

TECHNICAL BULLETIN

**Tri-Service Food Code**

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HEADQUARTERS, DEPARTMENT OF THE ARMY

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30 April 2014

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**TB MED 530/NAVMED P-5010-1/AFMAN 48-147\_IP**

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Navy Bureau of Medicine and Surgery<sup>2</sup>  
Air Force Manual

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AFMAN 48-147\_IP

DEPARTMENTS OF THE ARMY, NAVY  
AND AIR FORCE  
WASHINGTON, DC, 30 April 2014

**TRI-SERVICE FOOD CODE**

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<sup>1</sup> This bulletin supersedes TB MED 530, 30 October 2002.

<sup>2</sup> This publication supersedes NAVMED P-5010, Chapter 1, 17 August 1999.

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## CHAPTER 1

### INTRODUCTION

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#### **1-1. Purpose**

The purpose of this publication is to establish standardized military food safety standards, criteria, procedures, and roles for the sanitary control and surveillance of food to mitigate risk factors known to cause foodborne illness. These provisions constitute the Tri-Service Food Code, hereinafter referred to as “this publication.” When sanitation principles and procedures vary, this publication takes precedence.

#### **1-2. References**

A list of applicable references and prescribed and referenced forms is provided in appendix A.

#### **1-3. Abbreviations and terms**

- a. The glossary defines abbreviations and terms as they are used in this publication.
- b. All words and terms that are capitalized within the text of this publication are defined in the glossary and alert the reader to the fact that—
  - (1) There is a specific meaning assigned to those words and terms, and
  - (2) The meaning of a provision is to be interpreted in the defined context.

#### **1-4. Applicability**

This publication—

- a. Applies to the Active Army, Navy, Air Force, and Marine Corps; the U.S. Army, Navy, Marine Corps, and Air Force Reserves; Army and Air National Guard; and Department of Defense (DOD) and contract foodservice personnel, concessions, and vendors.
- b. Applies to military, civilian, contract, and volunteer personnel providing military food service.
- c. Applies to all phases of training, exercises, and deployments to ensure that food prepared for and consumed by military personnel minimize the risk of foodborne illness and is of the highest quality possible.
- d. Does not apply during exercises outside the continental United States (OCONUS) where Food and Water Risk Assessments are required.

#### **1-5. Technical assistance**

Technical assistance related to the topics in this publication may be requested from the military and civilian organizations and laboratories listed in Appendix B, in accordance with (IAW) local command and organization policies, by memorandum, and directly via telephone calls, e-mail messages, or online web site requests.

**1-6. Provisions**

*a. Modifications.* The information provided in this publication includes excerpts and modifications from the U.S. Food and Drug Administration (FDA) Food Code (<http://www.fda.gov/food/foodsafety/retailfoodprotection/foodcode/default.htm>).

*b. Cross-referencing with the FDA Food Code.* The numerical designations used in the FDA Food Code 2009 are included at the beginning of each of the standards and criteria published in this publication.

*c. Information to assist the user.*

(1) Provisions in this publication are either appropriate for citing and debiting on a food establishment inspection report, or they are not.

*(a)* Paragraphs that are not designated as a Provision are not debitable. Examples may be found in Chapter 8, Sections 8-6, 8-7, and 8-8. The information contained in these sections is intended to provide guidance to regulatory and management personnel in the administration of their programs or operations.

*(b)* The numbers following the decimal point in the provisions’ numerical format is used to identify a debitable provision. Non-debitable provisions fall into two categories: those that end with two digits after the decimal point and the last digit is a zero, e.g., § 2-102.20; and those that end with three digits after the decimal point and the last 2 digits are zeros, e.g., § 4-204.200.

*(c)* Appendix C provides a list of debitable publication provisions.

(2) Wherever possible, requirements in this publication are specified in the same location, paragraph and subparagraph, as they are in the FDA Food Code.

(3) The publication’s provisions added by the uniformed Services and not originally presented in the FDA Food Code are identified by a superscripted dagger † located at the end of the paragraph and include associated subordinate paragraphs.

(4) Table 1–1 presents the structural nomenclature of the FDA Food Code and associated reference symbols as used in this document.

**Table 1-1. The structural nomenclature of the FDA Food Code**

| Nomenclature        | Symbol | Example of Numerical Format |
|---------------------|--------|-----------------------------|
| Chapter             | None   | 9                           |
| Part                | None   | 9-1                         |
| Subpart             | None   | 9-101                       |
| Section (Provision) | §      | 9-101.11                    |
| Paragraph           | ¶      | 9-101.11(A)                 |
| Subparagraph        | None   | 9-101.11(A)(1)              |

(5) Two types of internal cross-referencing are widely used throughout this publication to eliminate the need for restating provisions.

(a) The first type of cross-reference uses phrases that contain the word “under,” e.g., “as specified under... (followed by the relevant portion of the publication).” The purpose of this type of cross-reference is to—

(1) Alert the reader to relevant information, and  
(2) Provide a system by which each violation is recorded under the one most appropriate provision. This type of cross-reference signals to the reader the provision of the publication under which a certain violation is properly cited/debited.

(b) The second type of cross-reference uses phrases that contain the word “in,” e.g., “as specified in... (followed by the relevant portion of the publication).” The purpose of this type of cross-reference is to—

(1) Indicate the specific provisions of a separate document, such as a Federal regulation, that are being incorporated by reference in the requirement of the publication, e.g., ¶ 3-201.11(C); or

(2) Refer the reader to a non-debitable provision of the publication which provides further information for consideration, such as provision for an exception or for an allowance to comply via an alternative method. For example, ¶ 3-303.12(B) begins with “Except as specified in ¶¶ (C) and (D)...” and ¶¶ (C) and (D) state the relevant exceptions to ¶ (B). Paragraph 3-201.11(E) states in part, “... as specified *in* ¶ 3-401.11(C)” and ¶ 3-401.11(C) provides for an allowance to serve or sell raw or undercooked, whole-meat, intact beef steaks in a ready-to-eat form. If the user reviews the exception in ¶ 3-303.12(B) and the allowance in ¶ 3-401.11(C), he or she will see that exceptions and allowances often contain conditions of compliance, i.e., conditions that must be met in order for the exception or allowance to convey.

(6) Based on the violation being cited, the substance of the text being referred to and the context in which the reference is made, users of the publication must infer the intent of the cross-reference. That is, the user must determine if the cross-reference simply alerts the user to additional information about the requirement or if the cross-reference—

(a) Sends (via the word “under”) the citing/debiting to another publication provision;  
or

(b) Incorporates (via the word “in”) the referenced requirements into the publication provision.

(7) This publication presents requirements by principle rather than by subject. For example, equipment requirements are presented under headings such as Materials, Design and Construction, Numbers and Capacities, Location and Installation, and Maintenance and Operation rather than by refrigerators, sinks, and thermometers. In this way, provisions need be stated only once rather than repeated for each piece or category of equipment. Where there is a special requirement for certain equipment, the requirement is delineated under the appropriate principle (e.g., Design and Construction) and listed separately in the index.

(8) Portions of some sections are written in *italics*. These provisions are not requirements but are provided to convey relevant information about specific exceptions and alternative means for compliance. Italics are pursuant to a preceding provision that states a requirement to which the italics offer an exception or another possibility. Italicized sections

usually involve the words “should,” “except for,” “may”, “need not” or “does not apply.” See 3-202.18(D).

(9) Sections designated as *Reserved* are held for future consideration. Examples include §§ 2-301.13 and 2-504.10.

*d. Categories of importance.* Requirements contained in this publication are presented as being in one of three categories of importance: critical; “swing” (i.e., those that may or may not be critical depending on the circumstances); and noncritical. An asterisk \* located at the end of a section title or tagline (which is the language immediately following a section number that introduces the subject of the section) indicates that all of the provisions within that section are critical unless otherwise indicated, as follows:

(1) Any provisions that are “swing” items are followed by the bold, superscripted letter <sup>S</sup>.

(2) Any provisions that are noncritical are followed by the bold, superscripted letter <sup>N</sup>.

(3) Any unmarked provisions within a section that has an asterisked tagline are critical.

(4) All provisions following a tagline that is not marked with an asterisk are noncritical.

*e. Conventions.* The following conventions are used in this publication:

(1) “Shall” means the act is imperative, i.e., “shall” constitutes a command.

(2) “May not” means absolute prohibition.

(3) “May” is permissive and means the act is allowed.

(4) “Should” means the action is recommended. The term is used in non-debitable portions of this publication.

(5) The term “means” is followed by a declared fact.

## **1-7. Background**

*a. Foodborne illness estimates, risk factors and interventions.*

(1) Foodborne illness in the United States is a major cause of personal distress, preventable death, and avoidable economic burden. A 2011 analysis released by the Centers for Disease Control and Prevention (CDC) estimates 48 million foodborne illnesses occur each year in the United States, resulting in approximately 128,000 hospitalizations and 3,000 deaths. For many victims, foodborne illness results only in discomfort or lost time from the job. For others, especially preschool-age children, older adults in health care facilities, and those with impaired immune systems and decreased resistance to disease, foodborne illness is more serious and may be life-threatening. For the uniformed services, prevention of foodborne illness serves as a critical force multiplier. Individuals become sick, but their illness affects entire units, the workforce, and families.

(2) The annual cost of foodborne illness in terms of pain and suffering, reduced productivity, and medical costs is estimated to be \$10–\$83 billion. As stated by Mead et. al. (1999), the nature of food and foodborne illness has changed dramatically in the United States over the last century. While technological advances such as pasteurization and proper canning have all but eliminated some disease, new causes of foodborne illness have been identified. Surveillance of foodborne illness, however, remains a challenge and is complicated by several factors. The first is underreporting. Although foodborne illnesses can be severe or even fatal,

milder cases are often not detected through routine surveillance. Second, many pathogens transmitted through food are also spread through water or from person to person, thus obscuring the role of foodborne transmission. Finally, pathogens or agents that have not yet been identified and thus cannot be diagnosed cause some proportion of foodborne illness. Epidemiological outbreak data repeatedly identify five major risk factors related to employee behaviors and preparation practices in retail and foodservice establishments as contributing to foodborne illness:

- (a) Improper holding temperatures,
- (b) Inadequate cooking,
- (c) Contaminated equipment,
- (d) Food from unsafe sources, and
- (e) Poor personal hygiene

(3) This publication addresses controls for risk factors and further establishes five key public health interventions to protect service members, their families and other consumers' health. Specifically, these interventions are demonstration of knowledge, employee health controls, controlling hands as a vehicle of contamination, time and temperature parameters for controlling pathogens, and the consumer advisory. The first two interventions are found in Chapter 2 and the last three in Chapter 3. Healthy People 2010 and Healthy People 2020 are national initiatives that work through the cooperative Federal-state-private sector and which establish 10-year objectives to improve the health of all Americans through prevention. Food Safety Objective 10-6 in Healthy People 2010 is *Improve food employee behaviors and food preparation practices that directly relate to foodborne illness in retail food establishments*. This includes food operations such as retail food stores, foodservice establishments, health care facilities, schools and other "food establishments" as defined in the Food Code. In 2010, the Healthy People 2020 objectives were released along with guidance for achieving the new 10-year targets.

(4) The FDA endeavors to assist the approximately 75 state and territorial agencies and more than 3,000 local departments that assume primary responsibility for preventing foodborne illness and for licensing and inspecting establishments within the retail segment of the food industry. This industry segment consists of more than one million establishments and employs a work force of over 16 million.

*b. Tri-Service Food Code history, purpose, and authority.*

(1) History and purpose:

(a) Prior to this publication, Army, Navy and Air Force developed their own safety regulation and guidance to meet their needs. The U.S. Army Veterinary Service along with the U.S. Air Force used earlier versions of the FDA Food Code.

(b) The need for a uniform food safety standard became apparent with Joint basing, public health teams from multiple Services evaluating deployment food operations under the control of other Services, the consolidation of Service schools, and the integration of Army Preventive Medicine and Veterinary Services into one Public Health Command.

(c) The FDA develops and maintains an updated model food code to assist food control jurisdictions at all levels of government by providing them with a scientifically sound

technical and legal basis for regulating the retail segment of the food industry. The retail segment includes those establishments or locations in the food distribution chain where the consumer takes possession of the food. This publication is based on the FDA Model Food Code, which was adapted to meet DOD needs; the Tri-Service Food Code was then created.

(d) The FDA Model Food Code is neither Federal law nor Federal regulation and is not preemptive. Rather, it represents the FDA's best advice for a uniform system of regulation to ensure that food at the retail level is safe and properly protected and presented. This publication is designed to be consistent with the FDA Food Code.

(e) Providing model up-to-date food safety information and food code interpretations and opinions is the mechanism through which the DOD, with the authors of this publication, will be able to promote uniform implementation of food safety procedures among the Services. In addition, because this publication is based on the FDA Food Code, its requirements and policies will be consistent with the several thousand Federal, state, and local agencies and tribes that have primary responsibility for the regulation or oversight of retail level food operations and have adopted the FDA Food Code.

(2) Authority. The authority for providing food safety regulations within the DOD begins with the Service-specific Public Health, Preventive Medicine, and Veterinary regulations including, for the Army, Army Regulation (AR) 40-5 and AR 40-657/NAVSUP 4355.4H/MCO P10110.31H; for the Air Force, Air Force Instruction (AFI) 48-116; and for the Navy, Navy Medical Department (NAVMED) P-117.

*c. Public health and consumer expectations.*

(1) It is a shared responsibility of the food industry and the government to ensure that food provided to the consumer is safe and does not become a vehicle in a disease outbreak or in the transmission of communicable disease. This shared responsibility extends to ensuring that consumer expectations are met and that food is unadulterated, prepared in a clean environment, and honestly presented.

(2) Under the FDA's 2009 Mission Statement, the agency is responsible for "Protecting the public health by assuring the safety and security of our nation's food supply... and for advancing the public health by helping to make foods safer and more affordable; and helping the public get the accurate, science-based information they need about foods to improve their health." Accordingly, the provisions of this publication provide a system of prevention and overlapping safeguards designed to minimize foodborne illness; ensure employee health, industry manager knowledge, safe food, nontoxic and cleanable equipment, and acceptable levels of sanitation on food establishment premises; and promote fair dealings with the consumer.

(3) This publication provides DOD public health, which includes veterinary personnel, with the means to support the Services' mission in a variety of environments.

*d. Advantage of Uniform Standards.*

(1) The advantages of well-written, scientifically sound, and up-to-date model codes have long been recognized by industry and government officials.

(2) Industry conformance with acceptable procedures and practices is far more likely when regulatory officials "speak with one voice" about what is required to protect the public health, why it is important, and which alternatives for compliance may be accepted.

(3) Model codes provide a guide for use in establishing what is required. They are useful to business in that they provide accepted standards that can be applied in training and quality assurance programs. They are helpful to local, state, and Federal governmental bodies that are developing or updating their own codes.

