indirect connection.

The potable water supply shall be protected with a backflow or back siphonage protection device when required by applicable plumbing codes.

Exposed piping of a non-potable water system shall be identified so that it is readily distinguishable from piping that carries potable water.

Liquid waste drain lines shall not pass through an ice machine or ice storage bin.



## MAJOR VIOLATIONS: N/A

## MINOR VIOLATIONS

- Plumbing and plumbing fixtures are not installed in compliance with local plumbing ordinances, are not maintained to prevent contamination, are not fully operative, or in good repair.
- Non-potable water piping is not identified so as to be readily distinguishable from potable water piping.
- Floor sinks are not readily visible or accessible for cleaning.
- Food storage equipment or sinks used for food preparation and warewashing is missing an air gap of at least 1-inch.
- Spray nozzle attached to a faucet at warewashing sink dangles below rim of sink.
- Hose connected to mop sink faucet without a backflow prevention device.



- Hoses attached to the 2-way hose valve (Y-splitter), which is attached to the sink faucet, lack anti-siphon devices, e.g. hose bibb vacuum breaker, on each end of the valves.
- Food preparation sink drain line is directly connected to sanitary sewer.
- Sink or faucet is leaking.
- Espresso machine waste line is draining in handwash

sink.

- Condenser unit in walk-in refrigerator is dripping.

### Exceptions:

This section does not require warewashing sinks to be indirectly plumbed when the local building official determines that the sink should be directly plumbed.

Warewashing sinks in use prior to January 1, 1996 that are directly plumbed are not required to meet current code requirement.



## 42. Garbage and Refuse Disposal

**CALCODE 114244, 114245, 114245.1-114245.7, 114257**

All food waste and rubbish shall be kept in leak proof and rodent proof containers. Containers shall be provided and covered at all times. All waste must be removed and disposed of as frequently as necessary to prevent a public health hazard or nuisance. The exterior of each food facility shall be kept clean and free of litter and rubbish.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Waste receptacles are not available for customers when needed.
- Indoor trash storage area does not comply with requirements for floors, walls, ceilings, or vermin exclusion requirements.
- Outside waste storage area or enclosure is not constructed of nonabsorbent material or is not easily cleanable, durable, or sloped to drain.
- Dumpster lids are left open / broken / missing.
- Refuse, recyclables, or returnables are not kept in nonabsorbent, durable, cleanable, leak proof, and rodent proof containers.
- Outside refuse enclosure is not kept clean and free of debris.
- Trash cans and/or dumpsters have grime/dirt/debris buildup.
- Dumpsters are not removed frequently enough or cleaned enough to minimize the development of objectionable odors or conditions that attract or harbor insects or rodents.
- Cardboard or other packaging material that is stored outside creates a rodent harborage problem.
- Animal byproducts and inedible kitchen grease is not disposed of as required.

### Exceptions:

Refuse containers inside a food facility do not need to be covered during periods of operation.

Off-premises based cleaning services may be used if on-premises cleaning implements and supplies are not provided.

### Notes:

Facilities that compost must dispose of it as frequently as necessary to prevent the creation of a nuisance or vermin attraction.

## 43. Restrooms Maintained, Supplied, and Accessible

**CALCODE 114250, 114250.1, 114276**

Toilet facilities shall be available, clean, stocked with toilet tissue and in good repair.



Restroom doors shall be kept closed, well fitting, and provided with a self closing device.

Restrooms shall be provided and conveniently located and accessible for use by employees during all hours of operation.

Toilet tissue shall be provided in a permanently installed dispenser at each toilet.

The number of toilet facilities shall be in accordance with local building and plumbing ordinances.

Toilet facilities shall be provided for patrons: in establishments offering on-site food consumption, or a food facility with more than 20,000 sq. ft. of floor space.

### MAJOR VIOLATIONS

- Lack of operable toilet facilities. **Note: If this scenario occurs, facility may be subject to closure.**
- Restroom entirely out of toilet tissue.

### MINOR VIOLATIONS

- Restroom converted to storage, without Building Department approval.
- Restroom is not maintained clean / sanitary.
- Stall doors are broken.
- Self-closing device on restroom door is not working or restroom door is propped open.
- One of multiple toilets is not operable.
- Toilet paper dispenser is broken.
- Toilet paper is not available in one of the stalls.

