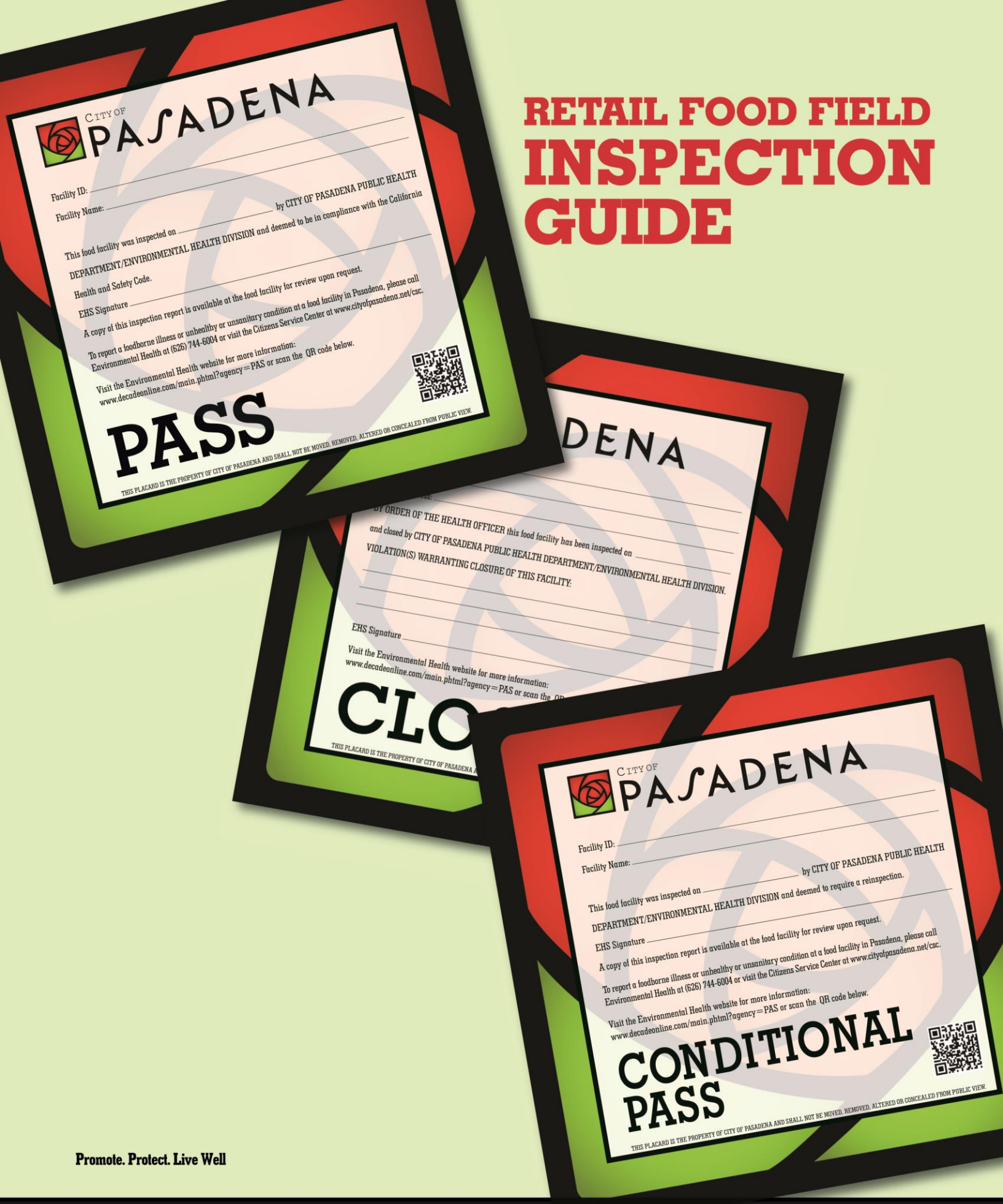
RETAIL FOOD FIELD INSPECTION GUIDE



Promote. Protect. Live Well

Pasadena Public Health Department • Environmental Health Division • 1845 N. Fair Oaks Avenue #1200 • Pasadena, CA 91103

INTRODUCTION

The City of Pasadena is dedicated to improving the quality of life and health of Pasadena residents and visitors, 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 roughly 1 in 6 Americans (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 facility should lead to a reduction in the incidents of foodborne illness and to increased protection for consumer health.

The five most common CDC risk factors are:

- Improper holding temperatures.
- Inadequate cooking.
- Poor personal hygiene.
- Contaminated equipment.
- Food from unsafe sources.

The FDA's public health interventions are:

- Demonstration of knowledge.
- Employee health controls.
- Controlling hands as a vehicle of contamination.
- Time and temperature parameters for controlling pathogens.
- Consumer advisories.

It is the responsibility of the City of Pasadena Public Health Department's Environmental Health Division to conduct routine inspections of retail food facilities in the City of Pasadena in order to ensure compliance with the California Retail Food Code (part of the California Health and Safety Code) and the Pasadena Municipal Code. The Environmental Health Division is committed to providing the highest quality service to both the food industry and the public.

The Retail Food Field Inspection Guide is intended to provide guidance to food service operators in matters related to retail food inspections and the placard system. This guide has also been developed to improve standardization among environmental health specialists during their inspections of retail food facilities. The applicable sections listed refer to the California Retail Food Code, unless otherwise specified.

This guide is not intended to be all-inclusive due to the fact that individual food facilities and the severity of their violations can vary greatly. It may not address all circumstances that may be found in a food facility.

COMMON TERMINOLOGY

The following terms are intended to assist the operator in using this Retail Food Field Inspection Guide. These definitions can also be found in the California Retail Food Code.

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

(a) Diarrhea, either alone or in conjunction with other gastrointestinal symptoms, such as vomiting, fever, or abdominal cramps.

(b) Vomiting in conjunction with either diarrhea or two other gastrointestinal symptoms, such as fever or abdominal cramps.

Adulterated means either of the following:

- Food that bears or contains any poisonous or deleterious substance that may render the food impure or injurious to health.
- Food that is manufactured, prepared, or stored in a manner that deviates from a HACCP plan so as to pose a discernable increase in risk.

Approved means acceptable to the enforcement agency based on a determination of conformity with applicable laws, or, in the absence of applicable laws, with current public health principles, practices, and generally recognized industry standards that protect public health.

Approved Source means a food source allowed under Article 3 (commencing with Section 114021) of Chapter 4, or a producer, manufacturer, distributor, or food facility that is acceptable to the enforcement agency based on a determination of conformity with applicable laws, or, in the absence of applicable laws, with current public health principles, practices, and generally recognized industry standards that protect public health.

California Retail Food Code (CRFC) is part of the California Health and Safety Code addressing the regulation of retail food facilities. www.cdph.ca.gov/services/Documents/fdbRFC.pdf

Department means the California Department of Health Services.

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.

Food Handler Card is issued after taking a food safety training course and passing an exam from an ANSI approved provider.

Food Manager Certification is issued after passing an exam from an ANSI approved provider.

HACCP Plan 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 (HACCP) principles developed by the National Advisory Committee on Microbiological Criteria for Foods.

Impound means the legal control exercised by the enforcement officer over the use, sale, disposal, or removal of any food, equipment, or utensils.

Multiservice Utensil means a utensil manufactured for use more than one time.

Person in Charge (PIC) means the individual present at a food facility who is responsible for the operation of the food facility.

Potable Water means water that complies with the standards pursuant to the California Safe Drinking Water Act Chapter 4 (commencing with Section 116270) of Part 12, to the extent permitted by federal law.

Potentially Hazardous Food (PHF) means a food that requires time or temperature control to limit pathogenic micro-organism growth or toxin formation. Examples include: protein based food (meat, poultry, seafood, eggs), dairy products (cheese, milk), cooked vegetables, cooked beans, cooked rice and cooked pasta.

Ready-to-Eat (RTE) Food means food that is edible without additional preparation to achieve food safety, such as cooking, acidifying, etc.

Revocation is an action taken by the Environmental Health Division to take away a facility's permit to operate, resulting in the facility's closure. A facility must apply for a new permit prior to being authorized to reopen.

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.

Suspension is an action taken by the Environmental Health Division to temporarily take away a facility's permit to operate, resulting in the facility's closure.

Time as a Public Health Control is when time only (rather than time in conjunction with temperature) is used as a control for working with or for holding potentially hazardous food. Written procedures must be available.

Variance means a written document issued by the State Department of Health Services that allows the use of an alternative practice or procedure which is equivalent to the existing requirements and that ensures a health hazard will not result from the alternative practice or procedure.

Voluntary Condemnation and Destruction (VC&D) is a procedure by which food found to be adulterated or misbranded is voluntarily destroyed by the operator under the supervision of an Environmental Health Specialist.

INSPECTION SERVICES

The City of Pasadena's Public Health Department's Environmental Health Division is responsible for ensuring that all food facilities comply with the California Health and Safety Code and the Pasadena Municipal Code. To this end, an Environmental Health Specialist will complete a number of services at a food facility that will result in the issuance of an inspection report.

Routine inspections are not announced and conducted at a frequency determined by a risk assessment. The risk assessment evaluates the type of food, the preparation, and the potential risk to the public.

Follow-up inspections are initiated by the inspector when the routine inspection reveals violations that warrant correction. Multiple follow-up inspections are not included in the annual permit fee, so additional charges may be incurred by a food facility owner.

Complaint investigations are initiated as a result of a complaint filed by the public. The posted placard will not be changed until the next routine inspection. However, if the inspection reveals a condition(s) that is an imminent health hazard, then the facility may be ordered to immediately close.

Emergency inspections are conducted when an emergency occurs at a food facility such as a fire, electrical outage, non-potable water, sewage overflow into the facility, or as directed by the Health Officer.

POSTING OF INSPECTION SUMMARY PLACARD

Based on the results of a routine or follow-up inspection, a summary placard will be issued.

A **PASS, CONDITIONAL PASS or CLOSED** placard will be posted at the end of the inspection as follows:

PASS

85 to 100 points

An acceptable level of compliance was achieved with any noted major* violations corrected at time of inspection.
**If a major violation cannot be corrected during the inspection, a closure of the facility may be necessary.*

CONDITIONAL PASS

75 to 84 points

Minimally acceptable compliance was achieved any noted major* violations corrected at time of inspection. A follow-up inspection will be conducted to ensure continued compliance.

Below 75 points

Poor food handling practices and lacking overall maintenance and sanitation of the food facility. A Permit Suspension Hearing will be scheduled. A follow-up inspection will be conducted to verify compliance or the permit may be suspended.

CLOSED

Permit Suspension/ Imminent Health Hazard*

The facility was ordered closed as a result of:

- Permit Suspension due to an imminent health hazard, including but not limited to:
  - Vermin
  - Sewage overflow
  - No water or hot water
  - Lack of power
  - No operable bathrooms
  - Fire or other disaster
- Permit Suspension due to non-compliance
- Operating without a Health Permit

Moving from a "Conditional Pass" to a "Pass" Placard

If a food facility is issued a CONDITIONAL PASS placard during a routine inspection, a follow-up will be scheduled within five (5) working days of the initial inspection, or as otherwise arranged with the facility operator, to assure that the violations have been corrected. **A score of 95 or above must be obtained during the follow-up inspection to be issued a "PASS" placard.**

If a food facility with a "CONDITIONAL PASS" does not score a 95 or higher and/or has major violations identified at the follow up inspection, a Permit Suspension or Revocation Hearing shall be scheduled pursuant to California Retail Food Code Section 114405.