(4) This publication is the cumulative result of the efforts and recommendations of many contributing individuals, agencies, and organizations with years of experience in food safety and working in DOD foodservice. It embraces the concept that how we collectively provide and protect our food not only directly affects our ability to accomplish our assigned missions but also affects the quality of life, state of health, and welfare of DOD civilians, service members, their families, and other authorized consumers.

*e. The publication as a Hazard Analysis & Critical Control Point (HACCP) model and the intention to incorporate other models.*

(1) It is important to note that preapproval of HACCP plans for food establishments operating pursuant to a variance is provided for under this publication. The HACCP plans mandated by this publication must include flow diagrams, product formulations, training plans, and a corrective action plan.

(2) It is intended that this publication will incorporate Federal HACCP regulations and guidelines by their inclusion in the text of this publication, by reference, or through the issuance of interpretations. This will provide alternatives to the preapproval of HACCP plans, such as simplified HACCP plans in line with the Fish and Fishery Products model, if the product is produced under a HACCP plan developed in conformance with such a regulation or guideline. In so doing, the need for preapproved plans under the more intensive regimen of this publication will be significantly reduced.

*f. Publication adoption.* The Tri-Service Food Code will be adopted, after proper staffing, by each uniformed Service as its own food safety standard.

## **1-8. Publication revision process and official interpretation**

*a. Revision and publication cycles.*

(1) The FDA is issuing a new edition of the Food Code every 4 years. During the 4-year span of time between editions, the FDA may issue supplements to an existing edition. Each new edition will incorporate the changes made in the supplement as well as any new revisions. The Tri-Service Food Code Working Group (FCWG) intends to rewrite or publish changes to this publication to keep it consistent with the FDA Food Code. Thus, a new edition of this publication will be issued each time the FDA publishes a major revision of the FDA Food Code. If required, the FCWG will publish interim changes. In general, this publication will be reviewed by the Services every 4 years when a new FDA Food Code is published by the FDA. Recommended changes to the publication are staffed through the FCWG for approval.

(2) Recommended additions or changes should be submitted to a Service representative from one of the public health centers specified in subparagraph *b.(1)*, below. When submitting a recommendation, reference the page and paragraph number along with recommended changes and reasons for the addition or change.

*b. Official interpretation of publication provisions.*

(1) The FCWG is comprised of subject matter experts (SME) from the U.S. Air Force Public Health Food Protection Branch; U.S. Army Public Health Command, Army Institute of Public Health, Environmental Health and Engineering Portfolio, and Veterinary Services Portfolio; DOD Veterinary Service Activity; and Navy/Marine Corps Public Health Center, Preventive Medicine Department. The FCWG is the official consulting body for clarification, interpretation, and changes to this publication. The FCWG was established by the Food Risk Evaluation Committee—a *Joint Department of Defense advisory group providing guidance to the Director, DOD Veterinary Services Activity and The Surgeons General of the military medical departments on matters relating to food safety and defense.*

(2) Service-unique interpretations are addressed by the respective Service's SME. Issues that have broad application across the DOD are forwarded through the Service SME to the FCWG for collaboration and publication of a unified interpretation.

(3) Interpretations should be resolved at the lowest level and elevated through the appropriate technical chain of command.

### **1-9. Changes to military food sanitation standards presented in this publication**

The following provides a summary of major changes to previously published military food sanitation standards. This summary is not all-inclusive; regulatory and food management personnel should review this publication in its entirety to ensure compliance with all applicable standards.

*a. Food defense.* Food defense activities are required by antiterrorism and force protection regulations. Guidance provided in this publication does not replace existing regulations; instead, it serves to introduce food defense language in a medical standard to facilitate related public health support activities.

*b. Highly susceptible population.* The definition of a highly susceptible or high risk population now includes service members during Initial Entry Training and DOD civilians during deployments and field exercises. Refer to the glossary for a complete definition.

*c. Regulatory and medical authority.* Use of these terms varies among the Services. This publication distinguishes the *Regulatory* authority as the organization, office, or unit responsible for performing food sanitation and safety inspections or audits; the *Medical* authority is the organization, unit, or headquarters with oversight authority over one or more Regulatory Authorities. Refer to the glossary for a complete definition.

*d. Seasonal food operations.* Seasonal food operations are defined to provide a clear distinction from temporary food establishments. A separate chapter for temporary, seasonal, and vending food operations is provided for ease in understanding the specific requirements and publication exceptions relevant to these operations. Refer to the glossary for a complete definition.

*e. Potentially hazardous food.* A new definition and criteria is provided for Potentially Hazardous Foods – Time/Temperature Control for Safety Foods (PHF(TCS)). The definition recognizes there are multiple factors that render a food potentially hazardous: food safety interactions between pH and water activity; whether the food is treated to kill vegetative cells and spores; and whether the food is packaged or how it is packaged. PHF(TCS) foods now

include heat-treated plant foods (e.g. cooked rice, beans, or vegetables), raw seed sprouts, cut melons, cut leafy greens, and cut tomatoes. Refer to the glossary for a complete definition.

*f. Safe temperatures for holding PHF(TCS) foods.* The safe temperature for holding PHF(TCS) foods has changed from 40°F (F) to 41°F (5°C) or below for cold holding. The difference in temperature is inconsequential, caused by the rounding error for food thermometers. The safe temperature for hot holding was reduced from 140°F to 135°F (57°C) or above. The FDA based 135°F on controlling growth of *Clostridium perfringens* and *Bacillus cereus*.

*g. Time as a public health control.* New criteria was added if time without temperature control is used as a public health control for chilled PHF(TCS) foods. These foods may be held for up to 6 hours outside of the safe temperature zone as long as the food is brought out cold (41°F or below) and the temperature of the food does not exceed 70°F at any time during the 6-hour period.

*h. Training requirements.* Changes to training and certification identify minimum subject criteria and contact hours for initial and refresher training for food employees and food managers; new requirements are provided for contracting officer representatives and other personnel indirectly involved in foodservice. Other changes include identification of acceptable military sources for food protection manager certification.

*i. Deployment food operations.* Specific guidance is provided in a separate chapter for field foodservice operations and food establishments in the deployment setting. Application of food safety standards in the deployed setting has been problematic for regulators and food managers. Military engagements extending beyond 12 months result in the expansion and upgrade of base camps likened to fixed installations. Food facilities evolve from traditional soft-sided and mobile field structures (e.g., field tents with wooden floors) to more rigid, semi-permanent (e.g. concrete floor with metal framing and durable polypropylene walls) or permanent (brick and mortar) buildings. The guidance provided in this publication provides clear distinction and requirements for field food operation and deployment food establishments.

*j. Inspection program.* The food sanitation inspection program is standardized to employ a risk-based inspection process. Service-specific inspection forms have been replaced by DOD inspection forms. Inspection types are now identified as preoperational, routine, follow-up, compliant, and walk-through. Inspection ratings, assessed as fully compliant, substantially compliant, partially compliant, and non-compliant, are based on specific criteria for justification.

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## CHAPTER 2

### MANAGEMENT AND PERSONNEL

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#### 2-1. Supervision

##### 2-201 Responsibility

###### 2-101.11 Assignment\*

(A) Except as specified in ¶ (B) of this section, the FOOD ESTABLISHMENT manager shall be the PERSON IN CHARGE (PIC) or shall designate a PIC and shall ensure that a PIC is present at the FOOD ESTABLISHMENT during all hours of operation.

(B) *In a FOOD ESTABLISHMENT with two or more separately operated departments that are the legal responsibility of the same FOOD ESTABLISHMENT manager and that are located on the same PREMISES, the FOOD ESTABLISHMENT manager may designate a single PIC who is present on the PREMISES during all hours of operation, and who (effectively observes and controls all of the FOOD ESTABLISHMENTS, and who is responsible for each separately operated FOOD ESTABLISHMENT on the PREMISES.) For example, food courts where one kitchen is shared by two or more FOOD OPERATIONS.* †

##### 2-102 Knowledge

###### 2-102.11 Demonstration\*

Based on the RISKS inherent to the FOOD operation, during inspections and upon request the PIC shall demonstrate to the REGULATORY AUTHORITY knowledge of foodborne disease prevention, application of the HACCP principles, and the requirements of this publication.

Demonstration of knowledge is achieved by—

(A) Complying with this publication by having no multiple violations of CRITICAL ITEMS during the current inspection; <sup>S</sup> and

(B) Being a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM and maintaining current FOOD protection certification; and

(C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include— <sup>S</sup>

(1) Describing the relationship between the prevention of foodborne disease and the personal hygiene of a FOOD EMPLOYEE;

(2) Explaining the responsibility of the PIC for preventing the transmission of foodborne disease by a FOOD EMPLOYEE who has a disease or medical condition that may cause foodborne disease;

(3) Describing the symptoms associated with the diseases that are transmissible through FOOD;

(4) Explaining the significance of the relationship between maintaining the time and temperature of PHF(TCS) foods and the prevention of foodborne illness;

(5) Explaining the HAZARDS involved in the consumption of raw or undercooked MEAT, POULTRY, EGGS, and FISH;

(6) Stating the required FOOD temperatures and times for safe cooking of PHF(TCS) foods including MEAT, POULTRY, EGGS, and FISH;

(7) Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of PHF(TCS) foods;

(8) Describing the relationship between the prevention of foodborne illness and the management and control of the following:

(a) Cross contamination,

(b) Hand contact with READY-TO-EAT FOODS,

(c) Handwashing, and

(d) Maintaining the FOOD ESTABLISHMENT in a clean condition and in good repair;

(9) Describing FOODS identified as MAJOR FOOD ALLERGENS and the symptoms that a MAJOR FOOD ALLERGEN could cause in a sensitive individual who has an allergic reaction.

(10) Explaining the relationship between FOOD safety and providing EQUIPMENT that is:

(a) Sufficient in number and capacity, and

(b) Properly designed, constructed, located, installed, operated, maintained, and cleaned;

(11) Explaining correct procedures for cleaning and SANITIZING UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT;

(12) Identifying the source of water used and measures taken to ensure that it remains protected from contamination, such as providing protection from backflow and precluding the creation of CROSS-CONNECTIONS;

(13) Identifying POISONOUS OR TOXIC MATERIALS in the FOOD ESTABLISHMENT and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to LAW;

(14) Identifying CRITICAL CONTROL POINTS in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled IAW the requirements of this publication;

(15) Explaining the details of how the PIC and FOOD EMPLOYEES comply with the HACCP PLAN if a plan is required by the LAW, this publication, or an agreement between the REGULATORY AUTHORITY and the FOOD ESTABLISHMENT;

(16) Explaining the responsibilities, rights, and authorities assigned by this publication to the:

(a) FOOD EMPLOYEE,

(b) CONDITIONAL EMPLOYEE,

- (c) the PIC,
  - (d) REGULATORY AUTHORITY; and
- (17) Explaining how the PIC, FOOD EMPLOYEES, and CONDITIONAL EMPLOYEES comply with reporting responsibilities and EXCLUSION or RESTRICTION of FOOD EMPLOYEES.

### **2-102.20 Food protection manager certification**

(A) Food Protection Manager certification is achieved through a Food Protection Manager certification examination process that is evaluated and listed by a Conference for Food Protection (CFP)-recognized accrediting agency as conforming to the CFP Standards for Accreditation of Food Protection Manager Certification Program. A PIC who demonstrates knowledge by being a certified Food Protection Manager is deemed to comply with 2-102.11(B) as long as the certification remains current through a recertification exam IAW the certifying organization.

(B) Except as specified in ¶ (C) this section, the following resources are recognized as authorized for providing FOOD protection manager certification:<sup>†</sup>

(1) A list of American National Standards Institute (ANSI)-CFP accredited programs is available through the ANSI website at

<https://www.ansica.org/wwwversion2/outside/CFPdirectory.asp?menuID=8>. *The list of accredited programs is also available through the Conference for Food Protection at <http://www.foodprotect.org/manager-certification/>.*

(2) Army distance learning and residential courses designed for FOOD managers, preventive medicine services, and/or veterinary services personnel and sponsored by the Army Medical Department Center and School (AMEDDC&S) or the Army Quartermaster Center and School, Joint Culinary Center of Excellence (QMS-JCCoE), or U.S. Army Logistics University (ALU). The Food Safety and Protection Certification Course (FSPCC) sponsored by the JCCoE is one example. *Note: FSPCC certification remains valid for 4 years from the date of certification. Future comprehensive food sanitation and food safety courses sponsored by the JCCoE will be recognized as meeting the requirements for achieving FOOD protection manager certification.*

(3) The Navy and Marine Corps Public Health Center Catalog of Navy Training, Course B-322-2101, Food Safety Manager's/Supervisor's Course. For Naval personnel, contractors, and DOD personnel, all training requirements set forth in OPNAVINST 4061.4 and MCO 4061.1, *Food Safety Training Program*, must be adhered to.

(4) Other comprehensive courses in food safety approved by the REGULATORY AUTHORITY.

### **2-103 Duties**

#### **2-103.11 Person in charge**

The PIC shall ensure that–

(A) FOOD ESTABLISHMENT operations are not conducted in a private home or in a room used as living or sleeping quarters as specified under § 6-202.111;

(B) PERSONS unnecessary to the FOOD ESTABLISHMENT operation are not allowed in the FOOD preparation, FOOD storage, or WAREWASHING areas, except that brief visits and tours may be authorized by the PIC if steps are taken to ensure that exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES are protected from contamination;

(C) EMPLOYEES and other PERSONS such as delivery and maintenance PERSONS and pesticide applicators entering the FOOD preparation, FOOD storage, and WAREWASHING areas comply with this publication;

(D) EMPLOYEES are effectively cleaning their hands, by routinely monitoring the EMPLOYEES' handwashing;

(E) EMPLOYEES are checking FOODS as they are received to determine that deliveries are authorized, delivered at the required temperatures, protected from contamination, unADULTERATED and accurately presented, have no evidence of tampering, and all discrepancies are reported to the appropriate REGULATORY AUTHORITY.