- Restroom is not conveniently located and accessible to employees at all times the facility is in operation.
- Toilet paper is stored outside of dispenser.

**Exceptions:**

Food facility built before Jan 1, 2004 with on-site food consumption and no customer restrooms shall post a sign in a public area stating that toilet facilities are not available.

**Notes:**

Food facilities located within amusement parks, stadiums, arenas, food courts, fairgrounds, and similar premises are not required to provide toilet facilities for employee use within each food facility if approved toilet facilities are located within 200 feet in travel distance of each food facility and are readily available for use by employees. Any food facility taking advantage of this allowance must be provided with approved handwashing facilities for employee use. (Section 114250.1 (a))

A food facility that was approved prior to July 1, 2007 with toilet facilities within 300 feet is not required to meet the 200 foot requirement. (Section 114250.1 (b))

## 44a. Premises Kept Free of Unused Equipment

CALCODE 114257, 114257.1

The premises of a food facility shall be kept clean fully operative, and in good repair.

The premises of a food facility shall be free of litter and items that are unnecessary to the operation or maintenance of the facility, such as equipment that is nonfunctional or no longer used.

**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- Broken, unused equipment stored in the back of the restaurant.
- Excessive litter observed outside in parking lot.
- Unorganized and cluttered storage rooms.



## 44b. Appropriate Use of Equipment

**CALCODE 113953.1 (b-d), 114123, 114125, 114143 (a-b)**

A handwashing facility shall not be used for purposes other than handwashing.

Handwashing, warewashing, and food preparation sinks shall not be used for the cleaning of maintenance tools, the preparation or holding of maintenance materials, or the disposal of mop water and similar liquid wastes.

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

Open-air barbecues or outdoor wood-burning ovens must be operated on the same premises as, in reasonable proximity to, and in conjunction with a permanent food facility that is approved for food preparation and they must be located in an area that will not constitute a fire hazard.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Use of equipment other than its intended purpose.

Examples:

- Handwash or food preparation sink used for washing dishes.
- Dumping soiled mop water into the warewashing sink.
- Washing hands in the warewash sink instead of the nearby handwash sink.

### Exceptions:

Food facilities that were constructed before January 1, 1996 and where there are no facilities exclusively for handwashing in food preparation areas may use warewashing sinks for handwashing if soap and paper towels are available.



## 44c. Mop Sink and Janitorial Area

CALCODE 114281, 114282, 114279

A separate room, area, or cabinet shall be provided for the storage of cleaning equipment and supplies.

Mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.

At least one curbed cleaning facility or janitorial sink equipped with hot and cold water and drain shall be provided.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- A mop, bucket, floor brooms, and cleaning supplies were stored in a way that contamination of utensils would be likely.
- Mop sink was removed from the facility.



## 44d. Employee Personal Items

**CALCODE 114256, 114256.1, 114256.2, 114256.4**

Employee lockers, employee personal storage areas, and areas designated for employees to eat and drink shall be located in an area that will prevent potential contamination of food, equipment, linens, and single-use articles.

Lockers or other suitable facilities shall be provided for personal items.

Dressing rooms or dressing areas shall be provided and used by employees if the employees regularly change their clothes in the facility.

Medications that are in a food facility for employee use shall be labeled and stored in a designated storage area for personal items.

First aid supplies that are in a food facility for employee use shall be identified with a legible manufacturer's label and stored in a kit or a container that is located so as to prevent the potential for contamination.



**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- Employees' personal cell phone and car keys found on food preparation surface or shelf next to clean cooking utensils.
- Clothing/jackets stored amongst food and equipment.
- Personal tooth brush and tooth paste found near handwash station in kitchen.
- Personal items such as lit candles or incense sticks stored above food contact surfaces.



### Exceptions:

Restricted food service facilities and nonpermanent food facilities shall not be required to comply with the above, but no person shall store clothing or personal effects in any area used for the storage and preparation of food.

## 44e. Vermin and Animal Exclusion

**CALCODE 114259, 114259.2, 114259.3**

A food facility shall be constructed, equipped, maintained, and operated to prevent the entrance and harborage of animals, birds, and vermin.



Pass through window service openings shall be limited to 216 square inches each. The service openings shall not be closer together than 18 inches. Each opening shall be provided with a solid or screened window, equipped with a self-closing device.