For facilities that score below 75, a Permit Suspension Hearing will be scheduled to determine if the permit should be suspended or revoked pursuant to California Retail Food Code Section 114405.

During a follow-up inspection, food facilities must score 95 or above with no major violations noted to be issued a "PASS" placard.

Permit Suspension Hearings
A fee in the amount of $150.00 will be assessed and must be paid at the time of the scheduled hearing if a Permit Suspension Hearing is scheduled for any of the following reasons:

- The facility scored below 75 or repeat violations were noted.
- The permit is suspended due to an imminent health hazard.
- The facility is operating without a health permit.
- The facility with a conditional pass did not receive a score of 95 or higher at the follow-up inspection.

Posting of the Placard
The placard must be posted so that it is conspicuous to the general public from the time it is issued until the time it is replaced with another placard. The placard must be posted in one of the following places:

- On the front door or in the front window within five feet of the front door;
- In a display case mounted on the outside front wall within five feet of the front door;
- If no windows or display box exists or if the windows are heavily tinted, place inside the facility, in a visible location, within five feet of the front door, or posted at the service counter; or
- At another location approved by the Environmental Health Specialist.

Proper Posting
The placard is not considered properly posted when:

- It is not in the location approved by the Environmental Health Specialist.
- The placard is missing and the operator has not called for a replacement.
- The placard is defaced, marred, camouflaged, hidden or removed.

Keeping the Placard Safe
The food facility owner is responsible for keeping the placard in the approved location. If the owner finds the placard is missing or altered, it is his/her responsibility to immediately call the Environmental Health Division at (626) 744-6004 and request a new placard.

Fines and Penalties
When an Environmental Health Specialist documents a failure to properly post a placard, an administrative citation may be issued. Fines are assessed pursuant to the Pasadena Municipal Code.

VIOLATION MARKING INSTRUCTIONS

The Inspection Report is the official document that is used by the Environmental Health Specialist (EHS) during an inspection. The goal of the report is to clearly, concisely, and fairly present the compliance status at the time of inspection. The inspection report is divided into three sections:

1. Critical Risk Factors
Critical risk factors are those violations that have been identified by the Centers for Disease Control and Prevention as contributing factors in foodborne illness outbreaks. The California Retail Food Code Section 113725 (a)(2) requires that each violation be identified as a major or minor violation.

Major violations are considered violations that may pose an imminent health hazard and warrant immediate correction or may require closure of the food facility. These include, but are not limited to:

- Improper handwashing and employee hygiene,
- Contaminated food items,
- Improper sanitizing procedures,
- Improper food temperatures, and/or
- Food from unapproved sources.

The following violations may also be considered as major violations: adulterated food, prohibited food offered to highly susceptible populations, no water, lack of hot water, sewage, and/or vermin.

A minor violation does not pose an imminent health hazard, but does warrant correction. An example is, the hot water measures below 120°F but above 110°F at the utensil washing sink.

2. Good Retail Practices
These are violations that control basic operational and sanitation conditions within a food facility; and if not corrected, these could be contributing factors to foodborne illness by introducing hazards (biological, chemical, and physical) into the end product, either directly or indirectly.

3. Compliance & Enforcement
This section of the report is utilized to document any enforcement related activities.

VIOLATION CLASSIFICATION & POINT DEDUCTIONS

MAJOR (MAJ) = 4 pts
MINOR (MIN) = 2 pts
Good Retail Practice (GRP) = 1 pt
Conditional Pass Follow-up = 12 pts
Imminent Health Hazard = 26 pts

The EHS is required to evaluate each item on the inspection report and identify compliance with the requirements as follows:

- **"N.A."** indicates that the item is not applicable to the facility.
- **"N.O."** indicates that the item was not observed during the inspection, however the EHS should determine through discussion with the food employee to determine if there is adequate employee knowledge of a practice or procedure (this should be viewed as an educational opportunity rather than a violation of "Demonstration of Knowledge").
- **"MAJOR"** means that the facility is not in compliance with a critical risk factor and may pose an imminent health hazard if not corrected.
- **"MINOR"** means that the facility is not in compliance with a critical risk factor that does not pose an imminent health hazard but does warrant correction.
- **"IN"** indicates that the item is in compliance**.**
- **"OUT"** means that the item is not in compliance.
- **"COS"** is marked to indicate the violation has been corrected and verified prior to the completion of the inspection. The actual corrective action taken is to be documented on the inspection report.

CRITICAL RISK FACTORS

EMPLOYEE HEALTH, HYGIENE & KNOWLEDGE

1 Demonstration of knowledge; food handler card
Applicable Sections: 113947, 113948

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:

- Not all food handlers have a current food handler card, when required.
- Food employees are unable to demonstrate food safety knowledge practices and principles applicable to their assigned duties.

Notes:

- *The EHS should assess this item by asking open-ended questions that would evaluate an employee's knowledge in performing food safety duties. It is important that this item not be marked out of compliance for an isolated incident, but rather for an overall evaluation of the food employee's ability to ensure proper performance of their assigned duties.*
- *Food employees that prepare, handle, or serve non-prepackaged food are required to have a food handler card. Food handler cards must be obtained within 30 days of hire. The card shall be valid for 3 years from the date of issuance.*

2 Food manager certification
Applicable Sections: 113947.1-113947.5

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:

- Lack of a valid food safety certificate available during the inspection.

N.A. This item should be marked N.A. for food facilities that handle non-prepackaged non-potentially hazardous food.

N.O. This item is marked N.O. if there is no food safety certified owner or employee due to change of ownership, commencement of facility operations, or the facility no longer having a certified owner or employee and 60 days have not elapsed. The inspection report shall include a statement requiring proof of a certified owner or employee within 60 days.

Notes:

- *For purposes of marking this item, multiple contiguous food facilities permitted within the same site and under the same management, ownership, or control shall be deemed to be one food facility, notwithstanding the fact that the food facilities may operate under separate permits. The food safety certificate is not required for operators of wine-tasting or food facilities that handle only prepackaged foods.*
- *No certified person at a food facility may serve at any other food facility, as the person is required to be certified per Section 113947.1.*
- *The certificate shall be valid for 5 years from date of issuance.*
- *A violation of any provisions in Sections 113947.1 through 113947.5 constitute an infraction punishable by a fine of not more than $100 for each day of operation in violation.*

3 Communicable disease; reporting, restrictions & exclusions
Applicable Sections: 113949.1, 113949.2, 113949.5, 113950, 113950.5, 113975

MAJOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MAJOR** violation for any of the following:

REPORTING

- When the Person In Charge (PIC) is aware of a food employee who has been diagnosed with an "illness" as listed in Section 113949.2(a) and has not notified the Environmental Health Division.

- When the PIC is aware of a reportable illness or aware that two or more food employees are concurrently experiencing symptoms associated with an acute gastrointestinal illness and has not reported to the Environmental Health Division.

RESTRICTIONS & EXCLUSIONS

- When the PIC has not excluded a food employee as required by Section 113949.1.
- When the PIC has been made aware of a food employee who is suffering from an acute gastrointestinal illness and has not restricted the food employee.

REMOVAL OF RESTRICTIONS & EXCLUSIONS

- When the PIC removes a restriction of a food employee before resolution of symptoms of acute gastrointestinal illness.
- When the PIC removes exclusion prior to receiving clearance from the Health Officer or Environmental Health Specialist.

LESIONS & WOUNDS

- When the PIC is aware of a food employee who has a lesion or wound that is exposed and not properly protected as specified in Section 113949.2(b).
- When food employees are observed having cuts, sores, or rashes that are in contact with food and food-contact surfaces and these particular employees are observed not wearing gloves.

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

CORRECTIVE ACTION:

If a food employee is found working when diagnosed with an illness, the food employee shall be excluded from the food facility until the Health Officer or the Environmental Health Specialist removes the exclusion.

If a food employee is found working with symptoms of an acute gastrointestinal illness, the food employee shall be restricted from working with exposed food; clean equipment, utensils and linens; and unwrapped single-service and single-use articles.

If a food employee is found working with an exposed lesion or wound or has cuts, sores, or rashes, the food employee shall be required to wear an impermeable cover such as a finger cot or stall that protects the lesion and a single-use glove over the impermeable cover.

Notes:

- *For purposes of these sections, "illness" means a condition caused by any of the following infectious agents: (1) Salmonella typhi; (2) Salmonella spp.; (3) Shigella spp.; (4) Entamoeba histolytica; (5) Enterohemorrhagic or shiga toxin producing Escherichia coli; (6) Hepatitis A virus; (7) Norovirus; (8) Other communicable diseases listed in the California Code of Regulations that are transmissible through food.*
- *A food employee is required to report to the PIC when he/she has been diagnosed with an "illness" or has an open lesion on the hands, wrists or exposed portion of the arms.*
- *The PIC means the individual present who is responsible for the operation of the food facility.*

4 No discharge from eyes, nose, and mouth
Applicable Section: 113974

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:

- A food employee is experiencing persistent sneezing, coughing or runny nose that is associated with discharges from the eyes, nose or mouth that cannot be controlled by medication and the employee is working with exposed food, clean equipment, clean utensils, or clean linens.

N.O. This item may be marked N.O. for food facilities only in the **RARE** case when there are no

food employees present at the time of inspection.

CORRECTIVE ACTION:
If a food employee is found working with discharges from the eyes, nose, or mouth, they shall be restricted from working with exposed food or clean equipment, utensils, and linens until the symptoms have been resolved.

5 Proper eating, tasting, drinking or tobacco use
Applicable Section: 113977

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:

- A food employee is observed eating, drinking or using tobacco in non-designated areas where contamination can result.
- Open employee drink is observed stored on or above a food contact surface.

N.O. This item may be marked N.O. for retail operations only in the rare case when there are no food workers present at the time of inspection.

Notes:

- *A food employee may drink from a closed beverage container if the container is handled to prevent contamination of the employee's hands, the container, nonprepackaged food, and food-contact surfaces.*

PREVENTING CONTAMINATION BY HANDS

6 Hands clean and properly washed; gloves used properly
Applicable Sections: 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

MAJOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MAJOR** violation for the following:

- Hands and exposed portions of arms are not clean.
- Hands are not thoroughly washed when necessary as specified in Section 113953.3.
- Improper use of hand sanitizer or hands are not cleaned prior to use of hand sanitizer.
- Food employees are not minimizing bare hand contact by using utensil.
- When gloves are not used correctly or used for more than one task.
- Food has been served to the consumer and a food employee is observed wrapping or packaging left over food for the consumer by using bare hands or unclean utensils.

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:

- Employee loads dirty dishes into dishwasher and then stacks clean dishes without first washing hands.
- Food employees observed handling food with fingernails that are not trimmed, cleanable and smooth.
- Food employees with artificial nails, nail polish, rings (other than a plain ring, such as a wedding band), or uncleanble orthopedic support devices are observed preparing unpackaged food or clean utensils without use of gloves.

N.O. This item may be marked N.O. for retail operations only in the rare case when there are no food workers present at the time of inspection.

Notes:

- *Lack of warm water at handsink should be marked under **Violation #22 "Hot and cold water available".***
- *If hands or fingers are unclean as a result of unmaintained fingernails, use of rings, etc., then a "**MAJOR**" violation should be marked.*
- *Hands are not required to be washed when changing gloves if the employee is performing the same task. For example: an employee changes gloves while continuing to make sandwiches. However, if changing gloves presents an opportunity for cross-contamination, proper handwashing procedures must be exercised.*

CORRECTIVE ACTION:
The food employee shall wash their hands and portion of arms as required and use appropriate utensils.