(F) EMPLOYEES are properly cooking PHF(TCS) foods, being particularly careful in cooking those FOODS known to cause severe foodborne illness and death, such as EGGS and COMMINUTED MEATS, through daily oversight of the EMPLOYEES' routine monitoring of the cooking temperatures using appropriate temperature measuring devices properly scaled and calibrated as specified under § 4-203.11 and ¶ 4-502.11(B);

(G) EMPLOYEES are using proper methods to rapidly cool PHF(TCS) foods that are not held hot or are not for consumption within 4 hours, through daily oversight of the EMPLOYEES' routine monitoring of FOOD temperatures during cooling;

(H) CONSUMERS who order raw; or partially cooked READY-TO-EAT FOODS of animal origin are informed as specified under § 3-603.11 that the FOOD is not cooked sufficiently to ensure its safety;

(I) EMPLOYEES are properly SANITIZING cleaned multiuse EQUIPMENT and UTENSILS before they are reused, through routine monitoring of solution temperature and exposure time for hot water SANITIZING, and chemical concentration, pH, temperature, and exposure time for chemical SANITIZING;

(J) CONSUMERS are notified that clean TABLEWARE is to be used when they return to self-service areas such as salad bars and buffets as specified under § 3-304.16;

(K) Except when APPROVAL is obtained from the REGULATORY AUTHORITY as specified in ¶ 3-301.11(D), EMPLOYEES are preventing cross-contamination of READY-TO-EAT FOOD with bare hands by properly using suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT;

(L) EMPLOYEES are properly trained in FOOD safety, including food allergy awareness, as it relates to their assigned duties; and

(M) FOOD EMPLOYEES and CONDITIONAL EMPLOYEES are informed of their responsibility to report IAW LAW, to the PIC, information about their health and activities as they relate to diseases that are transmissible through FOOD, as specified under

¶ 2-201.11(A). DD Form 2971, *Conditional Employee or Food Employee Reporting Agreement*, is discussed in Appendix F.

## 2-2. Employee health

### 2-201 Responsibilities of person in charge, food employees, and conditional employees

#### 2-201.10. Deployment health criteria <sup>†</sup>

Health criteria for FOOD EMPLOYEES operating in a deployment setting (i.e., supporting military or humanitarian support operations) are provided in § 9-103.11.

#### 2-201.11 Responsibility of person in charge, food employees, and conditional employees\*

(A) The PIC shall require FOOD EMPLOYEES and CONDITIONAL EMPLOYEES to report to the PIC information about their health and activities as they relate to diseases that are transmissible through FOOD. A FOOD EMPLOYEE or CONDITIONAL EMPLOYEE shall report the information in a manner that allows the PIC to reduce the RISK of foodborne disease transmission, including providing necessary additional information, such as the date of onset of symptoms and an illness, or of a diagnosis without symptoms, if the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE has:

(1) **Reportable symptoms.** Has any of the following:

- (a) Vomiting,
- (b) Diarrhea,
- (c) Jaundice,
- (d) Sore throat with fever, or
- (e) A lesion containing pus such as a boil or infected wound that is open or draining

and is:

(i) On the hands or wrists, *unless an impermeable cover such as a finger cot or stall protects the lesion and a SINGLE-USE glove is worn over the impermeable cover,*

(ii) On exposed portions of the arms, *unless the lesion is protected by an impermeable cover, or*

(iii) On other parts of the body, *unless the lesion is covered by a dry, durable, tight-fitting bandage.*

(2) **A reportable diagnosis.** Has an illness diagnosed by a HEALTH PRACTITIONER due to—

- (a) Norovirus,
- (b) Hepatitis A virus,
- (c) *Shigella* spp.,
- (d) ENTEROHEMORRHAGIC (EHEC) or SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI* (STEC), or
- (e) *Salmonella* Typhi;

(3) ***A reportable past illness.*** Had a previous illness, diagnosed by a HEALTH PRACTITIONER, within the past 3 months due to *Salmonella* Typhi, without having received antibiotic therapy, as determined by a HEALTH PRACTITIONER;

(4) ***A reportable history of exposure.*** Has been exposed to, or is the suspected source of, a CONFIRMED DISEASE OUTBREAK, because the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE consumed or prepared FOOD implicated in the outbreak, or consumed FOOD at an event prepared by a PERSON who is infected or ill with—

- (a) Norovirus within the past 48 hours of the last exposure,
- (b) EHEC or STEC, *or Shigella* spp. within the past 3 days of the last exposure,
- (c) *Salmonella* Typhi within the past 14 days of the last exposure, or
- (d) Hepatitis A virus within the past 30 days of the last exposure; or

(5) Has been exposed by attending or working in a setting where there is a CONFIRMED DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual who works or attends a setting where there is a CONFIRMED DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by—

- (a) Norovirus within the past 48 hours of the last exposure,
- (b) EHEC or STEC, *or Shigella* spp. within the past 3 days of the last exposure,
- (c) *Salmonella* Typhi within the past 14 days of the last exposure, or
- (d) Hepatitis A virus within the past 30 days of the last exposure.

(B) ***Responsibility of PIC to notify the regulatory authority.*** The PIC shall immediately notify the REGULATORY AUTHORITY when a FOOD EMPLOYEE is: <sup>N</sup>

- (1) Jaundiced, or
- (2) Diagnosed with an illness due to a pathogen as specified under Subparagraphs (A)(2)(a)-(e) of this section.

(C) ***Responsibility of the PIC to prohibit a conditional employee from becoming a food employee.*** The PIC shall ensure that a CONDITIONAL EMPLOYEE—

(1) Who exhibits or reports a symptom, or who reports a diagnosed illness as specified under Subparagraphs (A)(1) - (3) of this section, is prohibited from becoming a FOOD EMPLOYEE until the CONDITIONAL EMPLOYEE meets the criteria for the specific symptoms or diagnosed illness as specified under § 2-201.13; and

(2) Who will work as a FOOD EMPLOYEE in a FOOD ESTABLISHMENT that serves as a HIGHLY SUSCEPTIBLE POPULATION and reports a history of exposure as specified under Subparagraphs (A)(4) – (5), is prohibited from becoming a FOOD EMPLOYEE until the CONDITIONAL EMPLOYEE meets the criteria as specified under ¶ 2-201.13(I).

(D) ***Responsibility of the PIC to exclude or restrict.*** The PIC shall ensure that a FOOD EMPLOYEE who exhibits or reports a symptom, or who reports a diagnosed illness or a history of exposure as specified under Subparagraphs (A)(1) - (5) of this section is—

- (1) EXCLUDED as specified under ¶¶ 2-201.12 (A) - (C), and Subparagraphs (D)(1), (E)(1), (F)(1), or (G)(1) and in compliance with the provisions specified under ¶¶ 2-201.13(A) - (G); or

(2) RESTRICTED as specified under Subparagraphs 2-201.12 (D)(2), (E)(2), (F)(2), (G)(2), or ¶¶ 2-201.12(H) or (I) and in compliance with the provisions specified under ¶¶ 2-201.13(D)-(I).

(E) **Responsibility of food employees and conditional employees to report.** A FOOD EMPLOYEE or CONDITIONAL EMPLOYEE shall report to the PIC the information as specified under ¶ (A) of this section. <sup>N</sup>

(F) **Responsibility of food employees to comply.** A FOOD EMPLOYEE shall—

(1) Comply with an EXCLUSION as specified under ¶¶ 2-201.12(A) - (C) and Subparagraphs 2-201.12(D)(1), (E)(1), (F)(1), or (G)(1) and with the provisions specified under ¶¶ 2-201.13(A) - (G); or

(2) Comply with a RESTRICTION as specified under Subparagraphs 2-201.12(D)(2), (E)(2), (F)(2), (G)(2), or ¶¶ 2-201.12 (H) or (I) and comply with the provisions specified under ¶¶ 2-201.13(D) - (I).

### **2-201.12 Exclusions and restrictions\***

The PIC shall EXCLUDE or RESTRICT a FOOD EMPLOYEE from a FOOD ESTABLISHMENT IAW the following:

(A) **Symptomatic with vomiting or diarrhea.** *Except when the symptom is from a noninfectious condition,* EXCLUDE a FOOD EMPLOYEE if the FOOD EMPLOYEE is:

(1) Symptomatic with vomiting or diarrhea; or

(2) Symptomatic with vomiting or diarrhea and diagnosed with an infection from Norovirus, *Shigella* spp., or EHEC or STEC.

(B) **Jaundiced or diagnosed with hepatitis A infection.** EXCLUDE a FOOD EMPLOYEE who is—

(1) Jaundiced and the onset of jaundice occurred within the last 7 calendar days, *unless the FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER specifying that the jaundice is not caused by hepatitis A virus or other fecal-orally transmitted infection;*

(2) Diagnosed with an infection from hepatitis A virus within 14 calendar days from the onset of any illness symptoms, or within 7 calendar days of the onset of jaundice; or

(3) Diagnosed with an infection from hepatitis A virus without developing symptoms.

(C) **Diagnosed or reported previous infection due to S. Typhi.** EXCLUDE a FOOD EMPLOYEE who is diagnosed with an infection from *Salmonella* Typhi, or reports a previous infection with *Salmonella* Typhi within the past 3 months as specified under Subparagraph 2-201.11(A)(3).

(D) **Diagnosed with an asymptomatic infection from Norovirus.** If a FOOD EMPLOYEE is diagnosed with an infection from Norovirus and is ASYMPTOMATIC:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(E) ***Diagnosed with Shigella spp. infection and asymptomatic.*** If a FOOD EMPLOYEE is diagnosed with an infection from *Shigella* spp. and is ASYMPTOMATIC:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(F) ***Diagnosed with EHEC or STEC and asymptomatic.*** If a FOOD EMPLOYEE is diagnosed with an infection from EHEC or STEC, and is ASYMPTOMATIC:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(G) ***Symptomatic with sore throat with fever.*** If a FOOD EMPLOYEE is ill with symptoms of acute onset of sore throat with fever:

(1) EXCLUDE the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION; or

(2) RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.

(H) ***Symptomatic with uncovered infected wound or pustular boil.*** If a FOOD EMPLOYEE is infected with a skin lesion containing pus such as a boil or infected wound that is open or draining and not properly covered as specified under Subparagraph 2-201.11(A)(1)(e), RESTRICT the FOOD EMPLOYEE.

(I) ***Exposed to foodborne pathogen and works in food establishment serving HSP.***

If a FOOD EMPLOYEE is exposed to a foodborne pathogen as specified under Subparagraphs 2-201.11(A)(4) or (5), RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION.

### **2-201.13 Removal, adjustment, or retention of exclusions and restrictions\***

The PIC shall adhere to the following conditions when removing, adjusting, or retaining the EXCLUSION or RESTRICTION of a FOOD EMPLOYEE–

(A) *Except when a FOOD EMPLOYEE is diagnosed with an infection from hepatitis A virus or Salmonella Typhi:*

(1) ***Removing exclusion for food employee who was symptomatic and not diagnosed.***

Reinstate a FOOD EMPLOYEE who was EXCLUDED as specified under Subparagraph 2-201.12(A)(1) if the FOOD EMPLOYEE–

(a) Provides to the PIC written medical documentation from a HEALTH PRACTITIONER that states the symptom is from a non-infectious condition; or

(b) Provides to the PIC written medical documentation from a HEALTH PRACTITIONER that states that the employee no longer has symptoms and is medically cleared to handle food.†

(c) Exclusion removal for host country and third country nationals supporting military operations in deployment shall be based on standards set by LAW and approved by the senior MEDICAL AUTHORITY, such as the Task Force Medical Surgeon.<sup>†</sup>

(2) ***Norovirus diagnosis—adjusting exclusion for food employee who was symptomatic and is now asymptomatic.*** If a FOOD EMPLOYEE was diagnosed with an infection from Norovirus and EXCLUDED as specified under Subparagraph 2-201.12(A)(2):

(a) RESTRICT the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (D)(1) or (2) of this section are met; or

(b) ***Retaining exclusion for food employee who was asymptomatic and is now asymptomatic and works in food establishment serving highly susceptible populations (HSP).*** Retain the EXCLUSION for the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (D)(1) or (2) of this section are met.

(3) ***Shigella spp. diagnosis—adjusting exclusion for food employee who was symptomatic and is now asymptomatic.*** If a FOOD EMPLOYEE was diagnosed with an infection from *Shigella* spp. and EXCLUDED as specified under Subparagraph 2-201.12(A)(2)—

(a) RESTRICT the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (E)(1) or (2) of this section are met; or

(b) ***Retaining exclusion for food employee who was asymptomatic and is now asymptomatic.*** Retain the EXCLUSION for the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (E)(1) or (2), or (E)(1) and (3)(a) of this section are met.

(4) ***EHEC or STEC diagnosis.*** If a FOOD EMPLOYEE was diagnosed with an infection from EHEC or STEC and EXCLUDED as specified under Subparagraph 2-201.12(A)(2)—

(a) ***Adjusting exclusion for food employee who was symptomatic and is now asymptomatic.*** RESTRICT the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (F)(1) or (2) of this section are met; or

(b) ***Retaining exclusion for food employee who was symptomatic and is now asymptomatic and works in food establishment serving HSP.*** Retain the EXCLUSION for the FOOD EMPLOYEE, who is ASYMPTOMATIC for at least 24 hours and works in a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION, until the conditions for reinstatement as specified under Subparagraphs (F)(1) or (2) are met.

(B) ***Hepatitis A virus or jaundice diagnosis—removing exclusions.*** Reinstatement a FOOD EMPLOYEE who was EXCLUDED as specified under ¶ 2-201.12(B) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met—

- (1) The FOOD EMPLOYEE has been jaundiced for more than 7 calendar days;
- (2) The anicteric FOOD EMPLOYEE has been symptomatic with symptoms other than jaundice for more than 14 calendar days; or
- (3) The FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of a hepatitis A virus infection.

(C) ***S. Typhi diagnosis—removing exclusions.*** Reinstatement a FOOD EMPLOYEE who was EXCLUDED as specified under ¶ 2-201.12(C) if—

- (1) The PIC obtains APPROVAL from the REGULATORY AUTHORITY; and
- (2) The FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER that states the FOOD EMPLOYEE is free from *S. Typhi* infection as determined by the following stool analysis criteria: The EMPLOYEE'S stools are negative for *S. Typhi* based on testing of at least three consecutive stool specimen cultures that are taken—
  - (a) Not earlier than 1 month after onset; †
  - (b) At least 48 hours after discontinuance of antibiotics; † and
  - (c) At least 24 hours apart; then— †
  - (d) If one of the cultures taken is positive, repeat cultures are taken at intervals of 1 month until at least three consecutive negative stool specimen cultures are obtained. †

(D) ***Norovirus diagnosis—removing exclusion or restriction.*** Reinstatement a FOOD EMPLOYEE who was EXCLUDED as specified under Subparagraphs 2-201.12(A)(2) or (D)(1) who was RESTRICTED under Subparagraph 2-201.12(D)(2) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met:

- (1) The EXCLUDED or RESTRICTED FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of a Norovirus infection;
- (2) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED after symptoms of vomiting or diarrhea resolved, and more than 48 hours have passed since the FOOD EMPLOYEE became ASYMPTOMATIC; or
- (3) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED and did not develop symptoms and more than 48 hours have passed since the FOOD EMPLOYEE was diagnosed.