Pass through windows of up to 432 square inches are approved if equipped with an air curtain device. The counter surface of the service openings shall be smooth and easily cleanable.

Insect control devices that are used to electrocute or stun flying insects shall be designed to retain the insect within the device.

Insect control devices shall be installed so that the devices are not located over a food or utensil handling area and dead insects and insect fragments are prevented from being impelled onto or falling on non-prepackaged food, clean equipment, utensils, linens, and unwrapped single-use-articles.

During non-operating hours and periods of inclement weather, satellite food service operations shall be completely enclosed to exclude vermin, or stored inside the fully enclosed permanent food facility.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Fly electrocution device installed over a food preparation area.
- Front or back door to facility propped open and no screen door in place to prevent the entrance of flying insects.
- Gap under the back door greater than  $\frac{1}{4}$  of an inch.
- The drive-thru window left open.
- Holes in window screens.
- Drive-thru window exceeds 216 square inches and lacks an air curtain.





## 45. Floor, Wall, and Ceiling Finishes

**CALCODE 114143(d), 114266, 114268, 114268.1, 114271, 114272**

Each permanent food facility shall be fully enclosed in a building consisting of permanent floors, walls, and an overhead structure.

The floor surfaces in all areas where food is prepared, prepackaged, or stored, where any utensil is washed, where refuse or garbage is stored, where janitorial facilities are located, and in all toilet and handwashing areas shall be smooth, of durable construction, and of nonabsorbent material that is easily cleanable.

Floor surfaces shall be coved at the juncture of the floor and wall with a 3/8 inch minimum radius coving and shall extend up the wall at least 4 inches, except in areas where food is stored only in unopened bottles, cans, cartons, sacks, or other original shipping containers.

Except for dining and serving areas, the use of sawdust, wood shavings, peanut hulls, or similar materials is prohibited.

The walls and ceilings of all rooms shall be of a durable, smooth, nonabsorbent, and easily cleanable surface.

Mats and duckboards shall be designed to be removable and easily cleanable.

If an open-air barbecue or outdoor wood-burning oven is a permanent structure, it shall be equipped with an impervious and easily cleanable floor surface that extends a minimum of five feet from the open-air barbecue or outdoor wood-burning oven facility on all open sides.

**MAJOR VIOLATIONS: N/A**

### MINOR VIOLATIONS

- Unsealed/ absorbent flooring is installed.
- Wall behind warewashing sink is deteriorated due to water damage.
- Floor in food preparation area has topset base coving.
- Gaps in wall around plumbing.
- Broken floor tiles/deteriorated grout are observed in food preparation areas.
- Unapproved flooring is installed in food preparation areas.
- Perforated ceiling panels are installed over an area where non prepackaged food is handled.
- Epoxy paint used to seal flooring

**Exceptions:**

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

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

The walls, ceilings and floors in the following areas need not be of a durable, smooth, nonabsorbent, and easily cleanable surface: (Section 114271, 114268)

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



**Contact Plan Review at (916) 874-6010 for any flooring installations.**



**Notes:**

Smooth, nonabsorbent, and easily cleanable acoustical paneling is acceptable if installed not less than 6 feet above the floor, and meets the above requirements. (Section 114271 (c))

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

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



## 46. Living and Sleeping Quarters

**CALCODE 114285, 114286**

No sleeping accommodations shall be maintained or kept in any room where food is prepared, stored, or sold.

Living or sleeping quarters located on the premises of a food facility shall be separated from rooms and areas used for food facility operations by complete partitioning. No door or other opening shall be permitted in the partition that separates the food facility from the living or sleeping quarters.

**MAJOR VIOLATIONS: N/A**

### **MINOR VIOLATIONS**

- A living or sleeping quarter is located in the food preparation/ food storage area.

### **Exceptions:**

Restricted food service facilities are exempt provided that no sleeping accommodations are in any area where food is prepared or stored.

## 47a. Signs Posted as Required

CALCODE 113953.5, 113978, 114276(f)

A sign or poster that notifies food employees to wash their hands shall be posted at all handwashing lavatories used by food employees, and shall be clearly visible.