7 Adequate handwashing facilities supplied & accessible
Applicable Sections: 113953, 113953.1, 113953.2, 114067

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:
- No soap or paper towels at any handwashing sink in the food preparation area or in the toilet rooms.
- Obstructed, inaccessible, improper use of, or unclean handwashing sink.
- Lack of a handwashing sinks that are sufficient in number and conveniently located in a food preparation area or warewashing area if the facility was constructed after January 1, 1996.
- Handwashing sink is not separated from a warewashing sink by a metal splashguard at least 6-inch in height or at least a 24-inch separation in distance.

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

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.*
- *Lack of handwashing soap in the food facility would be marked as **Violation #6 "Hands clean and properly washed".***
- *Violations pertaining to water and water temperatures would be marked as **Violation #22 "Hot and cold water available".***

TIME AND TEMPERATURE RELATIONSHIPS

8 Proper hot and cold holding temperatures
Applicable Sections: 113996, 113998, 114037, 114343(a), 114004

MAJOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MAJOR** violation when multiple potentially hazardous food (PHF) is found at unapproved holding temperatures:
- Potentially hazardous hot food is held at 129°F or below as a result of an improper process, practice or equipment failure.
- Potentially hazardous cold food is held at 51°F or higher as a result of an improper process, practice or equipment failure.

MINOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MINOR** violation when potentially hazardous food is found at unapproved holding temperatures:
- PHF is held at or between 130°F-134°F or between 42°F-50°F.

Exceptions:

- During preparation, cooking, cooling, and/or transportation for a period of less than 30 minutes, or when time as a public health control is utilized.
- Roasts cooked to a temperature and for a time specified in Section 114004(b) that is held at a temperature of 130°F.
- Foods approved for holding up to 45°F include the following: raw shell eggs; unshucked live molluscan shellfish; pasteurized milk and pasteurized milk products in original sealed containers; potentially hazardous foods held for dispensing in serving lines and salads bars during periods not to exceed 12 hours in any 24-hour period; potentially hazardous food held in vending machines; or potentially hazardous food held for sampling at a Certified Farmers' Market. (113996)
- Food removed from specified holding temperatures for up to two hours to facilitate food preparation.
- Potentially hazardous food received at 45°F, if the food is cooled to 41°F within 4 hours.

N.A. This item may be marked N.A. when the food facility does not hold hot or cold food.
N.O. This item may be marked N.O. when the food facility does hold hot or cold foods but no foods are being held hot or cold during the time of inspection.

CORRECTIVE ACTION:
If a major violation is found and it is determined that food should be voluntarily discarded or impounded, document the required action on the inspection report.

If the root cause of the violation is due to equipment maintenance, the equipment is not to be used until it is capable of holding food at the required temperatures. ***Violation #36 "Equipment/Utensils"*** shall also be marked.

<table>
<tr><th>Time in TDZ*</th><th colspan="4">Internal Food Temperatures – Recommended Corrective Action</th></tr>
<tr><th>Hours</th><th>42-50°F</th><th>51-70°F</th><th>70-128°F</th><th>129-134°F</th></tr>
<tr><td>1-2</td><td rowspan="2">Immediately cool food to 41°F or below within 4 hours</td><td>Immediately cool food to 41°F or below within 2 hours</td><td>Recommend reheating product to 165°F or Cool Foods to 70°F within 2 hours</td><td>Recommend reheating product to 165°F or Cool Foods to 70°F within 2 hours</td></tr>
<tr><td>3-4</td><td>Immediately cool food to 41°F or below within 1 hour</td><td>Recommend reheating product to 165°F</td><td>Recommend reheating product to 165°F</td></tr>
<tr><td>4+</td><td colspan="4">Voluntary discard or impound</td></tr>
<tr><td>Violation</td><td>MINOR</td><td>MAJOR</td><td>MAJOR</td><td>MINOR</td></tr>
<tr><td colspan="5">*Temperature Danger Zone = 42°F-134°F</td></tr>
</table>

Notes:

- *Hot and cold holding temperatures of potentially hazardous foods should be thoroughly checked with a thermocouple during each inspection. This includes the temperature of potentially hazardous food during transport, e.g., hot holding carts being used to transport food to buffet tables, satellite kitchens, or off-site catering events. As a rule, every effort should be made to assess every hot and cold holding unit in the food facility during each inspection.*
- *Temperatures measured between packages of food, such as cartons of milk or packages of meat, may be limited in accuracy and, if violative, indicate the need for further examination. However, the temperature of a potentially hazardous food itself, rather than the temperature between packages, is necessary if marking as a violation. In large holding units and on steam tables, it is necessary to measure temperatures of foods in various locations to ensure that the equipment is working properly. If deviations are noted in the product temperatures, it is important to take extra steps to find out*

reasons for the problem such as whether the problem is the result of equipment failure or a breakdown in a process such as cooling or reheating. There could be other reasons such as foods were moved or just put into holding units.

- *Upon receipt, PHF shall be free of evidence of previous temperature abuse (i.e. frozen food received shall not have visible signs of thawing or refreezing).*

9 Time as a public health control; procedures & records
Applicable Section: 114000

MAJOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MAJOR** violation when:

- PHF is found between 51°F-129°F and the time marked has exceeded the time marked, and/or
- There is no time tracking utilized.

MINOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MINOR** violation when:

- PHF is found at 42-50°F or 130-134°F and facility is not tracking time, and/or
- Written procedures are not available.

N.A. This item may be marked N.A. when the food facility does not use time only as a public health control.

N.O. This item may be marked N.O. when the food facility uses time only as a public health control, but is not using this practice at the time of inspection.

Exception:

- Time as a public health control cannot be used for raw eggs in licensed health care facilities or in public or private school cafeterias.

Notes:

- *If the PHF is found in the temperature danger zone and written procedures are not available and time stamps or written time/temperature logs are not used "Time as a public health control" does not apply,* ***Violation #8 "Proper hot and cold holding temperatures"*** *would be marked.*

CORRECTIVE ACTION:

If food is found in the temperature danger zone due to improper implementation of time as a public health control, it may be determined that the food shall be voluntarily discarded or impounded.

10 Proper cooling methods
Applicable Sections: 114002, 114002.1

MAJOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MAJOR** violation when any of the following is observed:

- Food found cooling has exceeded the first critical time/temperature limit (food has not dropped from 135°F to 70°F within 2 hours).

MINOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MINOR** violation when any of the following is observed:

- Food found cooling with no approved method and has not exceeded the first critical time/temperature limit. Approved intervention or rapid reheating shall be initiated immediately.
- Food found cooling has exceeded the second critical time/temperature limit (food has not cooled to 41°F within a total of 6 hours).
- PHF prepared from ingredients at ambient temperature is not cooled within 4 hours to

41°F.

- Deliveries of PHF not cooled to below 41°F within 4 hours if received between 41°F to 45°F.

CORRECTIVE ACTION:
Food identified as a **MAJOR** violation shall be voluntarily discarded or impounded.

N.A. This item may be marked N.A. when the food facility does **not** receive raw eggs, shellstock, or milk; prepares **no** PHF from ambient temperature ingredients that require cooling; and does **not** cool cooked PHF.

N.O. When the food facility does cool PHF, but proper cooling per the prescribed temperature and time parameters cannot be determined during the inspection, this item may be marked N.O. In this case, the EHS should recommend that the Person In Charge verify that the cooling procedures meet the prescribed temperature and time parameters.

Notes:

- *Discussions with the Person in Charge along with observations should be used to determine compliance. For instance, during discussion the Person in Charge says that a food product was cooled overnight in the walk-in cooler. The product is checked and the temperature is 50°F. Eight hours have elapsed from closing to opening. This item should be marked **OUT** because the product did not cool from 135°F to 41°F or less within 6 hours.*
- *The requirement for cooling cooked PHF food is that the food must be cooled from 135°F to 41°F or less in 6 hrs, provided that the food is cooled from 135°F to 70°F within the first 2 hours. For example, if a facility cools chili from 135°F to 70°F in 1.5 hours, they then have 4.5 hours to get it from 70°F to 41°F or less. There are two critical limits that must be met with cooling. If the food is not cooled from 135°F to 70°F within 2 hours, this item is marked OUT. If the food is not cooled from 70°F to 41°F or less within 6 hours minus the time it took the food to cool from 135°F to 70°F, the item is marked **OUT**.*
- *"Approved method" includes those listed in Section 114002.1.*

11 Proper cooking time & temperatures
Applicable Sections: 114004, 114008, 114010

MAJOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MAJOR** violation:

- If the foods checked do not meet the temperature requirements for cooking and/or the employee doing the cooking attempts to serve the product without returning the product to the cooking process.
- The facility is not using any verification process to ensure that the minimum internal cooking temperatures are being met.

- The cooking temperature of foods must be taken to determine compliance or noncompliance. The EHS should enlist the help of cooperative food employees to notify the EHS of foods that have finished cooking. This allows the EHS to continue with the inspection in other areas of the operation yet continue to verify that proper cooking temperatures are being met. The temperature of raw animal foods cooked during the inspection should be taken upon completion of the cooking process. Food cooking temperatures should be verified by the EHS during each inspection. Every effort should be made to assess the cooking temperatures of a variety of products served in the food facility.
- If a food is cooked below the required temperature, but the facility has a Consumer Advisory or an approved variance with a HACCP Plan for that food item, mark the item **IN** compliance, record the temperature, and document the reason it is in compliance. The time of day inspections are conducted should be varied so that cooking can be observed.
- Food facility operators should routinely monitor cooking temperatures. The EHS should verify that monitoring is occurring by involving the person in charge in these activities during the inspection. The presence of required thermometers and their proper use should be assessed.

N.A. This item may be marked N.A. when no raw animal foods are cooked in the food facility.
N.O. This item may be marked N.O. when no raw animal foods are cooked during the time of inspection.

CORRECTIVE ACTION:
If required cooking temperatures are not met, EHS's should require that the operator continue cooking the food until the proper temperature is reached.

Notes:
The cooking temperature / time requirements are as follows:

- *Raw eggs that are broken and prepared in response to a consumer's order for immediate service cooked to 145°F for 15 seconds; raw eggs that are broken but not prepared for immediate service cooked to 155°F for 15 seconds;*
- *Comminuted fish or meat (i.e. hamburger meat), cooked to 155°F for 15 seconds;*
- *Roasts, including formed roasts, cooked to 130°F for 112 minutes or as specified and according to oven parameters per chart in Section 114004;*
- *Ratites and injected meats cooked to 155°F for 15 seconds;*
- *Poultry, stuffed fish/meat/pasta/poultry/ratites, or stuffing containing fish, meat, poultry or ratites cooked to 165°F for 15 seconds;*
- *Game animals cooked to 145°F for 15 seconds;*
- *Raw animal foods rotated, stirred, covered, and heated to 165°F in microwave (food stands covered for 2 minutes after cooking);*
- *All other raw animal foods (i.e., pork) cooked to 145°F for 15 seconds; or*
- *Fruits and vegetables cooked to 135°F for hot holding.*

12 Proper reheating procedures for hot holding
Applicable Sections: 114014, 114016

MAJOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MAJOR** violation if potential hazardous foods are not reheated to the required temperatures prior to hot holding.

N.A. This item may be marked N.A. when foods are <u>not</u> reheated for hot holding in the food facility.
N.O. This item may be marked N.O. when foods are reheated but no foods are reheated <u>during</u> the time of inspection.