(E) ***Shigella spp. diagnosis—removing exclusion or restriction.*** Reinstatement a FOOD EMPLOYEE who was EXCLUDED as specified under Subparagraphs 2-201.12(A)(2) or (E)(1) or who was RESTRICTED under Subparagraph 2-201.12(E)(2) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met:

- (1) The EXCLUDED or RESTRICTED FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of a *Shigella* spp. infection based on test results showing two consecutive negative stool specimen cultures that are taken:

- (a) Not earlier than 48 hours after discontinuance of antibiotics, and
- (b) At least 24 hours apart;
- (2) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED after symptoms of vomiting or diarrhea resolved, and more than 7 calendar days have passed since the FOOD EMPLOYEE became ASYMPTOMATIC; or
- (3) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED and did not develop symptoms and more than 7 calendar days have passed since the FOOD EMPLOYEE was diagnosed.

(F) ***EHEC or STEC diagnosis—removing exclusion or restriction.*** Reinstate a FOOD EMPLOYEE who was EXCLUDED or RESTRICTED as specified under Subparagraphs 2-201.12(A)(2) or (F)(1) or who was RESTRICTED under Subparagraph 2-201.12(F)(2) if the PIC obtains APPROVAL from the REGULATORY AUTHORITY and one of the following conditions is met:

(1) The EXCLUDED or RESTRICTED FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of an infection from EHEC or STEC based on test results that show two consecutive negative stool specimen cultures that are taken:

- (a) Not earlier than 48 hours after discontinuance of antibiotics; and
- (b) At least 24 hours apart;
- (2) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED after symptoms of vomiting or diarrhea resolved and more than 7 calendar days have passed since the FOOD EMPLOYEE became ASYMPTOMATIC; or
- (3) The FOOD EMPLOYEE was EXCLUDED or RESTRICTED and did not develop symptoms and more than 7 days have passed since the FOOD EMPLOYEE was diagnosed.

(G) ***Sore throat with fever—removing exclusion or restriction.*** Reinstate a FOOD EMPLOYEE who was EXCLUDED or RESTRICTED as specified under Subparagraphs 2-201.12(G)(1) or (2) if the FOOD EMPLOYEE provides to the PIC written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE meets one of the following conditions:

- (1) Has received antibiotic therapy for *Streptococcus pyogenes* infection for more than 24 hours;
- (2) Has at least one negative throat specimen culture for *Streptococcus pyogenes* infection; or
- (3) Is otherwise determined by a HEALTH PRACTITIONER to be free of a *Streptococcus pyogenes* infection.

(H) ***Uncovered infected wound or pustular boil—removing restriction.*** Reinstate a FOOD EMPLOYEE who was RESTRICTED as specified under ¶ 2-201.12(H) if the skin, infected wound, cut, or pustular boil is properly covered with one of the following:

- (1) An impermeable cover such as a finger cot or stall and a single-use glove over the impermeable cover if the infected wound or pustular boil is on the hand, finger, or wrist;
- (2) An impermeable cover on the arm if the infected wound or pustular boil is on the arm; or

(3) A dry, durable, tight-fitting bandage if the infected wound or pustular boil is on another part of the body.

(I) **Exposure to foodborne pathogen and works in food establishment serving HSP—removing restriction.** Reinstate a FOOD EMPLOYEE who was RESTRICTED as specified under ¶ 2-201.12(I) and was exposed to one of the following pathogens as specified under Subparagraph 2-201.11(A)(4) or (5):

(1) **Norovirus.** Norovirus and one of the following conditions is met:

(a) More than 48 hours have passed since the last day the FOOD EMPLOYEE was potentially exposed; or

(b) More than 48 hours have passed since the FOOD EMPLOYEE'S household contact became ASYMPTOMATIC.

(2) **Shigella spp., EHEC, or STEC.** *Shigella* spp. or EHEC or STEC and one of the following conditions is met:

(a) More than 3 calendar days have passed since the last day the FOOD EMPLOYEE was potentially exposed; or

(b) More than 3 calendar days have passed since the FOOD EMPLOYEE'S household contact became ASYMPTOMATIC.

(3) **S. Typhi.** *S. Typhi* and one of the following conditions is met:

(a) More than 14 calendar days have passed since the last day the FOOD EMPLOYEE was potentially exposed; or

(b) More than 14 calendar days have passed since the FOOD EMPLOYEE'S household contact became ASYMPTOMATIC.

(4) **Hepatitis A.** Hepatitis A virus and one of the following conditions is met:

(a) The FOOD EMPLOYEE is immune to hepatitis A virus infection because of a prior illness from hepatitis A;

(b) The FOOD EMPLOYEE is immune to hepatitis A virus infection because of vaccination against hepatitis A;

(c) The FOOD EMPLOYEE is immune to hepatitis A virus infection because of Immunoglobulin G (IgG) administration;

(d) More than 30 calendar days have passed since the last day the FOOD EMPLOYEE was potentially exposed;

(e) More than 30 calendar days have passed since the FOOD EMPLOYEE'S household contact became jaundiced; or

(f) The FOOD EMPLOYEE does not use an alternative procedure that allows bare hand contact with READY-TO-EAT FOOD until at least 30 days after the potential exposure, as specified in Subparagraphs (I)(4)(d) and (e) of this section, and the FOOD EMPLOYEE receives additional training about—

(i) Hepatitis A symptoms and preventing the transmission of infection,

(ii) Proper handwashing procedures, and

(iii) Protecting READY-TO-EAT FOOD from contamination introduced by bare hand contact.

**2-201.20 Medical screening criteria** †

A determination of medical screening criteria for FOOD EMPLOYEES should be established in a local policy by the Command Surgeon or MEDICAL AUTHORITY. This publication establishes minimum reporting and exclusion criteria. Other considerations include screening for upper respiratory infections, such as Tuberculosis.

**2-3. Personal cleanliness**

**2-301 Hands and arms**

**2-301.11 Clean condition\***

(A) FOOD EMPLOYEES shall keep their hands and exposed portions of their arms clean.

(B) Hand sanitizers may supplement hand washing procedures for food employees as specified under § 2-301.16, but shall not be substituted for the cleaning procedure specified under § 2-301.12.†

**2-301.12 Cleaning procedure\***

(A) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands or arms, for at least 20 seconds, using a cleaning compound in a HANDWASHING SINK that is equipped as specified under § 5-202.12 and Subpart 6-301.

(B) FOOD EMPLOYEES shall use the following cleaning procedure in the order stated to clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands and arms:

- (1) Rinse under POTABLE, running warm water;
- (2) Apply an amount of cleaning compound recommended by the cleaning compound manufacturer;
- (3) Rub together vigorously for at least 10 to 15 seconds while—
  - (a) Paying particular attention to removing soil from underneath the fingernails during the cleaning procedure, and
  - (b) Creating friction on the surfaces of the hands and arms or surrogate prosthetic devices for hands and arms, the fingertips, under the fingernails, the cuticles, the areas between the fingers, and any exposed areas on the forearms;
- (4) Thoroughly rinse under POTABLE, running warm water; and
- (5) Immediately follow the cleaning procedure with thorough drying using a method as specified under § 6-301.12.

(C) *To avoid recontaminating their hands or surrogate prosthetic devices, FOOD EMPLOYEES should use disposable paper towels or similar clean barriers when touching surfaces such as manually operated faucet handles on a HANDWASHING SINK or the handle of a restroom door.*

(D) *If APPROVED and capable of removing the types of soils encountered in the FOOD operations involved, an automatic handwashing facility may be used by FOOD EMPLOYEES to clean their hands or surrogate prosthetic devices.*

### **2-301.13 Special hand wash procedures**

Reserved.

### **2-301.14 When to wash\***

FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and:

(A) After touching bare human body parts other than clean hands and clean, exposed portions of arms;

(B) After using the toilet room;

(C) After caring for or handling SERVICE ANIMALS or aquatic animals as specified in ¶ 2-403.11(B);

(D) Except as specified in ¶ 2-401.11(B), after coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking;

(E) After handling soiled EQUIPMENT or UTENSILS;

(F) During FOOD preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks;

(G) When switching between working with raw FOOD and working with READY-TO-EAT FOOD;

(H) Before donning gloves for working with FOOD; and

(I) After engaging in other activities that contaminate the hands.

### **2-301.15 Where to wash**

FOOD EMPLOYEES shall clean their hands in a HANDWASHING SINK or APPROVED automatic handwashing facility and may not clean their hands in a sink used for FOOD preparation or WAREWASHING, or in a service sink or a curbed cleaning facility used for the disposal of mop water and similar liquid waste.

### **2-301.16 Hand antiseptics**

(A) A hand antiseptic used as a topical application, a hand antiseptic solution used as a hand dip, or a hand antiseptic soap shall—

(1) Comply with one of the following:

(a) Be an APPROVED drug that is listed in the FDA publication *Approved Drug Products with Therapeutic Equivalence Evaluations* as an APPROVED drug based on safety and effectiveness; or

(b) Have active antimicrobial ingredients that are listed in the FDA monograph for over-the-counter Health-Care Antiseptic Drug Products as an antiseptic hand wash, and

(2) Comply with one of the following:

(a) Have components that are exempted from the requirement of being listed in Federal FOOD ADDITIVE regulations as specified in Title 21, Code of Federal Regulations (CFR), Part 170.39 - Threshold of regulation for substances used in food-contact articles; or

(b) Comply with and be listed in:

(i) 21 CFR 178 - Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers as regulated for use as a FOOD ADDITIVE with conditions of safe use, or

(ii) 21 CFR 182 - Substances Generally Recognized as Safe, 21 CFR 184 - Direct Food Substances Affirmed as Generally Recognized as Safe, or 21 CFR 186 - Indirect Food Substances Affirmed as Generally Recognized as Safe for use in contact with food, and

(3) Be applied only to hands that are cleaned as specified under § 2-301.12.

(4) Alcohol-based hand sanitizers shall contain a minimum of 60 percent ethyl alcohol and be used IAW label instructions. †

(B) If a hand antiseptic or a hand antiseptic solution used as a hand dip does not meet the criteria specified under Subparagraph (A)(2) of this section, its use shall be—

(1) Followed by thorough hand rinsing in clean DRINKING water before hand contact with FOOD or by the use of gloves; or

(2) Limited to situations that involve no direct contact with FOOD by the bare hands.

(C) A hand antiseptic solution used as a hand dip shall be maintained clean and at a strength equivalent to at least 100 milligrams per liter (mg/L) chlorine.

## ***2-302 Fingernails***

### **2-302.11 Maintenance**

(A) FOOD EMPLOYEES shall keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable, are not rough, and do not extend more than ¼ inch above the fingertip.

(B) A FOOD EMPLOYEE shall not wear fingernail polish, artificial fingernails, or fingernail jewelry when working with exposed FOOD.

## ***2-303 Jewelry***

### **2-303.11 Prohibition**

Except for *a plain ring such as a wedding band*, while preparing FOOD, FOOD EMPLOYEES may not wear jewelry, including medical information jewelry, on their arms and hands.

## ***2-304 Outer clothing***

### **2-304.11 Clean condition**

FOOD EMPLOYEES shall wear clean outer clothing to prevent contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

## 2-4. Hygienic practices

### 2-401 Food contamination prevention

#### 2-401.11 Eating, drinking, or using tobacco

(A) Except as specified in ¶¶ (B) and (C) of this section, an EMPLOYEE shall eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES; or other items needing protection cannot result.

(B) *A FOOD EMPLOYEE may drink from a closed BEVERAGE container if the container is handled to prevent contamination of—*

(1) *The EMPLOYEE'S hands;*

(2) *The container; and*

(3) *Exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.*

(C) Recipe testing. A FOOD EMPLOYEE may taste portions of the FOOD during preparation provided the following steps are followed: †

(1) The EMPLOYEE shall use a clean sanitized utensil or single service disposable utensil to withdraw the FOOD sample.

(2) The FOOD shall be tasted away from the FOOD and in a manner which does not risk contamination of the FOOD.

(3) The utensil shall be used only once.

#### 2-401.12 Discharges from the eyes, nose, and mouth

FOOD EMPLOYEES experiencing persistent sneezing, coughing, or a runny nose that causes discharges from the eyes, nose, or mouth may not work with exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; or unwrapped SINGLE-SERVICE or SINGLE-USE ARTICLES.

### 2-402 Hair restraints

#### 2-402.11 Effectiveness

(A) Except as provided in ¶ (B) of this section, FOOD EMPLOYEES shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair and sweat from contacting exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

(B) *This section does not apply to FOOD EMPLOYEES such as counter staff who only serve BEVERAGES and wrapped or PACKAGED FOODS; hostesses; and wait staff if they present a minimal RISK of contaminating exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.*

## **2-403 Animal**

### **2-403.11 Handling prohibition**

(A) Except as specified in ¶ (B) of this section, FOOD EMPLOYEES may not care for or handle animals that may be present such as patrol dogs, SERVICE ANIMALS, or pets that are allowed as specified in Subparagraphs 6-501.115(B)(2)-(5).

(B) *FOOD EMPLOYEES with SERVICE ANIMALS may handle or care for their SERVICE ANIMALS, and FOOD EMPLOYEES may handle or care for FISH in aquariums or MOLLUSCAN SHELLFISH or crustacea in display tanks if the FOOD EMPLOYEES wash their hands as specified under § 2-301.12 and ¶ 2-301.14(C) and change their outer garments if they become wet or soiled as a result of the handling activities.*

## **2-5. Training**

### **2-501 General principles**

#### **2-501.11 Training requirements<sup>†</sup>**

(A) FOOD EMPLOYEES shall be—

(1) Trained to perform their duties in a safe manner and with the ability to protect themselves and others from intentional and unintentional food contamination.

(2) Trained in the basic principles of FOOD safety, which includes but is not limited to the CDC five foodborne illness risk factors:

(a) FOOD from unsafe sources;

(b) Inadequate cooking;

(c) Improper holding/time-temperature;

(d) Contaminated equipment/cross contamination protection. Discussion shall include general sanitation and food allergens; and

(e) Poor personal hygiene. Discussion shall include the impact to public health, communicable diseases transmitted by FOOD EMPLOYEES, and EMPLOYEE health and hygiene.

(B) Except as specified under §2-503.12, each FOOD EMPLOYEE shall receive a minimum of 4 hours of FOOD sanitation refresher training annually to reinforce training subjects identified in Subparagraph (A)(2) of this section.

(C) Refresher training—

(1) Shall be conducted within a 12-month period beginning no earlier than one month following an EMPLOYEE'S initial training.

(2) May be executed incrementally throughout the year to achieve the 4-hour requirement.

(D) *FOOD ESTABLISHMENTS hold primary responsibility for funding and coordinating required training and certification of FOOD EMPLOYEES.*

**2-502 Supervisor training**

**2-502.11 Requirements and renewal<sup>†</sup>**

Foodservice managers, supervisors, and designated PIC shall complete an APPROVED Food Manager Certification process as specified under § 2-102.20 and recertify IAW the interval prescribed by the certifying organization.

**2-503 Food employee training**

**2-503.11 General requirement<sup>†</sup>**

Except as specified in §§ 2-503.12 and 2-503.13, new FOOD EMPLOYEES shall receive a minimum of 4 hours of initial FOOD sanitation and safety training, as specified in ¶ 2-501.11(A), within 30 days of beginning foodservice duties.