A food facility that was constructed before January 1, 2004, that has been in continuous operating since January 1, 2004, and that provides space for the consumption of food on the premises shall either provide clean toilet facilities in good repair for consumers, guests, or invitees on property used in connection with, or in, the food facility or prominently post a sign within the food facility in a public area stating that toilet facilities are not provided.

Food facilities shall have "no smoking" signs posted as required.

**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- Handwashing sign is not posted at handwashing sinks in the restrooms used by food employees.



### Exceptions:

Handwash signage is not required in the toilet rooms used by guests only or in toilet rooms of restricted food service facilities.

## 47b. Placard Posted in Approved Location

### SACRAMENTO COUNTY CODE 6.04.021

Upon completion of a routine inspection or re-inspection, the Health Officer shall post at every food establishment the appropriate placard, as determined by the Health Officer. The placard shall be posted so as to be clearly visible to the general public and to patrons entering the food establishment.

#### The placard must be:

- 1) Posted in the front window of the food establishment within five feet of the front door. OR
- 2) Posted in an outside display case within five feet of the front door of the food establishment. OR
- 3) Posted in a location approved by the Health Officer to ensure proper notice to patrons and the general public.



**MAJOR VIOLATIONS: N/A**

#### MINOR VIOLATIONS

- The placard has been defaced, marred or camouflaged.
- Placard is removed or hidden by placing something in front of it.

#### Notes:

Placard removal, marring, or relocating may result in a reinspection or compliance conference. Fees may be charged.

## 47c. Inspection Report Availability

CALCODE 113725.1

A copy of the most recent routine inspection report conducted to assess compliance with this part shall be maintained at the food facility and made available upon request. The food facility shall post a notice advising consumers that a copy of the most recent routine inspection report is available for review by any interested party.



**MAJOR VIOLATIONS:** N/A

**MINOR VIOLATIONS**

- Facility is missing the most recent copy of the inspection report.

## 48. Plan Review Construction and Remodeling

**CALCODE 114380**

A person proposing to build or remodel a food facility shall submit building plans to Plan Review at (916) 874-6010 for approval before starting any new construction or remodeling.

**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- Building plans for a new food facility or plans for a minor remodel to an existing facility have not been approved by Plan Review prior to beginning construction.
- A plumbing fixture is installed without submitting plans.
- New equipment (e.g. walk-in refrigerator) is added to facility without approval.

### Notes:

Plans may be required by the enforcement agency due to the addition of new menu items which would require a change in the food facility's food preparation methods, equipment, or storage capacity previously approved by the local enforcement agency.

Structural and sanitation requirements are based on the food service activity to be conducted, the type of food that is prepared or served, and the extent of food preparation that is to be conducted at the food facility.



**Contact your district Environmental Specialist at (916) 875-8440 or Plan Review staff at (916) 874-6010 prior to making major equipment, plumbing, structural or other changes.**

## 49. Permit Requirements

**CALCODE 114381, 114387, 114067(b-c)**

A food facility shall not be open for business without a valid health permit.

Any person who operates a food facility shall obtain all necessary permits to conduct business, including, but not limited to, a permit issued by the enforcement agency.

The Permit to Operate shall be posted in a conspicuous place within the food facility.

Satellite food service shall only be operated by a fully enclosed permanent food facility that meets the requirements for food preparation and service and that is responsible for servicing the satellite food service operation.

**MAJOR VIOLATIONS:** N/A

### MINOR VIOLATIONS

- When a food facility is open for business and does not have a valid health permit.
- Permit is not posted in conspicuous location.
- Satellite food service is not operated in conjunction with a fully enclosed permanent facility or written procedures are not available.
- Facility expands food service menu that requires a permit upgrade, but does not obtain it.

### Notes:

Satellite food service means a remotely located food service operation that is conducted on the same property as, in reasonable proximity to, and in conjunction with and by a fully enclosed permanent food facility (i.e., an outdoor beverage bar). Satellite food service does not include remote food service operations located within a fully enclosed food facility.

Food facilities that operate without a valid permit shall be subject to closure and a penalty fee not to exceed three times the cost of the permit may be charged. (CalCode Section 114387)

For purposes of enforcement, the Environmental Specialist may, during the facility's hours of operation or other reasonable times, enter, inspect, issue citations to, and secure any sample, photographs, or other evidence from a food facility.



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