Exception:
Cooked and refrigerated food that is prepared for immediate service in response to an individual consumer's order may be served at any temperature and is not required to comply with this section.

CORRECTIVE ACTION:
If, at the conclusion of the reheating process, it is discovered that the minimum reheating temperature has not been achieved, the reheating process should be continued until the food reaches the required temperature within the timeframe allowed.

If it is determined that the food has not been reheated in conformance with required procedures and has already been placed in a hot holding unit, the EHS should determine how long the food has been in the hot holding unit and allow to heat to the required reheating temperature. If food has exceeded the two hour limit food shall be voluntarily discarded or impounded.

Notes*:*
The reheating for hot holding temperature / time requirements are as follows:

- *PHF is rapidly reheated within 2 hours to 165°F for 15 seconds.*
- *Food reheated in a microwave to 165°F and the food is rotated or stirred, covered, and allowed to stand covered for two minutes after reheating.*

- *Commercially processed ready-to-eat PHF is reheated within 2 hours to 135°F or above.*
- *Remaining unsliced portions of roasts are reheated for hot holding using minimum oven parameters as specified in Section 114004.*

PROTECTION FROM CONTAMINATION

13 Returned and reservice of food
Applicable Section: 114079

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation when food served to a consumer was previously served to another consumer unless it is a nonpotentially hazardous food that is served through an approved dispenser or in an unopened original package and maintained in sound condition and checked on a regular basis.

Notes:
- *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, such as salt and pepper shakers, a narrow-neck bottle containing ketchup, steak sauce, or wine, is closed between uses; if the food, such as crackers, is in an unopened original package and is maintained in sound condition; and/or if the food is checked periodically on a regular basis.*

14 Food in good condition, safe and unadulterated
Applicable Sections: 113967, 113976, 113980, 113988, 113990, 114035, 114254.3

MAJOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MAJOR** violation when actual contamination or adulteration has occurred. **MAJOR** violations include any of the following:
- A food employee contaminates food by any intentional or unintentional act.
- When a food employee is observed using a utensil to taste food more than once without being properly washed, rinsed and sanitized between uses.
- Food is found to be adulterated.
- Unapproved additives are used in food such as sulfites being applied to fresh fruits or vegetables.
- Ice that has been used for cooling the exterior surfaces of food such as melon or fish, canned beverages, or equipment is used as food.
- Food received is not wholesome, not in good condition, and food or food containers and pallets are infested with vermin or otherwise contaminated.
- A container that previously held poisonous or toxic material is used to store, transport, or dispense food, utensils, linen, or single-use articles.

MINOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MINOR** violation when any of the following is observed:
- Food is not inspected upon receipt (as soon as practical) and prior to any use, storage or resale.
- Fruit flies in alcohol or food infesting insects found in food (e.g. flour, rice)

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

CORRECTIVE ACTION:
If food is found to be contaminated or adulterated it shall be voluntarily discarded or impounded until a

decision is made by the enforcement officer.

Notes:

- *Section 113967 would be cited for violations that are not already specifically covered in Chapter 3, Articles 5 and 6. Eating and drinking in food preparation areas are covered in Section 113977.*
- *Section 113980 is cited as this violation when **actual** contamination has occurred, whereas **prevention** from contamination observations would be cited under **Violations #27-30** identified under **"General Food Safety Requirements".***
- *The EHS should ensure that management and employees are aware of the risk of serving or selling food that contains unapproved additives.*

15	***Food contact surfaces: clean and sanitized*** ***Applicable Sections: 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101(b-d), 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 114125(b), 114141***

MAJOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MAJOR** violation:

- Employee skips sanitization step during manual dishwashing.
- No sanitization of food-contact surfaces (this includes linen/towels when used as a food-contact surface) during the warewashing process.
- Dishwashing machine lacks sanitizer or doesn't meet hot water temperature required for hot water sanitization.
- Contamination of food-contact surfaces that could result in food contamination.
- Failure to clean and sanitize food-contact surfaces at the required frequencies.
- Failure to sanitize food contact surfaces between each use with a different type of raw food of animal origin, and/or each time there is a change from working with raw foods to working with ready-to-eat foods.

MINOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MINOR** violation:

- Equipment and utensils that are not currently in use are not clean to sight and touch.
- Inadequate contact time with sanitizing agent.
- Sanitizer level is reading below the required level; however, not reading zero.
- Sanitizer level is above the required level.
- Towel drying of utensils or equipment.
- Equipment and utensils are not allowed to adequately drain of sanitizer before reuse.

N.A. This item may be marked N.A. only when there is no requirement to clean equipment and utensils such as when only prepackaged foods are sold.

N.O. This item may be marked N.O. if there is no cleaning and sanitizing operations taking place at the time of inspection. However, the EHS should ask how food contact surfaces are cleaned and sanitized to ensure they are using appropriate methods when the EHS is not there.

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:

1. In storage, containers of potentially hazardous food and their contents are maintained at the appropriate temperatures as specified in Section 113996 (135°F or above/41°F or below), and the containers are cleaned when they are empty.
2. 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 Chart below, 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 Environmental Health Division upon request:

Temperature	Cleaning Frequency
< 41°F	24 hours
>41°F - 45°F	20 hours
>45°F - 50°F	16 hours
>50°F -55°F	10 hours

3. Containers in serving displays such as salad bars, delis, and cafeteria lines holding ready-to-eat potentially hazardous foods that are maintained at the temperatures specified in Section 113996 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.
4. Temperature measuring devices are maintained in contact with food being held at temperatures specified in Sections 113996 and 114004, such as being left in a container of deli food or in a roast.
5. Equipment is used for storage of packaged or unpackaged food, such as a reach-in refrigerator, and the equipment is cleaned at a frequency necessary to preclude accumulation of soil residues.
6. The cleaning schedule is approved based on consideration of characteristics of the equipment and its use, the type of food involved, the amount of food residue accumulation, and the temperature at which the food is maintained during the operation and the potential for the rapid and progressive multiplication of pathogenic or toxigenic micro-organisms that are capable of causing foodborne disease.
7. In-use utensils are intermittently stored in a container of water in which the water is maintained at or below 41ºF or at or above 135°F and the utensils and container are cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues.
8. 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 than the previous food, such as preparing raw fish followed by cutting raw poultry on the same cutting board. [114117(b)]

CORRECTIVE ACTION:
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.

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.

FOOD FROM APPROVED SOURCES

16 Food obtained from approved source
Applicable Sections: 113980, 114021-114031, 114035, 114041

MAJOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MAJOR** violation for any the following:

- Food or ice is not from an approved food source.
- Liquid, frozen, and dry eggs and egg products are not pasteurized.
- Frozen milk products, such as ice cream, are not pasteurized.

Exception: *This doesn't apply to properly labeled prepackaged raw milk and raw milk products obtained from an approved source and dispensed and sold at a retail food facility.*

- Fish is not commercially and legally caught or harvested.
- Molluscan shellfish are not received from sources listed in the Interstate Certified

Shellfish Shippers list.

- Game animals are not from an approved source or are a species of wildlife on the 50 CFR Endangered and Threatened Wildlife and Plants list or are listed as an endangered or threatened animal by the California Department of Fish and Game.
- Shell eggs are broken and not clean or do not meet at least Grade B Standards.
- Food stored or prepared in a private home is offered for sale in a food facility.

Exception:

- *Nonpotentially hazardous beverages and baked goods may be offered for sale, sold, or given away by a nonprofit charitable organization or an established club or organization that operates under the authorization of a school for fundraising purposes at community events.*
- *Foods made in a private home pursuant to Sections 114365 and 114365.2 are exempt from this requirement.*

CORRECTIVE ACTION:

Food from unapproved, unsafe, or otherwise unverifiable sources shall be voluntarily discarded or impounded until appropriate documentation is provided. In addition, the EHS should ensure that management and food employees are aware of the risk of serving or selling food from unapproved sources. Disposition of any impounded food item shall be conducted within 30 days as specified in Section 114393.

17 Compliance with shell stock tags, condition, display
Applicable Sections: 114039 – 114039.5

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for any the following:

- Raw shucked shellfish are not properly labeled.
- Shell stock is not obtained with proper tags or labels.
- Shell stock received is not discarded when they are not reasonably free of mud, dead shellfish, or broken shells.
- Shell stock tags are not attached to the container they are received in until empty, or tags/labels are not held for 90 calendar days from the date the lot is emptied as specified in Section 114039.4.
- Shell stock from one harvest date/location has been commingled with different shell stock.
- Shell stock tags are not kept in sequential order.
- Shell stock has been removed from the original container unless displayed on drained ice or held in a display container with source properly identified as in Section 114039, or 114039.1 and recorded.
- If molluscan shellfish life support system display tanks are operated in a manner that allows water used for other fish to flow into the tank or if safety of shellfish as they were received are compromised by use of the tank.

N.A. This item may be marked N.A. when shell stock are not sold or served in the facility.
N.O. This item may be marked N.O. when shell stock are not being sold at the time of inspection.

Notes:

- *If unable to determine the source of shellfish, violation #16 "Food obtained from approved source" should be marked.*
- *If shell stock is missing proper tags or labels, the EHS is to impound the product until the food facility is able to demonstrate product is coming from an approved source.*

18 Compliance with Gulf Oyster Regulations
Applicable Sections: Title 17 CA Code of Regulations § 13675, CalCode Section 113707

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:

- Raw Gulf Oysters are offered for sale without evidence of approved treatment between the months of April 1 – October 31.
- Raw Gulf Oyster warning signs are not posted for untreated oysters between the months of November 1 – March 31.

N.A. This item may be marked N.A. when Gulf oysters are not sold or served in the food facility.

CORRECTIVE ACTION:
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 Department. If the oysters are not voluntarily removed by the operator, then the EHS should impound the oysters and await disposition of the product. If signs are missing during November 1 – March 31, immediate corrective action should be taken to provide the approved signage.

ADDITIONAL CRITICAL RISK FACTORS

19 Compliance with variance, specialized process, & HACCP Plan
Applicable Sections: 114057, 114057.1, 114417-114417.7, 114419-114419.3

MAJOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MAJOR** violation for any the following:

- Food facility is packaging potentially hazardous food products using a reduced-oxygen packaging (ROP) method and has not obtained HACCP Plan approval from the State Department.
- Food facility is modifying food using acidification or water activity as a means to prevent the growth of *Clostridium botulinum* and has not obtained HACCP Plan approval from the State Department.
- Food facility is utilizing a practice that requires a HACCP Plan approved by the State Department or is not following the Department approved HACCP Plan procedures.
- Food facility has obtained a Variance from the State Department to allow for deviation from specific code requirements and is not following the approved variance conditions or procedures.

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for any the following:

- A satellite food operation is operating without EHS-approved written standard operating procedures.
- If the food facility operator is utilizing a practice that requires a HACCP Plan.
- The food facility is not adhering to their HACCP Plan as required in Section 114419.

N.A. This item may be marked N.A. if the facility is not required by the regulatory authority to have a variance or HACCP Plan.

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

Notes:

- *Exemptions include whole Chinese-style roast duck (Section 114425) and Korean Rice Cakes (Section 114429).*
- *Except for HACCP Plans requiring approval by the State Department, HACCP Plans do not require prior approval by the Environmental Health Division prior to implementation. However, 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.