**2-503.12 Bartenders, hostesses, wait staff, and counter staff<sup>†</sup>**

(A) Except as specified in ¶ (B) of this section, bartenders, hostesses, waiters, waitresses, and counter staff who do not prepare FOOD shall receive—

(1) Four hours of initial FOOD sanitation and safety training within 30 days of beginning work in an establishment that serves FOOD; and

(2) Two hours of FOOD sanitation refreshers training annually.

(B) Bartenders, hostesses, waiters, waitresses, and counter staff who periodically prepare FOOD, such as plating salads or managing items on salad or buffet bars, shall receive the same training as other FOOD EMPLOYEES as specified under Subparagraph (A)(1) of this section and ¶ 2-501.11(B).

**2-503.13 Temporary employees<sup>†</sup>**

(A) Except as specified in ¶ (B) of this section, temporary FOOD EMPLOYEES assigned for 30 days or less shall receive training as specified under Subparagraph 2-501.11(A)(1), prior to working in a FOOD ESTABLISHMENT.

(B) Military personnel assigned additional duty as a dining facility attendant, Food Service Assistant (FSA), or Kitchen Patrol (KP) and the assigned duties do not involve food handling shall receive specific food service sanitation training that is relevant to the assigned tasks.

**2-503.20 Training resources<sup>†</sup>**

Initial and annual refresher FOOD EMPLOYEE FOOD safety training may be obtained from:

(A) A QUALIFIED FOOD SAFETY INSTRUCTOR; or

(B) A web-based presentation; audio/visual presentation, televised program, or other media that—

(1) Meets the basic requirements for FOOD safety annual training as specified under § 2-501-11; and

(2) Is initiated and supervised by a person specified in ¶ (C) of this section.

(C) FOOD sanitation and safety training may be conducted by the following individuals:

- (1) Any person who meets the requirements as specified in ¶ (A) of this section;
- (2) Public health officers and technicians as specified in ¶ 8-6.b.;
- (3) A FOOD ESTABLISHMENT manager, PIC, or supervisor who has completed a Food Protection Manager Certification process as specified in § 2-102.20.

#### ***2-504 Other personnel requiring training***

##### **2-504.10 Public health inspection personnel<sup>†</sup>**

Reserved.

##### **2-504.20 Contracting officer's representatives<sup>†</sup>**

CONTRACTING OFFICER'S REPRESENTATIVES (COR), quality assurance evaluators, and other representatives responsible for evaluating foodservice contract performance or providing management or operation oversight of a FOOD ESTABLISHMENT should complete a FOOD Manager Certification and recertification process as specified in § 2-102.20.

##### **2-504.30 Non-food employee, supervisors<sup>†</sup>**

(A) Except as specified in ¶ (B) of this section, individuals who are not FOOD EMPLOYEES (i.e., drill sergeants, cadre, platoon sergeants) but are designated to supervise FSAs, dining facility attendants or military personnel detailed to foodservice operations such as KPs should receive a minimum of 4 hours of training in FOOD safety, proper FOOD handling, EQUIPMENT and general sanitation, and basic vegetable preparation.

(B) This requirement may be waived by the REGULATORY AUTHORITY in a deployment setting or other non-garrison or non-permanent installation, base, or post setting.

##### **2-504.40 Food service and food safety instructors<sup>†</sup>**

Instructors at military training institutions who teach foodservice, food safety, and related food sanitation compliance criteria introduce and enforce regulatory requirements for food protection. Position descriptions for these instructors should include requirements for attaining and maintaining FOOD Manager Certification as specified in § 2-102.20.

#### ***2-505 Training records***

##### **2-505.11 Documentation, retention and presentation<sup>†</sup>**

(A) Training shall be documented, including the topics presented, the presenter's name, the names of personnel in attendance, the duration of the training, and the training date.

(B) Except as specified in Subparagraph (B)(2) and ¶ (C) of this section, an original or copy of a FOOD EMPLOYEE'S certification document and training records shall be—

- (1) Maintained at the FOOD ESTABLISHMENT, or where the EMPLOYEE works; and
- (2) Available upon request by the REGULATORY AUTHORITY.

(C) If an EMPLOYEE works at more than one FOOD ESTABLISHMENT, copies of his/her record should be available at each establishment.

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## CHAPTER 3

### FOOD

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#### 3-1. Characteristics

##### 3-101 Condition

##### 3-101.11 Safe, unadulterated, and honestly presented\*

FOOD shall be safe, unADULTERATED, and, as specified under § 3-601.12, honestly presented.

#### 3-2. Sources, specifications, and original containers and records

##### 3-201 Sources

##### 3-201.11 Compliance with food law\*

(A) FOOD shall be obtained from sources that comply with LAW.

(B) FOOD shall be obtained from APPROVED SOURCES IAW military requirements. †

(C) FOOD prepared in a private home may not be used or offered for human consumption in a FOOD ESTABLISHMENT. *Home-prepared FOODS, except home-canned FOODS, are authorized in support of special events such as organizational cookouts, bake sales, unit or chapel suppers, and similar events. Consult with the REGULATORY AUTHORITY to assess RISKS associated with FOODS prepared in private homes.*

(D) PACKAGED FOOD shall be labeled as specified in LAW, including 21 CFR 101 - FOOD Labeling; 9 CFR 317 - Labeling, Marking Devices, and Containers; and 9 CFR 381 Subpart N - Labeling and Containers; and as specified under §§ 3-202.17 and 3-202.18.

(E) FISH, *other than those specified in ¶ 3-402.11(B), that are intended for consumption in raw or undercooked form and allowed as specified in ¶ 3-401.11(D), may be offered for sale or service if they are obtained from a supplier that freezes the FISH as specified under § 3-402.11; or if they are frozen on the PREMISES as specified under § 3-402.11 and records are retained as specified under § 3-402.12.*

(F) WHOLE-MUSCLE, INTACT BEEF steaks that are intended for consumption in an undercooked form without a CONSUMER advisory as specified in ¶ 3-401.11(C) shall be—

(1) Obtained from a FOOD PROCESSING PLANT that, upon request by the purchaser, packages the steaks and labels them, to indicate that the steaks meet the definition of WHOLE-MUSCLE, INTACT BEEF, or

(2) Deemed acceptable by the REGULATORY AUTHORITY based on other evidence, such as written buyer specifications or invoices, that indicates that the steaks meet the definition of WHOLE-MUSCLE, INTACT BEEF, and

(3) If individually cut in a FOOD ESTABLISHMENT:

(a) Cut from WHOLE-MUSCLE INTACT BEEF that is labeled by a FOOD PROCESSING PLANT as specified in Subparagraph (F)(1) of this section or identified as specified in Subparagraph (F)(2) of this section,

(b) Prepared so they remain intact, and

(c) If PACKAGED for undercooking in a FOOD ESTABLISHMENT, labeled as specified in Subparagraph (F)(1) of this section or identified as specified in (F)(2) of this section.

(G) MEAT and POULTRY that is not a READY-TO-EAT FOOD and is in a PACKAGED form when it is offered for sale or otherwise offered for consumption, shall be labeled to include safe handling instructions, including cooking temperatures, as specified in LAW, including 9 CFR 317.2(l) and 9 CFR 381.125(b).

(H) EGGS that have not been specifically treated to destroy all viable *Salmonellae* shall be labeled to include safe handling instructions as specified in LAW, including 21 CFR 101.17(h).

**3-201.12 Food in a hermetically sealed container\***

FOOD in a HERMETICALLY SEALED CONTAINER shall be obtained from a FOOD PROCESSING PLANT that is regulated by the FOOD regulatory agency that has jurisdiction over the plant.

**3-201.13 Fluid milk \***

Fluid milk shall be pasteurized and obtained from sources that comply with GRADE A STANDARDS as specified in LAW.

**3-201.14 Fish\***

(A) Except as specified under ¶ (C) of this section and ¶ 3-201.17(C), FISH that are received for sale or service shall be—

(1) Commercially and legally caught or harvested; or

(2) APPROVED for sale or service.

(B) *Privately caught FISH may be used for social functions as specified under ¶ 3-201.11(C).*

(C) MOLLUSCAN SHELLFISH that are recreationally caught may not be received for sale or service.

**3-201.15 Molluscan shellfish\***

(A) MOLLUSCAN SHELLFISH shall be obtained from sources according to LAW and the requirements specified in the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration, National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish.

(B) MOLLUSCAN SHELLFISH received in interstate commerce shall be from sources that are listed in the Interstate Certified Shellfish Shippers List.

**3-201.16 Wild mushrooms\***

Use of wild mushrooms is prohibited. †

**3-201.17 Game animals\***

(A) If GAME ANIMALS are received for sale or service they shall be—

(1) Commercially raised for FOOD and—

(a) Raised, slaughtered, and processed under a voluntary inspection program that is conducted by the agency that has animal health jurisdiction, or

(b) Under a routine inspection program conducted by a regulatory agency other than the agency that has animal health jurisdiction, and

(c) Raised, slaughtered, and processed according to:

(i) LAWS governing MEAT and POULTRY as determined by the agency that has animal health jurisdiction and the agency that conducts the inspection program, and

(ii) Requirements which are developed by the agency that has animal health jurisdiction and the agency that conducts the inspection program with consideration of factors such as the need for antemortem and postmortem examination by an APPROVED veterinarian or veterinarian's designee;

(2) Under a voluntary inspection program administered by the USDA for game animals such as exotic animals (reindeer, elk, deer, antelope, water buffalo, or bison) that are "inspected and APPROVED" IAW 9 CFR 352 - Exotic animals; voluntary inspection of rabbits that are "inspected and certified" IAW 9 CFR 354 - Voluntary inspection of rabbits and edible products thereof;

(3) As allowed by LAW, for wild GAME ANIMALS that are live caught—

(a) Under a routine inspection program conducted by a regulatory agency such as the agency that has animal health jurisdiction, and

(b) Slaughtered and processed according to:

(i) LAWS governing MEAT and POULTRY as determined by the agency that has animal health jurisdiction and the agency that conducts the inspection program, and

(ii) Requirements which are developed by the agency that has animal health jurisdiction and the agency that conducts the inspection program with consideration of factors such as the need for antemortem and postmortem examination by an APPROVED veterinarian or veterinarian's designee; or

(4) Installations and organizations may serve field-dressed wild GAME ANIMALS and privately caught FISH provided the action is APPROVED by the installation veterinarian. (*Special Operations Force and similar training schools are exempt from this requirement.*) A routine inspection program is required to ensure wild GAME ANIMALS:

(a) *Except FISH*, receive a postmortem examination by an APPROVED veterinarian or veterinarian's designee, or

(b) Are field-dressed and transported according to requirements specified by the agency that has animal health jurisdiction and the agency that conducts the inspection program, and

(c) Are processed according to LAWS governing MEAT and POULTRY as determined by the agency that has animal health jurisdiction and the agency that conducts the inspection program.

(B) A GAME ANIMAL may not be received for sale or service if it is a species of wildlife that is listed in 50 CFR 17 - Endangered and threatened wildlife and plants.

(C) *Aboard Navy vessels, the consumption of privately caught fin FISH is at the commander's discretion.* †

**3-201.18 Fresh fruits and vegetables\* †**

Except as specified under ¶ 9-502.17(D), fresh fruits and vegetables grown in areas where Night Soil (human feces) is used as fertilizer may not be served in DOD FOOD ESTABLISHMENTS.

**3-202 Specifications for receiving**

**3-202.11 Temperature\***

(A) Except as specified in ¶ (B) of this section, refrigerated, PHF(TCS) FOOD shall be at a temperature of 41°F (5°C) or below when received.

(B) *If a temperature other than 41°F (5°C) for a PHF(TCS) FOOD is specified in LAW governing its distribution, such as LAWS governing milk and MOLLUSCAN SHELLFISH, the FOOD may be received at the specified temperature.*

(C) Except in overseas locations when authorized by Command Policy (*through advisement by the MEDICAL AUTHORITY or designated representative*), raw EGGS shall be received in refrigerated equipment that maintains an ambient air temperature of 45°F (7°C) or less.

(D) PHF(TCS) FOOD that is cooked to a temperature and for a time specified under §§ 3-401.11 - 3-401.13 and received hot shall be at a temperature of 135°F (57°C) or above.

(E) A FOOD that is labeled frozen and shipped frozen by a FOOD PROCESSING PLANT shall be received frozen. <sup>S</sup>

(F) Upon receipt, PHF(TCS) FOOD shall be free of evidence of previous temperature abuse.

**3-202.12 Additives\***

FOOD may not contain unAPPROVED FOOD ADDITIVES or ADDITIVES that exceed the amounts specified in 21 CFR 170-180 relating to FOOD ADDITIVES, generally recognized as safe or prior-sanctioned substances that exceed amounts specified in 21 CFR 181-186, substances that exceed amounts specified in 9 CFR Subpart C Section 424.21(b) Food ingredients and sources of radiation, or pesticide residues that exceed provisions specified in 40 CFR 180 - Tolerances for pesticides chemicals in food, and exceptions.

**3-202.13 Shell Eggs\***

Except in overseas locations when authorized by Command Policy (*through advisement by the MEDICAL AUTHORITY or designated representative*), EGGS shall be received clean and sound and may not exceed the restricted EGG tolerances for U.S. Consumer Grade B as specified in United States Standards, Grades, and Weight Classes for Shell Eggs, AMS 56.200 *et seq.*, administered by the Agricultural Marketing Service of U.S. Department of Agriculture (USDA).

**3-202.14 Eggs and milk products, pasteurized\***

- (A) EGG PRODUCTS shall be obtained pasteurized.
- (B) Fluid and dry milk and milk products shall—
  - (1) Be obtained pasteurized; and
  - (2) Comply with GRADE A STANDARDS as specified in LAW.
- (C) Frozen milk products, such as ice cream, shall be obtained pasteurized as specified in 21 CFR 135 - Frozen desserts.
- (D) Cheese shall be obtained pasteurized *unless alternative procedures to pasteurization are specified in the CFR, such as 21 CFR 133 - Cheeses and related cheese products, for curing certain cheese varieties.*

**3-202.15 Package integrity\***

FOOD packages shall be in good condition and protect the integrity of the contents so that the FOOD is not exposed to ADULTERATION or potential contaminants.