CORRECTIVE ACTION:
If a food facility is packaging food using reduced-oxygen packaging without a State Department approved HACCP Plan or is not following the approved HACCP Plan procedures, there is a potential risk of the growth of *Clostridium botulinum* if the food is temperature abused. Similarly, the use of pH and water activity to prevent the growth of *Clostridium botulinum* in potentially hazardous foods must be strictly controlled utilizing the procedures in a State-Department-approved HACCP Plan to ensure the food is safe. If it is determined during an inspection that a State-Department-approved HACCP Plan is required or that the State Department approved HACCP plan is not being followed, the affected food products should be impounded and the State Department should be notified in writing as soon as possible.

The State Department is authorized to issue variances from specific code requirements as described in Section 113936. If a variance is issued, a copy of the variance letter 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 are not being followed, the enforcement officer should impound the affected food products and notify the State Department in writing as soon as possible.

HACCP Plans that are required but that do not require State Department prior approval must still be developed and followed to ensure a safe food product. If, during an inspection, it is determined that a HACCP Plan is required but is either not available or not being followed, the enforcement officer should conduct a risk assessment to determine the disposition of the affected food products.

20 Consumer advisory provided for raw or undercooked foods
Applicable Sections: 114012, 114093

MINOR **This item should be marked IN or OUT of compliance.** This item should be marked as a **MINOR** violation for the following:

- 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.
- If the food facility serves raw or undercooked food and fails to provide an advisory (orally or in writing) that a food item is being served less than thoroughly cooked.

N.A. This item may be marked N.A. when the food facility does not serve raw or undercooked animal foods.

N.O. This item may be marked N.O. when a verbal consumer advisory is required and the EHS is not able to determine if the advisory is provided routinely.

Notes:

- *A consumer advisory for sashimi, seared Ahi Tuna, and steak tartare is not required because it is common knowledge that these items are served raw.*
- *For violations pertaining to Gulf oysters, see **Violation #18 "Compliance with Gulf Oyster Regulations".***
- *A consumer advisory is not required when a consumer specifically orders food raw or undercooked.*

21 Licensed health care facilities/public & private schools: prohibited foods not offered
Applicable Section: 114091

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for the following:

- Unpasteurized juice, fluid milk, or dry milk is served.
- 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.
- Food in an opened original package is re-served.
- Ready-to-eat foods that contain raw food of an animal origin or partially cooked foods are served.
- Raw seed sprouts are served.

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

Notes:

➢ *For highly susceptible populations, discussions with the person in charge and employees regarding whether or not certain foods are served or certain practices occur in the licensed health care facility and public or private school should be used along with observations to determine compliance.*

22 Hot and cold water available
Applicable Sections: 113941, 113953c, 1144099.2b, 114189, 114192, 114192.1, 114195

MAJOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MAJOR** violation for any the following:
- Contaminated or unapproved water supply.
- No potable water is available to the facility.
- The food facility is unable to provide hot water at warewashing sink (120°F is required).

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for any the following:
- Temperature of water at handsink is below 100°F, or is not adjustable and exceeds 108°F.
- The food facility is only able to provide water temperatures above 110°F at warewashing or mop sink.

Notes:

➢ *Wash water temperature in the sink compartment is not maintained at 100°F during active warewashing is marked in **Violation #15 "Food contact surfaces: cleaned and sanitized".***

Use	***Minimum Temperature Required (measured at the faucet)***	***Major Violation***
Handwashing	100 °F	
Warewashing	120 °F	Below 110 °F

CORRECTIVE ACTION:

A food facility with hot water measured below 110°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 only prepackaged food is handled and there is no hot water, the operation may be allowed to continue for a short timeframe in order to repair or install a new water heater.

It is important to note that if a food facility is found operating without hot water (below 110°F), the EHS should evaluate the risks associated with the lack of hot water and the warewashing sink requirements (as specified in Sections 114115 and 114117) when determining whether: the food facility could remain open for a short time until hot water can be restored, the impacted area should be closed, a suitable alternative could be implemented as a temporary measure, or if the food facility's permit should be suspended until the hot 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) provided potable water (or bottled water) is utilized for handwashing in the toilet rooms. Food items, including ice, prepared using nonpotable water shall be disposed of and ice machines and beverage dispensers shall be cleaned and sanitized prior to reuse (once potable water becomes available).

23 Sewage and wastewater properly disposed
Applicable Section: 114197

MAJOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MAJOR** violation for any the following:

- Overflows or back-ups of sewage/wastewater into the food facility that can or does result in contamination of food contact surfaces and adulteration of foods
- Overflowing or clogged grease trap/interceptor.
- Lack of operable toilet facilities.

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for any the following:

- Floor sinks are clogged with standing water but sewage is not backing up.
- Liquid waste (not sewage) is not disposed of through the approved plumbing system, or it does not discharge into the public sewer system or an approved private disposal system.

CORRECTIVE ACTION:
A food facility shall not operate if there is sewage overflowing or backing up in the food facility or if there are no operable toilets available for food employees. The food facility shall cease operation in the impacted areas of the food facility immediately, until the sewage disposal problem has been repaired. The food facility, or impacted areas, shall remain closed until all plumbing problems have been corrected and all contaminated surfaces are cleaned and sanitized. Any contaminated food product shall be disposed of properly.

If found operating with sewage overflowing or backing up in the food facility or if there are no operable toilets available for food employees, the EHS shall take the following action: suspend the permit to operate until the plumbing has been repaired; ensure that all contaminated surfaces have been cleaned and sanitized; and ensure that all contaminated food product has been disposed of properly.

In the event the overflow from the facility is occurring outside, the source of the discharge must immediately cease. If a septic tank and/or grease interceptor is used and is the source of the problem, it shall be pumped as often as necessary until the sewage system can be restored to a fully functional condition.

24 No rodents, insects, birds, or animals
Applicable Sections: 114259, 114259.1, 114259.4, 114259.5

MAJOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MAJOR** violation for any the following:

- The premises of the food facility is not free of vermin which have contaminated or would be likely to contaminate food, food contact surfaces, or food utensils.
- Food employees care for or handle animals that may be present, such as patrol dogs, service animals, or pets, in areas that are used for food preparation, storage, or display.
- Live animals are allowed in a food facility in violation of the provisions that allow their presence as specified in Section 114259.5(b), (c), and (d).
  Note: *Food employees may handle or care for fish in aquaria or for molluscan shellfish or crustacean in display tanks if they wash their hands as required.*

MINOR **This item should be marked IN or OUT of compliance.** This item is marked as a **MINOR** violation for any the following:

- Food infesting insects (such as, Indian meal moths, beetles), fruit flies, ants, spiders, and birds observed in the food facility.
- Evidence of vermin is observed in non-critical areas and no contamination of food, food contact surfaces, or food utensils is likely.
- There is evidence of a past infestation, and no evidence of a current infestation can be observed (e.g. old rodent droppings that are located in an area that is not cleaned very frequently).

Notes:

- *Pets may be allowed in outdoor dining areas at the discretion of the food facility if there is a separate outdoor entrance where pet dogs enter without going through the food facility to reach the outdoor dining area.*
- *Food that has been adulterated due to the presence of insects or vermin is to be voluntarily discarded or impounded and **Violation #14 "Food in good condition, safe and unadulterated"** should also be marked.*

CORRECTIVE ACTION:

A food facility shall not operate when there is a vermin infestation that has resulted in the contamination of food contact surfaces, food packaging, utensils, food equipment, or adulteration of food(s). The food facility shall cease operation of the food facility immediately. The food facility shall remain closed until: there is no longer evidence of a vermin infestation; all contaminated surfaces have been cleaned and sanitized; and contributing factors such as cleaning, repairs, and the elimination of harborages have been resolved.

If found operating and there is evidence of a vermin infestation, the enforcement officer should inquire about the pest control program at the food facility. All contributing factors must also be resolved as quickly as possible. If there is a vermin infestation that warrants a major violation, then the enforcement officer should suspend the permit to operate. The permit can be reinstated when the infestation has been eliminated, all evidence of the infestation has been removed, all food contact surfaces have been cleaned and sanitized, contributing factors have been resolved, and adulterated food product and packaging has been disposed of. Professional pest control should also be provided as frequently as needed to prevent the infestation from recurring.

GOOD RETAIL PRACTICES

Violations #25 through 47 are considered Good Retail Practices (GRPs) and are only marked on the inspection report when observed OUT of compliance. When noted as "OUT" of compliance, observations and corrective actions should be included on the inspection report.

SUPERVISION

25 ***Person in charge present and performs duties***
Applicable Sections: 113945-113945.1, 113984.1, 114075

OUT **This item should be marked only if it is OUT of compliance.** This item is marked OUT of compliance when:

- A Person in Charge (PIC) is not present during operating hours.
- 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.

Notes:

- *The permit holder or person designated by the permit holder is the Person in Charge.*

➢ *The PIC does not have to be the certified food manager.*

26 Personal cleanliness and hair restraints
Applicable Sections: 113969, 113971

OUT **This item should be marked only if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- Food employees preparing, serving or handling food or utensil are not wearing hair restraints, such as hats, hair coverings or nets that are designed and worn to effectively keep their hair from contacting nonprepackaged food, clean equipment, utensils, linens and unwrapped single-use articles.
  Exception: *Hair restraints are not required for employees who present minimal risk of contaminating food, such as counter staff who only serve beverages or wrapped foods.*
- Food employees observed with soiled clothing.

GENERAL FOOD SAFETY REQUIREMENTS

27 Approved thawing methods used, frozen food
Applicable Sections: 114018, 114020, 114020.1

OUT **This item should be marked only if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- Frozen food is not being stored and displayed to ensure that food remains in a frozen state.
- Potentially hazardous food is observed not being thawed by one of the approved procedures: in the refrigerator; in the microwave followed immediately by cooking; under cool (70°F) running water; or as part of the cooking process.

Notes:

➢ *Foods found in the temperature danger zone as a result of improper thawing should also be marked under* ***Violation #8 "Proper hot and cold holding temperatures".***

28 Food separated and protected
Applicable Sections: 113980, 113984, 113986, 114055, 114060, 114067, 114069, 114077, 114073, 114143, 114145

OUT **This item should be marked only if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- Unpackaged food is not protected from contamination.
- Food is not being prepared in a fully enclosed food facility.
  Exception: *Limited food preparation may be conducted within a food compartment.*
- Limited food preparation is not conducted within an approved food compartment defined in Section 113784 or as approved by the Environmental Health Division.
- Food is not protected from cross-contamination during storage, preparation, and/or display (i.e., sneeze guards, lids, display cases, dispensers, labeled containers, separating raw food from ready-to-eat food, etc.).
- When food is being thawed, washed, sliced, or cooled in an unenclosed unapproved facility or overhead protection is not provided where required (i.e., outdoor food displays, vending machines, or satellite food service operations).
- The open-air barbecue or outdoor wood burning oven is not separated from public access to prevent food contamination or injury to the public.
- Food is being thawed, washed, sliced, or cooled in an unenclosed unapproved facility; or overhead protection is not provided where required (i.e., outdoor food displays, vending machines, or satellite food service operations).
- During nonoperating hours and periods of inclement weather, satellite food service

operations or outdoor displays are not fully enclosed.

- Splash guard is missing between the food preparation sink and warewashing sink.
- Foods other than prepackaged nonpotentially hazardous food or uncut produce are displayed outdoors.
- Prepackaged nonpotentially hazardous foods or uncut produce displayed outdoors are not periodically checked on a regular basis by the Person in Charge.
- Returned or damaged products; products where the labels have been removed; and food products held for return to distributors are not separated and stored in a manner that prevents adulteration of other foods or may contribute to a vermin problem.
- Bulk milk container dispensing tubes not cut diagonally so as to leave no more than one inch protruding from the chilled dispensing head.

Notes:

- *This section addresses prevention measures only. Actual contamination of food is marked as violation **#14 "Food in good condition, safe and unadulterated"**.*
- *Whole uncut produce and food requiring further processing may be displayed on open counters or in containers.*
- *Bread loaves or rolls are considered properly wrapped if contained in open-end bags that enclose the loaf or rolls.*
- *Satellite food service shall only be operated by a fully enclosed permanent food facility. Written operating procedures are also required for satellite food service.*

29 Washing fruits and vegetables
Applicable Section: 113992

OUT **This item should be marked only if it is OUT of compliance.** This item is marked OUT of compliance when raw whole produce has not been washed prior to being cut, combined with other ingredients, cooked, served, or offered for human consumption in ready-to-eat form.

30 Toxic substances properly identified, stored, used
Applicable Sections: 114254, 114254.1, 114254.2

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- An insecticide, rodenticide, or other pesticide is not used in accordance with the manufacturer's instructions.
- A poisonous substance, detergent, bleach, cleaning compound, personal care item, or any other injurious or poisonous material is stored or used in a manner that is likely to cause contamination or adulteration of food, food-contact surfaces, utensils, or packaging materials.
- Working containers used for storing poisonous or toxic materials, such as cleaners and sanitizers taken from bulk supplies, are not clearly and individually identified with the common name of the material.

Notes:

*If food is found to be stored in a container that previously held poisonous or toxic material, **Violation #14 "Food in good condition, safe and unadulterated"** shall be marked and the product immediately disposed or impounded.*

FOOD STORAGE/DISPLAY/SERVICE

31 Food storage; food storage containers identified
Applicable Sections: 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

OUT **This item should be marked ONLY if it is OUT of compliance.** This item should be marked OUT of compliance for the following:

- Food storage area is not clean, dry, or adequate for amount of food being stored.
- Food is not stored above the floor by at least 6 inches (except food stored on dollies, pallets, or similar equipment).
- Food is stored in lockers, in toilet rooms, in dressing rooms, in refuse rooms, in mechanical rooms, under unshielded sewer lines, under leaking water lines, under stairwells, and/or under other sources of contamination.
- Working containers of food or ingredients removed from original packages are not identified with common name of the food (except food that can be easily recognized, such as pasta).
- Prepackaged food is improperly stored in ice, so water enters packages.
- Returned or damaged products, products where the label has been removed, and food products held for return to distributors are not separated and stored in a manner that prevents adulteration of other foods or contributes to a vermin problem.
- Food and food contact surfaces are not stored inside a fully-enclosed permanent food facility.
- During non-operating hours and periods of inclement weather, satellite food service operations or outdoor displays are not fully enclosed; or food and food contact surfaces are not stored inside a fully enclosed permanent food facility.

Notes:

- *Milk stored in plastic crates, pressurized beverage containers, cased containers of bottles, cans, and/or other food in water proof containers can be stored on a clean floor.*
- *Temporary alternate food storage methods and locations may be approved by the Environmental Health Division.*
- *Whole raw fruits and vegetables, cut raw vegetables, and tofu may be immersed in ice or water. Raw chicken and raw fish received on ice can remain on ice during storage awaiting preparation, display, service, or sale.*
- *If food is found to be contaminated or adulterated during storage,* ***Violation #14 "Food in good condition, safe and unadulterated"*** *should be marked.*

32 Consumer self-service
Applicable Sections: 114063, 114065

OUT **This item should be marked ONLY if it is OUT of compliance.** This item should be marked OUT of compliance when:

- A food dispensing utensil is not provided for each container at buffets and salad bars.
- Consumer self-service bulk beverage dispensers are not properly operated or maintained.
- Raw, nonprepackaged food of animal origin, such as lamb, beef, pork, poultry, and eviscerated fish, is offered for customer self-service.
- Single use utensils are protected from contamination and are individually wrapped or dispensed from approved sanitary dispensers.

Exceptions:

- *Consumer self-service of ready-to-eat foods at buffets or salad bars that serve foods such as sushi or raw shellfish.*
- *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; frozen raw shrimp, lobster, finfish, or scallop abductor muscle; or frozen breaded seafood.*

Notes:

- *Buffets and salad bars must be checked on a regular basis by food employees trained in safe operating procedures.*

33 Food properly labeled & honestly presented
Applicable Sections: 114087, 114089, 114089.1(a, b), 114090, 114093.1, 114090, 114094.5, 114377

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- Food is found offered for human consumption and is not honestly presented, which misleads or misinforms the consumer. Examples include:
  - "Fresh" fish is advertised, but the fish had been frozen
  - "Quarter pounder" is not ¼ lb before cooking
  - Use of pink light shields in meat display case
- 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.
- Prepackaged food does not bear a label that complies with the labeling requirements as prescribed by the Sherman Food, Drug, and Cosmetic Law. [Sections 114089 and 114089.1(a)]
  Exception: *Bakery products sold to other food businesses are exempt from labeling provisions.*
- If the manufacturer's dating information on foods is concealed or altered.
- Expired baby formula available for sale.
- Food containing artificial trans-fat is found stored, distributed, and being used during the food preparation process by the food facility.
- Unpackaged confectionary food contains more than ½% alcohol and is not labeled to identify alcohol content.

Notes:

- *Label information shall include the following:*
  1. *Common name of the food or descriptive identity statement*
  2. *If made with two or more ingredients, a list of ingredients in descending order of predominance by weight*
  3. *An accurate declaration of the quantity of contents*
  4. *The name and place of business of the manufacturer, packer, or distributor*
  5. *Nutritional labeling, unless exempted in the Federal Food, Drug, and Cosmetic Act*
  6. *Compliance with the Food Allergen Labeling and Consumer Protection Act of 2004*
- *Labeling violations related to a food processed at wholesale should be referred to the State for follow-up investigation.*

EQUIPMENT/UTENSILS/LINENS

34 Nonfood-contact surfaces clean
Applicable Section: 114115 (c)

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT if nonfood-contact surfaces of equipment are not kept free of an accumulation of dust, dirt, food residue, or other debris.

35 Warewashing facilities: installed, maintained, used; test strips
Applicable Sections: 114067(f,g), 114099, 114099.3, 114099.5, 114099.7, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- The food facility prepares food and does not have a three-compartment sink with two integral metal drain boards.

Exception: *A two compartment sink that was constructed prior to January 1, 1996 need not be replaced when used as specified in Section 114099.3(e).*

- Sink compartments are not large enough to accommodate the largest equipment and utensil.
- Alternative manual warewashing equipment such as listed in Section 114099.3(a) through (e) is used, and the Environmental Health Division has not approved its use.
- Mechanical warewashing machine is not approved or not installed and operated according to manufacturer's specifications.
- The warewashing machine does not have an easily accessible and readable data plate affixed to the machine by the manufacturer that lists the machine's design and operating specifications as listed in Section 114101.1.
- The warewashing machine is not equipped with a temperature measuring device that indicates the temperature of the water as specified in Section 114101.2.
- Two integral metal drain boards of adequate size and construction attached at the point of entry and the point of exit of the machine or sink are not provided or do not comply with Section 114103(b) through (e).
- The warewashing sink is used for handwashing except as allowed by Section 114125(a).
- Means for adequately measuring the applicable sanitization method are not provided.
- The concentration of the sanitizing solution is not accurately determined to ensure proper dosage.
- Sink compartments for soap and sanitizer solutions are not able to hold water in the compartment.
- Faucet at warewashing sink doesn't extend over all sink compartments.
- A temperature measuring device is not provided and is not accessible for frequently measuring washing and sanitizing temperatures.

Notes:

- *Alternative warewashing facilities may be allowed if approved by the Environmental Health Division.*
- *Violations related to the actual improper cleaning and sanitization of food contact surfaces are marked as* ***Violation #15 "Food contact surfaces: cleaned and sanitized".***

36 Equipment/Utensils - approved; installed; good repair; capacity
Applicable Sections: 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

APPROVED

- Equipment and utensils are not designed and constructed to be durable and retaining characteristic qualities under normal use.
- All new and replacement food-related and utensil-related equipment is not certified or classified for sanitation by an ANSI accredited certification program, or if no standard exists, it is not evaluated by the local Environmental Health Division.
  Exception*: Restricted food service facilities may not need to comply with the ANSI requirements depending on the extent of food service activities and if the enforcement officer determines that the equipment is constructed to be durable and to retain its characteristic qualities under normal use conditions.*
- New and replacement electrical appliances do not meet UL standards for electrical equipment.
- Materials used in the construction of single-use articles, utensils, and food-contact surfaces of equipment allow migration of deleterious substances; impart colors, odors, or tastes to food; or otherwise do not meet the standards of Sections 114130.1 and 114130.2.
- Multiuse food-contact surfaces do not meet the requirements of Section 114130.3(a)

through (b).

- Nonfood-contact surfaces do not meet standards specified in Section 114130.4.
- Clean In Place (CIP) equipment is designed in violation of Section 114130.5(a) through (b).
- Wood or wood wicker is used as a food contact surface.
  ***Exceptions**:*
  i. *Hard maple or equivalent may be used for as cutting boards, rolling pins, chopsticks and as specified in Section 114132(b).*
  ii. *Raw fruit, vegetables, and nuts in the shell may be kept in wood shipping containers as specified in Section 114132(c) and (d).*
- Copper or copper alloys are used in contact with food that has a pH below 6.0 such as vinegar, fruit juice, or wine, or for a fitting between a backflow preventer and a carbonator. Section 114133(a).
  ***Note**: Copper and copper alloys may be used in contact with beer brewing ingredients as noted in Section 114133(b).*
- Dollies, pallets, racks, or skids are not designed to be moved by hand, hand truck or forklifts.

INSTALLED

- "V" type threads are used on food contact surfaces.
  ***Exception**: OK for hot oil cooking or filtering equipment.*
- Cutting or piercing parts of can openers are not readily removable.
- Beverage tubing or cold-plate beverage cooling devices are installed in contact with ice intended to be used for food or drink.
  ***Exception**: Does not apply to cold plates constructed integrally with an ice storage bin.*
- Fixed equipment that is not easily movable is not installed with adequate spacing or sealing, or floor-mounted equipment that is not easily movable is not sealed to floor or elevated on 6 inch legs.
  ***Exceptions**: Does not apply to display shelving, refrigeration, and freezer units located in consumer shopping areas if floor under these units is maintained clean.*
- Table-mounted equipment that is not easily movable is not sealed to table or elevated on 4 inch legs.

CLEAN/GOOD REPAIR

- Equipment and utensils are not kept clean, fully operative, and in good repair.
- Surfaces of equipment such as cutting blocks and boards are scratched and scored, so they can no longer be effectively cleaned and sanitized.

CAPACITY

- Equipment used for cooling and heating food and/or for holding cold and hot food is not sufficient in number and/or capacity to ensure proper food temperature control during transportation and operation.
- Electrical power is not supplied at all times.

MOLLUSCAN SHELLFISH TANKS

- Molluscan shellfish life-support system display tanks are used to display shellfish that are offered for human consumption. See exception below. [Section 114155(a)]
- Molluscan shellfish life-support system display tanks are not marked conspicuously so that it is obvious to the consumer that the shellfish are for display only. [Section 114155(a)]
  ***Exception**: If installed after July 1, 2007 molluscan shellfish may be offered for human consumption if the life-support system display tanks used to display shellfish that Plan that has been submitted by the permit holder and approved by the Environmental Health Division.*

FOOD PREPARATION SINK

- An approved food preparation sink is not provided when the food facility conducts washing, rinsing, soaking, thawing, or similar preparation of foods.
  Exception: Food facilities that were approved for operation without a food preparation sink prior to July 1, 2007 need not provide a food preparation sink unless the food facility makes a menu change or changes their method of operation.