**3-202.16 Ice\***

Ice for use as a FOOD or a cooling medium shall be—

- (A) Made from DRINKING WATER;
- (B) From an APPROVED SOURCE IAW AR 40-657/NAVSUP 4355.4H/MCO P10110.31H when procured from a commercial source. *Ice produced in a FOOD ESTABLISHMENT and not sold to food operations outside the organization is exempt but will be inspected and tested as specified in ¶ (C) of this section. Ice produced from military field water operations is governed using TB MED 577/NAVMED P5010-10/AFMAN 48-138\_IP. †*
- (C) *Ice should receive bacteriological analysis as determined by the REGULATORY AUTHORITY or MEDICAL AUTHORITY's designated representative. †*

**3-202.17 Shucked shellfish, packaging and identification**

- (A) Raw SHUCKED SHELLFISH shall be obtained in nonreturnable packages which bear a legible label that identifies the—
  - (1) Name, address, and CERTIFICATION NUMBER of the shucker, packer, or repacker of the MOLLUSCAN SHELLFISH; and
  - (2) The “sell by” or “best if used by” date for packages with a capacity of less than one-half gallon (1.89 liter (L)) or the date shucked for packages with a capacity of one-half gallon (1.89 L) or more.
- (B) A package of raw SHUCKED SHELLFISH that does not bear a label or which bears a label which does not contain all the information as specified under ¶ (A) of this section shall be subject to a hold order, as allowed by LAW, or seizure and destruction IAW 21 CFR Subpart D - Specific Administrative Decisions Regarding Interstate Shipments, Section 1240.60(d) Molluscan shellfish.

**3-202.18 Shellstock identification\***

(A) SHELLSTOCK shall be obtained in containers bearing legible source identification tags or labels that are affixed by the harvester or DEALER that depurates, ships, or reships the SHELLSTOCK, as specified in the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish, and that list—

(1) Except as specified under ¶ (C) of this section, on the harvester's tag or label, the following information in the following order:

- (a) The harvester's identification number that is assigned by the SHELLFISH CONTROL AUTHORITY,
- (b) The date of harvesting,
- (c) The most precise identification of the harvest location or aquaculture site that is practicable based on the system of harvest area designations that is in use by the SHELLFISH CONTROL AUTHORITY and including the abbreviation of the name of the state or country in which the shellfish are harvested,
- (d) The type and quantity of shellfish, and
- (e) The following statement in bold, capitalized type: "This tag is required to be attached until container is empty or retagged and thereafter kept on file for 90 days"; and

(2) Except as specified in ¶ (D) of this section, on each DEALER's tag or label, the following information in the following order:

- (a) The DEALER's name and address, and the CERTIFICATION NUMBER assigned by the SHELLFISH CONTROL AUTHORITY,
- (b) The original shipper's CERTIFICATION NUMBER including the abbreviation of the name of the state or country in which the shellfish are harvested,
- (c) The same information as specified for a harvester's tag under Subparagraphs (A)(1)(b)-(d) of this section, and
- (d) The following statement in bold, capitalized type: "This tag is required to be attached until container is empty and thereafter kept on file for 90 days."

(B) A container of SHELLSTOCK that does not bear a tag or label or that bears a tag or label that does not contain all the information as specified under ¶ (A) of this section shall be subject to a hold order, as allowed by LAW, or seizure and destruction IAW 21 CFR Subpart D - Specific Administrative Decisions Regarding Interstate Shipments, Section 1240.60(d).

(C) If a place is provided on the harvester's tag or label for a DEALER's name, address, and CERTIFICATION NUMBER, the DEALER's information shall be listed first.

(D) *If the harvester's tag or label is designed to accommodate each DEALER's identification as specified under Subparagraphs (A)(2)(a) and (b) of this section, individual DEALER tags or labels need not be provided.*

**3-202.19 Shellstock, condition**

When received by a FOOD ESTABLISHMENT, SHELLSTOCK shall be reasonably free of mud, dead shellfish, and shellfish with broken shells. Dead shellfish or SHELLSTOCK with badly broken shells shall be discarded.

**3-202.110 Juice, treated\***

Commercially processed Pre-PACKAGED JUICE shall—

(A) Be obtained from a processor with a HACCP system as specified in 21 CFR Part 120 - HACCP Systems; <sup>N</sup> and

(B) Be obtained pasteurized or otherwise treated to attain a 5-log reduction of the most resistant microorganism of public health significance as specified in 21 CFR Part 120.24 - Process Controls.

**3-203 Original containers and records**

**3-203.11 Molluscan shellfish, original container**

(A) Except as specified in ¶¶ (B)–(D) of this section, MOLLUSCAN SHELLFISH may not be removed from the container in which they are received other than immediately before sale or preparation for service.

(B) *For display purposes, SHELLSTOCK may be removed from the container in which they are received, displayed on drained ice, or held in a display container, and a quantity specified by a CONSUMER may be removed from the display or display container and provided to the CONSUMER if—*

(1) *The source of the SHELLSTOCK on display is identified as specified under § 3-202.18 and recorded as specified under § 3-203.12; and*

(2) *The SHELLSTOCK are protected from contamination.*

(C) *SHUCKED SHELLFISH may be removed from the container in which they were received and held in a display container from which individual servings are dispensed upon a CONSUMER'S request if—*

(1) *The labeling information for the shellfish on display as specified under § 3-202.17 is retained and correlated to the date when, or dates during which, the shellfish are sold or served; and*

(2) *The shellfish are protected from contamination.*

(D) *SHUCKED SHELLFISH may be removed from the container in which they were received and repacked in CONSUMER self-service containers where allowed by LAW if—*

(1) *The labeling information for the shellfish is on each CONSUMER self-service container as specified under § 3-202.17 and ¶¶ 3-602.11(A) and (B)(1)–(5);*

(2) *The labeling information as specified under § 3-202.17 is retained and correlated with the date when, or dates during which, the shellfish are sold or served;*

(3) *The labeling information and dates specified under Subparagraph (D)(2) of this section are maintained for 90 days; and*

(4) *The shellfish are protected from contamination.*

**3-203.12 Shellstock, maintaining identification\***

(A) Except as specified under Subparagraph (C)(2) of this section, SHELLSTOCK tags or labels shall remain attached to the container in which the SHELLSTOCK is received until the container is empty.

(B) The date when the last SHELLSTOCK from the container is sold or served shall be recorded on the tag or label.

(C) The identity of the source of SHELLSTOCK that is sold or served shall be maintained by retaining SHELLSTOCK tags or labels for 90 calendar days from the date that is recorded on the tag or label, as specified under ¶ B of this section, by—

(1) Using an APPROVED recordkeeping system that stores the tags or labels in chronological order correlated to the date that is recorded on the tag or label, as specified under ¶ (B) of this section; and

(2) If SHELLSTOCK is removed from its tagged or labeled container:

(a) Preserving source identification by using a recordkeeping system as specified under Subparagraph (C)(1) of this section, and

(b) Ensuring that SHELLSTOCK from one tagged or labeled container is not COMMINGLED with SHELLSTOCK from another container with different CERTIFICATION NUMBERS; different harvest dates; or different growing areas as identified on the tag or label before being ordered by the CONSUMER.

**3-3. Protection from contamination after receiving**

**3-301 Preventing contamination by employees**

**3-301.11 Preventing contamination from hands\***

(A) FOOD EMPLOYEES shall wash their hands as specified under § 2-301.12.

(B) *Except when washing fruits and vegetables as specified under § 3-302.15 or as specified in ¶ (D) of this section*, FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT.

(C) FOOD EMPLOYEES shall minimize bare hand and arm contact with exposed FOOD that is not in a READY-TO-EAT form. <sup>S</sup>

(D) *FOOD EMPLOYEES not serving a HIGHLY SUSCEPTIBLE POPULATION may contact exposed, READY-TO-EAT FOOD with their bare hands if—*

(1) *The PIC obtains prior APPROVAL from the REGULATORY AUTHORITY;*

(2) *Written procedures are maintained in the FOOD ESTABLISHMENT and made available to the REGULATORY AUTHORITY upon request that include—*

(a) *For each bare hand contact procedure, a listing of the specific READY-TO-EAT FOODS that are touched by bare hands,*

(b) *Diagrams and other information showing that handwashing facilities installed, located, equipped, and maintained as specified under §§ 5-203.11, 5-204.11, 5-205.11, 6-301.11,*

6-301.12, and 6-301.14 are in an easily accessible location and in close proximity to the work station where the bare hand contact procedure is conducted;

(3) A written EMPLOYEE health policy that details how the FOOD ESTABLISHMENT complies with §§ 2-201.11, 2-201.12, and 2-201.13 including—

(a) Documentation that FOOD EMPLOYEES and CONDITIONAL EMPLOYEES acknowledge that they are informed to report information about their health and activities as they relate to gastrointestinal symptoms and diseases that are transmittable through FOOD as specified under ¶ 2-201.11(A),

(b) Documentation that FOOD EMPLOYEES and CONDITIONAL EMPLOYEES acknowledge their responsibilities as specified under ¶¶ 2-201.11(E) and (F), and

(c) Documentation that the PIC acknowledges the responsibilities as specified under ¶¶ 2-201.11(B), (C) and (D), and §§ 2-201.12 and 2-201.13;

(4) Documentation that FOOD EMPLOYEES acknowledge that they have received training in:

(a) The RISKS of contacting the specific READY-TO-EAT FOODS with bare hands,

(b) Proper handwashing as specified under § 2-301.12,

(c) When to wash their hands as specified under § 2-301.14,

(d) Where to wash their hands as specified under § 2-301.15,

(e) Proper fingernail maintenance as specified under § 2-302.11,

(f) Prohibition of jewelry as specified under § 2-303.11, and

(g) Good hygienic practices as specified under §§ 2-401.11 and 2-401.12;

(5) Documentation that hands are washed before FOOD preparation and as necessary to prevent cross-contamination by FOOD EMPLOYEES as specified under §§ 2-301.11, 2-301.12, 2-301.14, and 2-301.15 during all hours of operation when the specific READY-TO-EAT FOODS are prepared;

(6) Documentation that FOOD EMPLOYEES contacting READY-TO-EAT FOOD with bare hands use two or more of the following control measures to provide additional safeguards to HAZARDS associated with bare hand contact:

(a) Double handwashing,

(b) Individual nailbrushes,

(c) A hand antiseptic after handwashing as specified under § 2-301.16,

(d) Incentive programs such as paid sick leave that assist or encourage FOOD EMPLOYEES not to work when they are ill, or

(e) Other control measures APPROVED by the REGULATORY AUTHORITY; and

(7) Documentation that corrective action is taken when Subparagraphs (D)(1)–(6) of this section are not followed.

### **3-301.12 Preventing contamination when tasting\***

A FOOD EMPLOYEE may not use a UTENSIL more than once to taste FOOD and shall use procedures specified under ¶ 2-401.11(C).

### **3-302 Preventing food and ingredient contamination**

**3-302.11 Packaged and unpackaged food—separation, packaging, and segregation\***

(A) FOOD shall be protected from cross-contamination by—

(1) Except as specified in Subparagraph (1)(c) below, separating raw animal FOODS during storage, preparation, holding, and display from:

(a) Raw READY-TO-EAT FOOD, including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as fruits and vegetables, and

(b) Cooked READY-TO-EAT FOOD;

(c) *Frozen, commercially processed and PACKAGED raw animal FOOD may be stored or displayed with or above frozen, commercially processed and PACKAGED, READY-TO-EAT FOODS.*

(2) *Except when combined as ingredients*, separating types of raw animal FOODS from each other such as beef, FISH, lamb, pork, and POULTRY during storage, preparation, holding, and display by—

(a) Using separate EQUIPMENT for each type, or

(b) Arranging each type of FOOD in EQUIPMENT so that cross-contamination of one type with another is prevented, and

(c) Preparing each type of FOOD at different times or in separate areas;

(3) Cleaning EQUIPMENT and UTENSILS as specified under ¶ 4-602.11(A) and SANITIZING as specified under § 4-703.11;

(4) Except as specified under Subparagraph 3-501.15(B)(2) and in ¶ (B) of this section, storing the FOOD in packages, covered containers, or wrappings;

(5) Cleaning HERMETICALLY SEALED CONTAINERS of FOOD of visible soil before opening;

(6) Protecting FOOD containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened;

(7) Storing damaged, spoiled, or recalled FOOD being held in the FOOD ESTABLISHMENT as specified under § 6-404.11; and

(8) Separating fruits and vegetables, before they are washed as specified under § 3-302.15 from READY-TO-EAT FOOD.

(B) *Subparagraph (A)(4) of this section does not apply to—*

(1) *Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption;*

(2) *PRIMAL CUTS, quarters, or sides of raw MEAT or slab bacon that are hung on clean, SANITIZED hooks or placed on clean, SANITIZED racks;*

(3) *Whole, uncut, processed MEATS such as country hams, and smoked or cured sausages that are placed on clean, SANITIZED racks;*

(4) *FOOD being cooled as specified under Subparagraph 3-501.15(B)(2); or*

(5) *SHELLSTOCK.*

**3-302.12 Food storage containers, identified with common name of food**

*Except for containers holding FOOD that can be readily and unmistakably recognized such as dry pasta, working containers holding FOOD or FOOD ingredients that are removed from their original packages for use in the FOOD ESTABLISHMENT, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the FOOD.*

**3-302.13 Pasteurized eggs, substitute for raw eggs for certain recipes\***

Pasteurized EGGS or EGG PRODUCTS shall be substituted for raw EGGS in the preparation of FOODS such as Caesar salad, hollandaise or Béarnaise sauce, mayonnaise, meringue, eggnog, ice cream, and EGG-fortified BEVERAGES that are not—

- (A) Cooked as specified under Subparagraphs 3-401.11(A)(1) or (2); or
- (B) Included in ¶ 3-401.11(D).

**3-302.14 Protection from unapproved additives\***

(A) FOOD shall be protected from contamination that may result from the addition of, as specified in § 3-202.12—

- (1) Unsafe or unAPPROVED FOOD or COLOR ADDITIVES; and
- (2) Unsafe or unAPPROVED levels of APPROVED FOOD and COLOR ADDITIVES.

(B) A FOOD EMPLOYEE may not—

- (1) Apply sulfiting agents to fresh fruits and vegetables intended for raw consumption or to a FOOD considered to be a good source of vitamin B1; or
- (2) *Except for grapes*, serve or sell FOOD specified under Subparagraph (B)(1) of this section that is treated with sulfiting agents before receipt by the FOOD ESTABLISHMENT.

**3-302.15 Washing fruits and vegetables**

(A) *Except as specified in ¶ (B) of this section and except for whole, raw fruits and vegetables that are intended for washing by the CONSUMER before consumption*, raw fruits and vegetables shall be thoroughly washed in DRINKING water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, served, or offered for human consumption in READY-TO-EAT form.

(B) *Fruits and vegetables may be CHEMICALLY WASHED as specified under § 7-204.12 or washed and disinfected as specified in ¶¶ (C) and (D) of this section. FOOD ESTABLISHMENTS and retail stores may CHEMICALLY WASH fresh fruits and vegetables (FF&V) to reduce suspected surface microbial contamination.* †

(C) Procedures for initial washing: †

(1) The FF&V are thoroughly washed in DRINKING water to remove soil and other contaminants.