MISTING SYSTEMS

- Reservoirs that supply water to a device such as a produce fogger are not maintained and cleaned according to manufacturer's specifications or Section 114180(b)(1) through (4), whichever is more stringent.
- Fogging device installed after July 1, 2007 using a reservoir instead of water under pressure for fogging or misting of food.

37 Equipment, utensils and linens: storage and use
Applicable Sections: 114074, 114081, 114119, 114121, 114161, 114178, 114179, 114083, 114185, 114185.2, 114185.3, 114185.4, 114185.5

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

UTENSILS/TABLEWARE

- Preset tableware is not protected from contamination, and unused settings are not removed where a customer is seated or cleaned and sanitized before further use.
  Soiled tableware is used to provide second portions.
- Utensils are not handled, displayed, and dispensed so as to prevent contamination of lip contact surfaces; or single-use articles are reused.
- Clean equipment and utensils are not stored covered or inverted in a self-draining manner that allows air drying.
- Single-use articles are not kept in original protective package or otherwise protected from contamination until used.
- If utensils are stored in an unapproved manner during pauses in food preparation or dispensing.

Notes on utensil storage - *The following are acceptable practices*:

i. *Handles of food preparation/serving utensils stored above the top of the food and the container.*
ii. *Utensils used for nonPHF stored within a closed container and the handle of the utensil is above the top of the food (i.e., bins of sugar or flour).*
iii. *Utensils stored on a clean portion of the food preparation table or cooking equipment, and the "in use" utensil is cleaned as prescribed in Section 114117.*
iv. *In running water if used with ice cream.*
v. *In a clean, protected location if the utensils (i.e., ice scoops) are used only with a food that is not a PHF.*
vi. *In a container if the water is maintained at a temperature of at least 135 °F and the container is cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of residues.*

REFILLING CONTAINERS

- Returned empty containers intended for refilling with food or beverage are not cleaned and refilled in an approved manner.

STORAGE AREAS

- Cleaned and sanitized equipment, cabinets used for storing food, or a cabinet used to store cleaned and sanitized equipment, utensils, laundered linens, or single-use articles are found or stored in any of the following areas:

- Locker rooms.
- Toilet rooms.
- Refuse rooms.
- Mechanical rooms.
- Under sewer lines that are not shielded to intercept potential drips.
- Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed.
- Under open stairwells.
- Under other sources of contamination [Sections 114161(a)(1) through (8) and 114179(a) (1) through (8)].

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

- Pressurized cylinders are not securely fastened to a rigid structure.
- Cleaned equipment and utensils, laundered linens, and single-use articles are stored where they are subject to splash, dust, or other contamination and are not at least 6 inches above the floor.

***Exception**: 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.*

LINENS

- Linens are used in contact with food in a manner different than allowed by Section 114185.
  ***Note:** This section allows use of linens to line food containers if the linens are replaced each time the container is refilled for a new consumer, and they are laundered prior to reuse.*
- Linens are not free of food residue and soil.
- Linens, cloth gloves, or cloth napkins are not laundered as required.
- Adequate space is not provided for storage of clean linens.
- Soiled linens are not kept in proper receptacles or handled to prevent contamination of food, clean equipment and utensils, and single use articles.

LAUNDERING OF LINENS AND WORKCLOTHES

- A mechanical clothes washer or dryer is located where it is exposed to contamination or where there is exposed food, utensils, linens, or unwrapped single-use articles.
- Linens and work clothes are laundered on the premises, and a mechanical clothes washer and dryer are not provided.
- Laundry facilities on premises are used for laundering items other than those used in the operation of the food facility.

38 Adequate ventilation and lighting; designated areas, use
Applicable Sections: 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

VENTILATION

- Sufficient ventilation is not provided in all areas to facilitate proper food storage and provide a reasonable condition of comfort consistent with job performed by employees.
- Toilet rooms are not ventilated to the outside air by means of an openable, screened window, an air shaft, or a light-switch-activated exhaust fan consistent with local building codes.
- Mechanical exhaust ventilation equipment is not provided over all cooking equipment to effectively remove cooking odors, smoke, steam, grease, heat, and vapors.
  ***Note**: Restricted food service facilities are exempt from 114149.1(a), but must still provide ventilation to remove gases, odors, steam, heat, grease, vapors and smoke from*

the food facility.

- HVAC systems are designed and installed such that intake and exhaust vents cause contamination of food, food-contact surfaces, equipment, or utensils, or create air currents that cause difficulty in maintaining required temperatures of PHFs.
- Makeup air is not provided in the amount of that exhausted.
- Hood is not installed in a manner that provides for thorough cleaning of all surfaces.
- Hood systems in food prep and warewashing areas are not designed to prevent grease or condensation from draining or dripping onto food, equipment, utensils, or linens.
- Filters or other grease-extracting equipment are not designed to be readily removable for cleaning and replacement.
- Every joint and seam is not substantially tight
- Grease gutters, when provided, do not drain to a collecting receptacle fabricated, designed, and installed to be readily accessible for cleaning.

LIGHTING

- While the room/area is in use, sufficient natural or artificial lighting is not provided in every room and area in which any food is prepared, manufactured, processed, or prepackaged or in which equipment or utensils are cleaned.
- Light bulbs are not shielded, coated, or otherwise shatter-resistant in areas where open food, clean equipment, utensils, and linens or unwrapped single-use articles are located.
  ***Exception**: Shielded, coated, or otherwise shatter-resistant bulbs are not required in areas used only for storing prepackaged food in unopened packages.*
- Infrared or other heat lamps are not protected against breakage by a shield or by using shatter-resistant bulbs.

39 Thermometers provided and accurate
Applicable Sections: 114157, 114159

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

THERMOMETERS FOR HOT AND COLD HOLDING EQUIPMENT

- A readily visible thermometer is not provided in the warmest part of each refrigeration unit.
- A temperature measuring device is not integral or permanently affixed to cold or hot holding equipment used for PHFs or is not located to allow easy viewing of the device's temperature display.
  ***Exceptions**: This requirement does not apply to equipment for which the placement of a temperature measuring device is not a practical means for measuring the ambient air surrounding the food because of the design, type, and use of the equipment, such as calrod units, heat lamps, cold plates, Bain maries, steam tables, insulated food transport containers, and salad bars.*
- Temperature measuring devices are not easily readable or have increments that are greater than 2°F.

THERMOMETERS FOR MEASURING FOOD TEMPERATURES

- A metal probe thermometer suitable for measuring the temperature of food is not readily available on the premises.
  ***Note:** Required only if PHFs are held.*
- A temperature measuring device with a suitable small-diameter probe designed to measure the temperature of thin masses of food is not provided and readily accessible to measure thin foods, such as meat patties and fish filets.
- Temperature measuring devices used for food are not accurate to within plus or minus 2 degrees Fahrenheit.
- Glass stem temperature measuring devices are used, unless they are candy

thermometers encased in a shatterproof coating.

40 Wiping cloths: properly used and stored
Applicable Sections: 114135, 114185.1 114185.3 (d-e)

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following.

- Sponges are used in contact with cleaned and sanitized or in-use food contact surfaces.
- Wiping cloths are used in a manner other than as prescribed. For example:
  - Wiping cloths used for wiping food spills are used for another purpose.
  - Cloths used for cleaning food spills from tableware and carry-out containers are not dry.
  - Dry cloths used for wiping food spills other than from tableware and carryout containers are used more than once prior to laundering.
  - Cloths used repeatedly prior to laundering are not held in an approved sanitizing solution. Dry or wet cloths used with raw animal foods are not kept separate from cloths used for other purposes.
  - Wet cloths used with raw animal foods are not kept in a separate sanitizing solution.
  - Wet wiping cloths used with a freshly made sanitizing solution and dry wiping cloths are not free of food debris and visible soil.
  - Working containers of sanitizing solutions for storage of in-use wiping cloths are not used in a manner that prevents contamination of food, equipment, utensils, linens, or single-use articles.
- Wet wiping cloths are not laundered daily.
- Dry wiping cloths are not laundered as necessary to prevent contamination of food and clean serving utensils.

Notes:

- *Contamination of food contact surfaces by soiled wiping cloths should be marked as* ***Violation #15 "Food contact surfaces: cleaned and sanitized"****.*

PHYSICAL FACILITIES

41 Plumbing; proper backflow devices
Applicable Sections: 114171, 114189.1, 114190, 114192, 114192.1, 114193, 114193.1, 114199, 114201, 114269

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

PLUMBING AND PLUMBING FIXTURES

- Plumbing and plumbing fixtures are not installed in compliance with local plumbing ordinances, are not maintained to prevent contamination, or are not fully operative or in good repair.
- Nonpotable water piping is not identified so as to be readily distinguishable from potable water piping.
- Liquid waste drain lines pass through an ice machine or ice storage bin.
- Boiler water additives do not meet the requirements of 21 C.F.R. 173.310.
- A hose used for conveying potable water is not constructed of nontoxic materials, is used for other purposes, is not clearly labeled as to its use, or is not stored or used in a manner that keeps it free of contamination.
- Indirect waste receptors are not readily accessible.

BACKFLOW/BACK SIPHONAGE PROTECTION

- The potable water supply is not protected by a backflow or back siphonage protection

device when required.
Note: *Mop sinks and sinks equipped with hose threaded faucets should be protected with a back flow prevention device.*

- Equipment, such as refrigeration units, that discharge liquid waste is not drained by means of indirect waste pipes through an air gap into a floor sink or other approved receptor.
  Note: *An evaporator for refrigeration units is acceptable if properly installed and functioning.*
- Warewashing machines that are directly connected to the sewer are not connected immediately downstream from a floor drain.
- An air gap between a water supply inlet and flood level rim of a plumbing fixture, equipment, or nonfood equipment is not at least twice the diameter of the inlet or is less than one inch.

GREASE TRAPS

- A grease trap or grease interceptor is located in a food or utensil handling area without approval of the Environmental Health Division.
- A grease trap or grease interceptor is not easily accessible for servicing.
  Exception*: Food facilities approved with a grease trap or grease interceptor that were in operation before January 2006 are not required to comply with this section [Section 114201(c)].*

DRAINAGE

- In new construction and extensive remodels, floor drains are not installed in floors that are water flushed or where pressure spray methods of cleaning equipment are used. Such floor surfaces are not sloped 1/8 inch per foot to the floor drains.
- Equipment compartments that are subject to accumulation of moisture from condensation, food or beverage drip, or water from melting ice are not sloped to an outlet that allows complete draining.

42 Garbage and refuse properly disposed; facilities maintained
Applicable Sections: 114244, 114245, 114245.1, 114245.2, 114245.3, 114245.4, 114245.5, 114245.6, 114245.7,

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

FACILITIES PROVIDED

- Facilities and equipment necessary to store or dispose of all waste material are not present.
- Waste receptacles are not present for use by consumers when needed.
- A waste receptacle is not provided in each area where refuse is generated or discarded, or where recyclables or returnables are placed.
- An area designated for refuse, recyclables, returnables, or a redeeming machine for recyclables or returnables is not separate from food, equipment, utensils, linens, and single-service and single-use articles, and a public health hazard or nuisance is created.
- Receptacles and waste handling units are located so as to create a public health hazard or nuisance, or interfere with cleaning of adjacent space.
- Indoor storage area does not comply with requirements for floors, walls, ceilings, and vermin exclusion.
  Exception*: Areas where food is stored only in unopened bottles, cans, cartons, sacks, or other original shipping containers; this is typically the area where a cardboard baler may be installed and operated in a grocery store [Section 114271(b)(2)].*

- An outside storage area or enclosure is not constructed of nonabsorbent material or is not easily cleanable, durable, and sloped to drain.
- Receptacles or waste-handling units for refuse and recyclables are not installed so that accumulation of debris and insect and rodent attraction and harborage are minimized, or so that effective cleaning is facilitated around and under the unit (unless the unit is installed flush with the base pad).

FACILITIES MAINTAINED

- Refuse, recyclables, or returnables is not kept in nonabsorbent, durable, cleanable, leak-proof, and rodent-proof containers.
  Note: *Facilities that compost must dispose of it as frequently as necessary to prevent the creation of a nuisance.*
- Refuse containers are not covered with close-fitting lids, or sealed, disposable bags that are impervious to moisture are not used.
  Exception*: Refuse containers inside a food facility do not need to be covered during periods of operation.*
- Storage areas, enclosures, and receptacles are not maintained in good repair.
- Receptacles and waste-handling units are cleaned in a way that causes contamination of food, equipment, utensils, linens, or single-service or single-use articles; at a frequency that does not prevent the buildup of soil or that allows them to become an attractant for insects or rodents; or wastewater is not disposed of as specified in Section 114241.
- Suitable cleaning implements and supplies are not provided as necessary, or off-premises cleaning services are not provided.

DISPOSAL

- Refuse is not removed and disposed of in a sanitary manner, as needed to prevent the creation of a nuisance.
- Refuse, recyclables, or returnables are not removed from the premises at a frequency that will minimize the development of objectionable odors or conditions that attract or harbor insects or rodents.
- Cardboard or other packaging material that does not contain food residue and that is stored outside creates a rodent harborage problem or is not removed on a regularly-scheduled basis.
  Note*: Cardboard or other packaging material that does not contain food residue and that is stored outside may be stored without being in a covered receptacle if it does not create a rodent harborage problem.*
- Animal byproducts and inedible kitchen grease is not disposed of as required in Section 114245.8.

43 Toilet facilities: properly constructed, supplied, cleaned
Applicable Sections: 114250, 114250.1, 114276

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for any of the following:

- Toilet facilities are not provided or the number of toilet facilities is not in accordance with local building and plumbing ordinances.
- Toilet facilities are not clean and in good repair.
- Toilet facilities are not conveniently located and accessible to employees at all times the facility is in operation.
- Toilet facilities are not provided with toilet tissue in permanently installed dispensers at each toilet.
- Doors are not kept closed or are not self-closing or well-fitted.
  Exception*: Doors may be open during cleaning or maintenance.*

APPLIES ONLY TO PERMANENT FOOD FACILITIES

- Clean toilet facilities in good repair are not provided for use by employees or for patrons, guests, and invitees where there is onsite consumption of foods or where the food facility was constructed after July 1, 1984 and has more than 20,000 square feet of floor space.
  ***Note**: The gas pump area of a service station that is maintained in conjunction with a food facility shall not be considered in determining the square footage of the floor space of the food facility.*
- At least one separate toilet facility for men and one separate toilet facility for women are not provided in food facilities with more than 20,000 square feet of floor space.
- Patron toilet facilities are located where patrons, guests, or invitees pass through food preparation, food storage, or utensil washing areas to reach the toilet facilities.
- Food facilities constructed before January 1, 2004 that provide food for consumption on the premises shall either 1) provide clean toilet facilities in good repair for patrons, guests, or invitees; or 2) prominently post a sign in a public area of the food facility stating that toilet facilities are not provided.

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.*
- *A food facility that was approved prior to July 1, 2007 with toilet facilities within 300 feet are not required to meet the 200-foot requirement.*

44 Premises; personal/cleaning items; vermin-proofing
Applicable Sections: 114067(h), 114123, 114143(a)&(b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

PREMISES

- Satellite food service operations are not completely enclosed during nonoperating hours or periods of inclement weather.
- Food preparation sinks, handwashing sinks and warewashing equipment are used for the cleaning of maintenance tools, the holding of maintenance materials, or the disposal of mop water and similar liquid wastes.
- The premise is not kept free of litter and items that are unnecessary to the operation or maintenance of the facility.
- The open-air barbecue or outdoor wood burning oven is not operated on the same premises in conjunction with a permanent food facility, or it is operated in an area that may pose a fire hazard.
- All facilities are not kept clean, fully operative, and in good repair.
- No room, area, or cabinet separate from any food prep or storage area and warewashing or storage area is provided for storage of cleaning equipment and supplies.
- Mops, after use, are not placed in a position that allows them to air dry without soiling walls, equipment, or supplies.
- No curbed cleaning facility or janitorial sink with drain is provided and conveniently located.
  ***Exception**: See Section 114279(b) for exemption of restricted food service facilities.*

STORAGE OF PERSONAL/CLEANING ITEMS

- Lockers or areas designated for employees are located in an area where contamination of food, equipment, utensils, linens, and single-use articles can occur.

- Lockers or other suitable facilities are not provided for the storage of employee clothing and other personal possessions, or dressing rooms/areas are not provided for employees who regularly change their clothes in the food facility.
- Medicines are found in the food facility that are for an employee's use and are not labeled with a legible manufacturer's label and stored in a kit or container that is located to prevent contamination.
- First aid supplies are not labeled with a legible manufacturer's label and stored in a kit or container that is located to prevent contamination.

VERMIN PROOFING

- The food facility is not constructed, equipped, maintained, or operated in a manner that prevents the entrance or harborage of animals, birds, or vermin, including but not limited to, insects and rodents.
- Pass-through window openings do not comply with requirements specified in Section 114259.2.
- Insect electrocution devices do not retain the insect within the device or are located over food or utensil handling areas.

PERMANENT FOOD FACILITIES

45 Floors, walls and ceilings: built, maintained, and clean
Applicable Sections: 114143(d), 114266, 114268, 114268.1, 114271, 114272

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- A permanent food facility is not fully enclosed in a building or does not consist of permanent floors, walls, and an overhead structure that meet minimum standards.
  Exceptions:
  - *A food facility that is not fully enclosed on all sides and that was in operation on January 1, 1985 does not need to meet this requirement until the facility is remodeled, has a significant menu change, or has a significant change in its method of operation.*
  - *Dining areas or any other operation approved for outdoor food service is not required to be enclosed.*
  - *A produce stand that was in operation prior to July 1, 2007 may have no more than one side open to the outside air during business hours.*
- Floor surfaces are not clean and in good repair; not smooth, durable, and nonabsorbent as required; or floor surfaces are not coved at the floor-wall juncture with a minimum 3/8 inch radius coving and don't extend up the wall 4 inches, except as allowed in Section 114268(b).
  Exception: *See exception for public and private schools.*
- Mats and duckboards, if used, are not removable and easily cleanable.
- Walls and ceiling surfaces are not clean and in good repair or not smooth, durable, and nonabsorbent.
  Exceptions: *This does not apply to walls and ceilings of bar areas in which alcoholic beverages are sold or served (except wall areas adjacent to bar sinks and areas where food is prepared); where food is stored only in unopened bottles, cans, cartons, sacks, or other shipping containers; or in dining and sales areas, offices, or restrooms used exclusively by patrons.*
  Notes:
  - *Acoustical paneling is acceptable if installed not less than 6 feet above the floor; however, it must be smooth, durable, nonabsorbent, and easily cleanable.*
  - *Conduits must be installed within walls and ceilings as much as practicable, or mounted or enclosed to facilitate cleaning.*
  - *Attachments to walls and ceilings must be easily cleanable.*

- The floor surfaces extending from the open-air barbecue or wood-burning oven are not a minimum of five feet or are not impervious or easily cleanable.
- Floor drains or floor sinks are not clean.

46 No unapproved private homes / living or sleeping quarters
Applicable Sections: 114285, 114286

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- A private home, a room used as living or sleeping quarters, or an area directly opening into a room used as living or sleeping quarters is used for conducting food facility operations.
- A sleeping accommodation is kept in a room where food is prepared, stored, or sold, or living or sleeping quarters that are located on the premises of a food facility are not separated from rooms and areas used for food facility operations by complete partitioning and solid, self-closing doors.

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

SIGNS/ REQUIREMENTS

47 Signs posted; last inspection report available
Applicable Sections: 113725.1, 113953.5, 113978, 114276, 114381 (e)

OUT **This item should be marked ONLY if it is OUT of compliance.** This item is marked OUT of compliance for the following:

- Handwashing sign is not posted at handwashing sinks used by food employees.
  Exception: *Does not apply to toilet rooms in guestrooms of restricted food service facilities.*
- "No Smoking" sign is not posted in food preparation, food storage or warewashing areas.
- A sign advising customers that toilet facilities are not provided is not posted.
- A copy of the most recent routine inspection report is not maintained at the food facility and is not made available upon request.
- A sign notifying customers that clean tableware is to be used when they return to self-service area.
- Permit is not posted in conspicuous location.
  Note: If no permit is available at time of inspection, mark ***Violation #49 "Permits Available".***

COMPLIANCE AND ENFORCEMENT

48 Plan Review
Applicable Section: 114380

This item is marked **OUT** if complete plans (drawn to scale) for a proposed new construction or remodel of a food facility are not submitted prior to construction, or construction of a new facility or remodel of an existing food facility begins prior to plan approval by the Environmental Health Division.

Notes:

- *Plans may be required by the Environmental Health Division due to a menu change that would require a change in the food facility's food preparation methods, storage equipment, or storage capacity previously approved by the Environmental Health Division. These changes may include, but are not limited to, the addition of potentially hazardous food to a menu, installation of new food preparation or storage equipment, or increasing storage capacity.*

- *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.*

49	***Permits Available*** ***Applicable Sections: 114067(b, c), 114381(a), 114387***

This item is marked **OUT** when a food facility is open for business and does not have a valid permit, or a satellite food service operation is not operated in conjunction with a permanent food facility.

Notes:
- *Food facilities that operate without a valid permit shall be subject to closure of the food facility and a penalty not to exceed three times the cost of the permit.*
- *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).*

50	***Impoundment*** ***Applicable Section: 114393***

This item is marked **OUT** when food, equipment, or utensils have been impounded; or the operator is observed using food or equipment that has been impounded.

51	***Permit Suspension*** ***Applicable Sections: 114409, 114405***

This item is marked **OUT** when a food facility's permit has been suspended or revoked. Any food facility whose permit has been suspended shall close and remain closed until the permit has been reinstated.

52	***Permit Suspension Hearing*** ***Applicable Section: 114411***

This item is marked **OUT** when a permit suspension hearing has been scheduled to provide an opportunity to present evidence as to why the food facility's permit should not be suspended or revoked.

53	***Imminent Health Hazard - Closure*** ***Applicable Section: 114409***

This item is marked **OUT** when a food facility's permit has been suspended due to an imminent health hazard. Any food facility for which the permit has been suspended shall close and remain closed until the permit has been reinstated.

A point deduction of 26 points will result whenever an imminent health hazard is identified by the EHS. A permit suspension hearing shall be scheduled.

54	***Conditional Pass Follow-up*** ***Applicable Section: 114411***

This item is marked **OUT** when a food facility has been issued a Conditional Pass and a major violation is observed during a follow-up inspection, or when the facility was unable to earn a score of 95 or above during the inspection. A point deduction of 12 points will result. A permit suspension hearing shall be scheduled.