(2) Any FF&V with physical characteristics conducive to scrubbing should be washed using a clean vegetable brush.

(3) Head items, such as lettuce, cabbage, and celery, shall have the core/hearts removed prior to immersion in CHEMICAL WASH or disinfecting solution to facilitate thorough product exposure.

(D) *Procedures for CHEMICAL WASH/disinfection:* †

(1) *After the initial washing step, FF&V are CHEMICALLY WASHED using any FDA-APPROVED commercial chemical wash product as specified in §7-204.12 and used IAW the manufacturers' instruction; or*

(2) *Apply chlorine bleach IAW the following procedures:*

(a) *Use unscented bleach products or sodium hypochlorite rated between 5-6 percent strength.*

(b) *Prepare a 50–200 parts per million (ppm) Free Available Chlorine (FAC) solution (pH 6.0–7.5) as specified under § 4-501.117. Verify the concentration of the prepared solution.*

(c) *Completely immerse FF&V for at least 1 minute in the disinfecting solution.*

(d) *Thoroughly rinse FF&V with DRINKING water before being served raw.*

**3-303 Preventing contamination from ice used as a coolant**

**3-303.11 Ice used as exterior coolant, prohibited as ingredient\***

After use as a medium for cooling the exterior surfaces of FOOD such as melons or FISH, PACKAGED FOODS such as canned BEVERAGES, or cooling coils and tubes of EQUIPMENT, ice may not be used as FOOD.

**3-303.12 Storage or display of food in contact with water or ice**

(A) PACKAGED FOOD may not be stored in direct contact with ice or water if the FOOD is subject to the entry of water because of the nature of its packaging, wrapping, or container, or its positioning in the ice or water.

(B) Except as specified in ¶¶ (C) and (D) of this section, unPACKAGED FOOD may not be stored in direct contact with undrained ice.

(C) *Whole, raw fruits or vegetables; cut, raw vegetables such as celery or carrot sticks or cut potatoes; and tofu may be immersed in ice or drinking water.*

(D) *Raw poultry and raw FISH that are received immersed in ice in shipping containers may remain in that condition while in storage awaiting preparation, display, service, or sale.*

**3-304 Preventing contamination from equipment, utensils, and linens**

**3-304.11 Food contact with equipment and utensils\***

FOOD shall only contact surfaces of—

(A) EQUIPMENT and UTENSILS that are cleaned as specified under Part 4-6 of this publication and SANITIZED as specified under Part 4-7 of this publication; or

(B) SINGLE-SERVICE and SINGLE-USE ARTICLES.

**3-304.12 In-use utensils, between-use storage**

During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored—

(A) Except as specified under ¶ (B) of this section, in the FOOD with their handles above the top of the FOOD and the container;

(B) In FOOD that is not PHF(TCS) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon;

(C) On a clean portion of the FOOD preparation table or cooking EQUIPMENT only if the in-use UTENSIL and the FOOD-CONTACT SURFACE of the FOOD preparation table or cooking EQUIPMENT are cleaned and SANITIZED at a frequency specified under §§ 4-602.11 and 4-702.11;

(D) In running water of sufficient velocity to flush particulates to the drain, if used with moist FOOD such as ice cream or mashed potatoes;

(E) In a clean, protected location if the UTENSILS, such as ice scoops, are used only with a FOOD that is not PHF(TCS); or

(F) In a container of water if the water is maintained at a temperature of at least 135°F (57°C) and the container is cleaned at a frequency specified under Subparagraph 4-602.11(D)(7).

### **3-304.13 Linens and napkins, use limitation**

LINENS and napkins may not be used in contact with FOOD *unless they are used to line a container for the service of FOODS and the LINENS and napkins are replaced each time the container is refilled for a new CONSUMER.*

### **3-304.14 Wiping cloths, use limitation**

(A) Cloths in use for wiping FOOD spills off of TABLEWARE and carry-out containers while FOOD is being served shall be—

- (1) Maintained dry; and
- (2) Used for no other purpose.

(B) Cloths in use for wiping counters and other EQUIPMENT surfaces shall be—

- (1) Held between uses in a chemical sanitizer solution at a concentration specified under § 4-501.114; and
- (2) Laundered daily as specified under ¶ 4-802.11(D).

(C) Cloths in use for wiping surfaces in contact with raw animal FOODS shall be kept separate from cloths used for other purposes.

(D) Dry wiping cloths and the chemical sanitizing solutions specified in Subparagraph (B)(1) of this section where wet wiping cloths are held between uses shall be free of FOOD debris and visible soil.

(E) Containers of the chemical sanitizing solutions specified in Subparagraph (B)(1) of this section and in which wet wiping cloths are held between uses shall be stored off the floor and used in a manner that prevents contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, SINGLE-SERVICE, or SINGLE-USE ARTICLES.

(F) SINGLE-USE disposable sanitizer wipes shall be used IAW U.S. Environmental Protection Agency (EPA)-APPROVED manufacturer's label use instructions.

### **3-304.15 Gloves, use limitation**

(A) If used, SINGLE-USE gloves shall be used for only one task such as working with READY-TO-EAT FOOD or with raw animal FOOD, used for no other purpose, and discarded when damaged or soiled, or when interruptions occur in the operation.

(B) Except as specified in ¶ (C) of this section, slash-resistant gloves that are used to protect the hands during operations requiring cutting shall be used in direct contact only with FOOD that is subsequently cooked as specified under Part 3-4 such as frozen FOOD or a PRIMAL CUT of MEAT.

(C) *Slash-resistant gloves may be used with READY-TO-EAT FOOD that will not be subsequently cooked if the slash-resistant gloves have a SMOOTH, durable, and nonabsorbent outer surface; or if the slash-resistant gloves are covered with a SMOOTH, durable, nonabsorbent glove, or a SINGLE-USE glove.*

(D) Cloth gloves may not be used in direct contact with FOOD *unless the FOOD is subsequently cooked as required under Part 3-4 such as frozen FOOD or a PRIMAL CUT of MEAT.*

(E) All disposable gloves, regardless of type, shall be powder-free. Use of latex gloves is prohibited, as the protein component in natural latex can cause an allergic reaction, ranging from sneezing to anaphylactic shock, in some people. *Alternatives to latex include synthetic rubber or non-latex materials, such as neoprene, nitrile, or vinyl.* †

### **3-304.16 Using clean tableware for second portions and refills**

(A) Except for refilling a CONSUMER'S drinking cup or container without contact between the pouring UTENSIL and the lip-contact area of the drinking cup or container, FOOD EMPLOYEES may not use TABLEWARE, including SINGLE-SERVICE ARTICLES, soiled by the CONSUMER, to provide second portions or refills.

(B) Except as specified in ¶ (C) of this section, self-service CONSUMERS may not be allowed to use soiled TABLEWARE, including SINGLE-SERVICE ARTICLES, to obtain additional FOOD from the display and serving EQUIPMENT.

(C) *Drinking cups and containers may be reused by self-service CONSUMERS if refilling is a contamination-free process as specified under ¶¶ 4-204.13(A), (B), and (D).*

### **3-304.17 Refilling returnables**

(A) A take-home FOOD container returned to a FOOD ESTABLISHMENT may not be refilled with a PHF(TCS) FOOD at a FOOD ESTABLISHMENT.

(B) Except as specified in ¶ (C), a take-home FOOD container refilled with FOOD that is not PHF(TCS) FOOD shall be cleaned as specified under ¶ 4-603.17(B).

(C) *Personal take-out BEVERAGE containers, such as thermally insulated bottles, non-spill coffee cups, and promotional BEVERAGE glasses, may be refilled by EMPLOYEES or the CONSUMER if refilling is a contamination-free process as specified under ¶¶ 4-204.13(A), (B), and (D).*

### **3-305 Preventing contamination from the premises**

#### **3-305.11 Food storage**

(A) Except as specified in ¶¶ (B) and (C) of this section, FOOD shall be protected from contamination by storing the FOOD:

- (1) In a clean, dry location;
- (2) Where it is not exposed to splash, dust, or other contamination; and
- (3) At least 6 inches (15 centimeters (cm)) above the floor.

(4) *For FOOD processing and foodservice areas, PACKAGED FOOD may be stored on NSF International listed plastic pallets provided the pallets are kept clean, in sound condition, and are moved regularly so that the areas under the pallets are kept clean.*<sup>†</sup>

(B) *FOOD in packages and working containers may be stored less than 6 inches (15 cm) above the floor on case-lot handling EQUIPMENT as specified under § 4-204.122.*

(C) *Pressurized BEVERAGE containers, cased FOOD in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.*

#### **3-305.12 Food storage, prohibited areas**

FOOD may not be stored:

- (A) In locker rooms;
- (B) In toilet rooms;
- (C) In dressing rooms;
- (D) In garbage rooms;
- (E) In mechanical rooms;
- (F) Under sewer lines that are not shielded to intercept potential drips;
- (G) Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed;
- (H) Under open stairwells; or
- (I) Under other sources of contamination.

#### **3-305.13 Vended potentially hazardous food (time/temperature control for safety food), original container**

A PHF(TCS) FOOD dispensed through a VENDING MACHINE shall be in the PACKAGE in which it was placed at the FOOD ESTABLISHMENT or FOOD PROCESSING PLANT at which it was prepared.

#### **3-305.14 Food preparation**

During preparation, unPACKAGED FOOD shall be protected from environmental sources of contamination.

### **3-306 Preventing contamination by consumers**

#### **3-306.11 Food display**

*Except for nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling, or washing by the CONSUMER before consumption, FOOD on display shall be protected from contamination by the use of PACKAGING; counter, service line, or salad bar FOOD guards; display cases; or other effective means.*

#### **3-306.12 Condiments, protection**

(A) Condiments shall be protected from contamination by being kept in dispensers that are designed to provide protection, protected FOOD displays provided with the proper UTENSILS, original containers designed for dispensing, or individual PACKAGES or portions.

(B) Condiments at a VENDING MACHINE LOCATION shall be in individual PACKAGES or provided in dispensers that are filled at an APPROVED location, such as the FOOD ESTABLISHMENT that provides FOOD to the VENDING MACHINE LOCATION, a FOOD PROCESSING PLANT that is regulated by the agency that has jurisdiction over the operation, or a properly equipped facility that is located on the site of the VENDING MACHINE LOCATION.

#### **3-306.13 Consumer self-service operations\***

(A) Raw, unPACKAGED animal FOOD, such as beef, lamb, pork, POULTRY, and FISH may not be offered for CONSUMER SELF-SERVICE. *This paragraph does not apply to:*

(1) *CONSUMER SELF-SERVICE of READY-TO-EAT FOODS at buffets or salad bars that serve FOODS such as sushi or raw shellfish;*

(2) *Ready-to-cook individual portions for immediate cooking and consumption on the PREMISES such as CONSUMER-cooked MEATS or CONSUMER-selected ingredients for Mongolian barbecue; or*

(3) *Raw, frozen, shell-on shrimp, or lobster.*

(B) Open FOOD, including soups, shall be protected through use of lids or APPROVED sneeze guards.<sup>†</sup>

(C) CONSUMER SELF-SERVICE operations for READY-TO-EAT FOODS shall be provided with suitable UTENSILS or effective dispensing methods that protect the FOOD from contamination.<sup>N</sup>

(D) CONSUMER SELF-SERVICE operations such as buffets and salad bars shall be monitored by FOOD EMPLOYEES trained in safe operating procedures.<sup>N</sup>

(E) A PHF(TCS) FOOD offered for CONSUMER SELF-SERVICE may not be retained as specified under Subparagraph 3-501.110(G)(3).<sup>†</sup>

#### **3-306.14 Returned food and re-service of food\***

(A) Except as specified in ¶ (B) of this section, after being served or sold and in the possession of a CONSUMER, FOOD that is unused or returned by the CONSUMER may not be offered as FOOD for human consumption.

(B) Except as specified under ¶ 3-801.11(G), a container of FOOD that is not PHF(TCS) FOOD may be RE-SERVED from one CONSUMER to another if:

- (1) The FOOD is dispensed so that it is protected from contamination and the container is closed between uses, such as a narrow-neck bottle containing catsup, steak sauce, or wine; or
- (2) The FOOD, such as crackers, salt, or pepper, is in an unopened original PACKAGE and is maintained in sound condition.

### **3-306.15 Dispensing of milk, cream, and nondairy products** †

(A) Except for retail food sales (i.e., commissary, shoppette), milk and milk products for drinking purposes shall be provided to the CONSUMER—

(1) In an unopened, commercially filled package not exceeding 16 fluid ounces (0.473 L) or 1 pint in capacity; or

(2) Drawn for immediate consumption from a commercially filled container stored in a mechanically refrigerated bulk milk dispenser.

(B) If a bulk dispenser for milk or milk product is not available and portions of less than ½ pint are required for mixed drinks, cereal, dessert service, or in a glass for drinking, milk and milk products may be poured from a bulk, commercially filled plastic container of 1-gallon (3.785 L) capacity, and the bulk container is returned immediately to the refrigerated storage.

(C) Cream or half-and-half shall be—

(1) Provided in an individual service container;

(2) Provided in a protected dispenser that pours, and such dispenser shall be washed and SANITIZED when emptied before reuse (refilling); or

(3) Drawn from a refrigerated dispenser designed for such service.

(D) Ultra-high temperature (UHT) and aseptically PACKAGED dairy products, liquid nondairy creamer or whitening agents shall be provided in an individual service container that is maintained *IAW the manufacturer's label*.

(E) *An exception is granted for CHILD CARE FACILITIES. Milk or milk products may be transferred from bulk milk dispensers or commercial 1-gallon (3.785 L) containers or smaller into a small, cleaned and SANITIZED serving pitcher. Pitchers shall be covered and transported immediately to the child activity rooms. Unconsumed milk remaining in the pitchers after the meal or snack period shall be discarded. Serving pitchers may not be used as storage containers.*

### **3-307 Preventing contamination from other sources**

#### **3-307.11 Miscellaneous sources of contamination**

FOOD shall be protected from contamination that may result from a factor or source not specified under Subparts 3-301–3-306.

### **3-4. Destruction of organisms of public health concern**

#### **3-401 Cooking**

**3-401.11 Raw animal foods\***

(A) Except as specified under ¶ (B) and in ¶¶ (C) and (D) of this section, raw animal FOODS such as EGGS, FISH, MEAT, POULTRY, and FOODS containing these raw animal FOODS, shall be cooked to heat all parts of the FOOD to a temperature and for a time that complies with one of the following methods based on the FOOD that is being cooked; refer to Appendix F, Table F-1 for the summary of required cooking temperatures:

(1) 145°F (63°C) or above for 15 seconds for:

(a) Raw EGGS that are broken and prepared in response to a CONSUMER’S order and for immediate service, and

(b) Except as specified under Subparagraphs (A)(2) and (A)(3) and ¶ (B), and in ¶ (C) of this section, FISH and MEAT including GAME ANIMALS commercially raised for FOOD as specified under Subparagraph 3-201.17(A)(1) and GAME ANIMALS under a voluntary inspection program as specified under Subparagraph 3-201.17(A)(2);

(2) 155°F (68°C) for 15 seconds or the temperature specified in Table 3-1 that corresponds to the holding time for RATITES, MECHANICALLY TENDERIZED, and INJECTED MEATS; the following if they are COMMINUTED: FISH, MEAT, GAME ANIMALS commercially raised for FOOD as specified under Subparagraph 3-201.17(A)(1), and GAME ANIMALS under a voluntary inspection program as specified under Subparagraph 3-201.17(A)(2); and raw EGGS that are not prepared as specified under Subparagraph (A)(1)(a) of this section:

**Table 3-1. Alternative minimum cooking temperatures and times for ratites, tenderized/injected meats, and comminuted fish, meat and commercial game animals**

| Minimum                |                            |
|------------------------|----------------------------|
| Temperature<br>°F (°C) | Time                       |
| 145 (63)               | 3 minutes                  |
| 150 (66)               | 1 minute                   |
| 158 (70)               | < 1 second (instantaneous) |

;or

(3) 165°F (74°C) or above for 15 seconds for POULTRY, BALUTS, wild GAME ANIMALS as specified under Subparagraphs 3-201.17(A)(3) and (4), stuffed FISH, stuffed MEAT, stuffed pasta, stuffed POULTRY, stuffed RATITES, or stuffing containing FISH, MEAT, POULTRY, or RATITES.

(B) Whole MEAT roasts including beef, corned beef, lamb, pork, and cured pork roasts such as ham shall be cooked:

(1) In an oven that is preheated to the temperature specified for the roast’s weight in Table 3-2 and that is held at that temperature:

**Table 3-2. Prescribed oven temperatures for corresponding whole meat roasting weights**

| Oven Type                  | Oven Temperature Based on Roast Weight |                        |
|----------------------------|--|------------------------|
|                            | Less than 10 lb (4.5 kg)               | 10 lb (4.5 kg) or More |
| Still Dry                  | 350°F (177°C) or more                  | 250°F (121°C) or more  |
| Convection                 | 325°F (163°C) or more                  | 250°F (121°C) or more  |
| High Humidity <sup>1</sup> | 250°F (121°C) or less                  | 250°F (121°C) or more  |

<sup>1</sup>Relative humidity greater than 90% for at least 1 hour as measured in the cooking chamber or exit of the oven; or in a moisture-impermeable bag that provides 100% humidity.

;and

(2) As specified in Table 3-3, to heat all parts of the FOOD to a temperature and for the holding time that corresponds to that temperature:

**Table 3-3. Alternative minimum cooking temperatures and times for whole meat roasts**

| Temperature °F (°C) | Time <sup>1</sup> in Minutes | Temperature °F (°C) | Time <sup>1</sup> in Seconds |
|---------------------|------------------------------|---------------------|------------------------------|
| 130 (54.4)          | 112                          | 147 (63.9)          | 134                          |
| 131 (55.0)          | 89                           | 149 (65.0)          | 85                           |
| 133 (56.1)          | 56                           | 151 (66.1)          | 54                           |
| 135 (57.2)          | 36                           | 153 (67.2)          | 34                           |
| 136 (57.8)          | 28                           | 155 (68.3)          | 22                           |
| 138 (58.9)          | 18                           | 157 (69.4)          | 14                           |
| 140 (60.0)          | 12                           | 158 (70.0)          | < 1 second (instantaneous)   |
| 142 (61.1)          | 8                            |                     |                              |
| 144 (62.2)          | 5                            |                     |                              |
| 145 (62.8)          | 4                            |                     |                              |

<sup>1</sup>Holding time may include post-oven heat rise.

(C) *A raw or undercooked WHOLE-MUSCLE, INTACT BEEF steak may be served or offered for sale in a READY-TO-EAT form if:*

(1) *The FOOD ESTABLISHMENT serves a population that is not a HIGHLY SUSCEPTIBLE POPULATION,*

(2) *The steak is labeled to indicate that it meets the definition of "WHOLE-MUSCLE, INTACT BEEF" as specified under ¶ 3-201.11(E), and*

(3) *The steak is cooked on both the top and bottom to a surface temperature of 145°F (63°C) or above and a cooked color change is achieved on all external surfaces.*

(D) *A raw animal FOOD such as raw EGG, raw FISH, raw-marinated FISH, raw MOLLUSCAN SHELLFISH, or steak tartar; or a partially cooked FOOD such as lightly cooked*

*FISH, soft cooked EGGS, or rare MEAT other than WHOLE-MUSCLE, INTACT BEEF steaks as specified in ¶ (C) of this section, may be served or offered for sale upon CONSUMER request or selection in a READY-TO-EAT form if:*

*(1) As specified under ¶¶ 3-801.11(C)(1) and (2), the FOOD ESTABLISHMENT serves a population that is not a HIGHLY SUSCEPTIBLE POPULATION;*

*(2) The FOOD, if served or offered for service by CONSUMER selection from a children's menu, does not contain COMMINUTED MEAT; and*

*(3) The CONSUMER is informed as specified under § 3-603.11 that to ensure its safety, the FOOD should be cooked as specified under ¶ (A) or (B) of this section; or*

*(4) The REGULATORY AUTHORITY grants a VARIANCE from ¶ (A) or (B) of this section as specified in § 8-103.10 based on a HACCP PLAN that:*

*(a) Is submitted by the PERSON-IN-CHARGE and APPROVED as specified under § 8-103.11,*

*(b) Documents scientific data or other information showing that a lesser time and temperature regimen results in a safe FOOD, and*

*(c) Verifies that EQUIPMENT and procedures for FOOD preparation and training of FOOD EMPLOYEES at the FOOD ESTABLISHMENT meet the conditions of the VARIANCE.*

### **3-401.12 Microwave cooking\***

Raw animal FOODS cooked in a microwave oven shall be—

(A) Rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat;

(B) Covered to retain surface moisture;

(C) Heated to a temperature of at least 165°F (74°C) in all parts of the FOOD; and

(D) Allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

### **3-401.13 Plant food cooking for hot holding**

Fruits and vegetables that are cooked for hot holding shall be cooked to a temperature of 135°F (57°C).

### **3-401.14 Non-continuous cooking of raw animal foods\***

Raw animal FOODS that are cooked using a NON-CONTINUOUS COOKING process shall be—

(A) Subject to an initial heating process that is no longer than sixty minutes in duration;

(B) Immediately after initial heating, cooled according to the time and temperature parameters specified for cooked PHF(TCS) FOOD under ¶ 3-501.14(A);

(C) After cooling, held frozen or cold, as specified for PHF(TCS) FOOD under ¶ 3-501.16(A)(2);

(D) Prior to sale or service, cooked using a process that heats all parts of the FOOD to a temperature of at least 165°F (74°C) for 15 seconds;

(E) Cooled according to the time and temperature parameters specified for cooked PHF(TCS) FOOD under ¶ 3-501.14(A) if not either hot held as specified under ¶ 3-501.16(A),

served immediately, or held using time as a public health control as specified under §3-501.19 after complete cooking; and

(F) Prepared and stored according to written procedures that—

(1) Have obtained prior APPROVAL from the REGULATORY AUTHORITY;

(2) Are maintained in the FOOD ESTABLISHMENT and are available to the REGULATORY AUTHORITY upon request;

(3) Describe how the requirements specified under ¶¶ (A)-(E) of this Section are to be monitored and documented by the PIC and the corrective actions to be taken if the requirements are not met;

(4) Describe how the FOODS, after initial heating, but prior to complete cooking, are to be marked or otherwise identified as FOODS that must be cooked as specified under ¶ (D) of this section prior to being offered for sale or service; and

(5) Describe how the FOODS, after initial heating but prior to cooking as specified under ¶ (D) of this section, are to be separated from READY-TO-EAT FOODS as specified under Subparagraph 3-302.11(A)(1).

### **3-402 Freezing**

#### **3-402.11 Parasite destruction\***

(A) Except as specified in ¶ (B) of this section, before service or sale in READY-TO-EAT form, raw, raw-marinated, partially cooked, or marinated-partially cooked FISH shall be—

(1) Frozen and stored at a temperature of -4°F (-20°C) or below for a minimum of 168 hours (7 days) in a freezer;

(2) Frozen at -31°F (-35°C) or below until solid and stored at -31°F (-35°C) or below for a minimum of 15 hours; or

(3) Frozen at -31°F (-35°C) or below until solid and stored at -4°F (-20°C) or below for a minimum of 24 hours.

(B) *Paragraph (A) of this section does not apply to:*

(1) *MOLLUSCAN SHELLFISH;*

(2) *Tuna of the species Thunnus alalunga, Thunnus albacares (Yellowfin tuna), Thunnus atlanticus, Thunnus maccoyii (Bluefin tuna, Southern), Thunnus obesus (Bigeye tuna), or Thunnus thynnus (Bluefin tuna, Northern); or*

(3) *Aquacultured FISH, such as salmon, that—*

(a) *If raised in open water, are raised in net-pens, or*

(b) *Are raised in land-based operations such as ponds or tanks, and*

(c) *Are fed formulated feed, such as pellets, that contains no live parasites infective to the aquacultured FISH.*

(4) FISH eggs that have been removed from the skin and rinsed.

#### **3-402.12 Records, creation and retention**

(A) Except as specified in ¶ 3-402.11(B) and ¶ (B) of this section, if raw, raw-marinated, partially cooked, or marinated-partially cooked FISH are served or sold in READY-TO-EAT

form, the PIC shall record the freezing temperature and time to which the FISH are subjected and shall retain the records of the FOOD ESTABLISHMENT for 90 calendar days beyond the time of service or sale of the FISH.

(B) *If the FISH are frozen by a supplier, a written agreement or statement from the supplier stipulating that the FISH supplied are frozen to a temperature and for a time specified under § 3-402.11 may substitute for the records specified under ¶ (A) of this section.*

(C) If raw, raw-marinated, partially cooked, or marinated-partially cooked FISH are served or sold in READY-TO-EAT form, and the FISH are raised and fed as specified in Subparagraph 3-402.11(B)(3), a written agreement or statement from the supplier or aquaculturist stipulating that the FISH were raised and fed as specified in Subparagraph 3-402.11(B)(3) shall be obtained by the PIC and retained in the records of the FOOD ESTABLISHMENT for 90 calendar days beyond the time of service or sale of the FISH.

### **3-403 Reheating**

#### **3-403.10 Preparation for immediate service**

Cooked and refrigerated FOOD that is prepared for immediate service in response to an individual CONSUMER order, such as a roast beef sandwich au jus, may be served at any temperature.

#### **3-403.11 Reheating for hot holding\***

(A) Except as specified under ¶¶ (B) and (C) and in ¶ (E) of this section, PHF(TCS) FOOD that is cooked, cooled, and reheated for hot holding shall be reheated so that all parts of the FOOD reach a temperature of at least 165°F (74°C) for 15 seconds.

(B) Except as specified under ¶ (C) of this section, PHF(TCS) FOOD reheated in a microwave oven for hot holding shall be reheated so that all parts of the FOOD reach a temperature of at least 165°F (74°C) and the FOOD is rotated or stirred, covered, and allowed to stand covered for 2 minutes after reheating.

(C) READY-TO-EAT FOOD taken from a commercially processed, HERMETICALLY SEALED CONTAINER, or from an intact PACKAGE from a FOOD PROCESSING PLANT that is inspected by the FOOD REGULATORY AUTHORITY that has jurisdiction over the plant, shall be heated to a temperature of at least 135°F (57°C) for hot holding.

(D) Reheating for hot holding as specified under ¶¶ (A)–(C) of this section shall be done rapidly, and the length of time in which the temperature of the FOOD is between 41°F (5°C) and the temperatures specified under ¶¶ (A)–(C) of this section may not exceed 2 hours.

(E) *Remaining unsliced portions of MEAT roasts that are cooked as specified under ¶ 3-401.11(B) may be reheated for hot holding using the oven parameters and minimum time and temperature conditions specified under ¶ 3-401.11(B).*

### **3-404 Other methods**

### **3-404.11 Treating juice**

(A) Except as stated in (B), JUICE PACKAGED in a FOOD ESTABLISHMENT shall be—  
(1) Treated under a HACCP PLAN as specified in ¶¶ 8-201.14(B) - (E) to attain a 5-log reduction, which is equal to a 99.999 percent reduction, of the most resistant microorganism of public health significance; or

(2) Labeled, if not treated to yield a 5-log reduction of the most resistant microorganism of public health significance—

(a) As specified under § 3-602.11, and

(b) As specified in 21 CFR 101.17(g) - Food labeling, warning, notice, and safe handling statements, JUICES that have not been specifically processed to prevent, reduce, or eliminate the presence of pathogens, with the following: “WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.”

(B) *Fruit and vegetable juices prepared fresh based on an individual customer’s order are exempt.* †

## **3-5. Limitation of growth of organisms of public health concern**

### ***3-501 Temperature and time control***

#### **3-501.11 Frozen food**

Stored frozen FOODS shall be maintained frozen.

#### **3-501.12 Potentially hazardous food (time/temperature control for safety food), slacking**

Frozen PHF(TCS) FOOD that is SLACKED to moderate the temperature shall be held—

(A) Under refrigeration that maintains the FOOD temperature at 41°F (5°C) or less; or

(B) At any temperature if the FOOD remains frozen.

#### **3-501.13 Thawing**

Except as specified in ¶ (D) of this section, PHF(TCS) FOOD shall be thawed—

(A) Under refrigeration that maintains the FOOD temperature at 41°F (5°C) or less; or

(B) As part of a cooking process if the FOOD that is frozen is—

(1) Cooked as specified under ¶ 3-401.11(A) or (B) or § 3-401.12, or

(2) Thawed in a microwave oven and immediately transferred to conventional cooking EQUIPMENT, with no interruption in the process; or

(C) Completely submerged under running DRINKING water—

(1) At a water temperature of 70°F (21°C) or below,

(2) With sufficient water velocity to agitate and float off loose particles in an overflow, and

(3) For a period of time that does not allow thawed portions of READY-TO-EAT FOOD to rise above 41°F (5°C), or

(4) For a period of time that does not allow thawed portions of a raw animal FOOD requiring cooking as specified under ¶ 3-401.11(A) or (B) to be above 41°F (5°C), for more than 4 hours including—

(a) The time during which the FOOD is exposed to the running water and the time needed for preparation for cooking, or

(b) The time during which the FOOD is under refrigeration to lower the FOOD'S temperature to 41°F (5°C);

(D) *Using any procedure if a portion of frozen READY-TO-EAT FOOD is thawed and prepared for immediate service in response to an individual CONSUMER'S order.*

### **3-501.14 Cooling\***

(A) Cooked PHF(TCS) FOOD shall be cooled within a total of 6 hours from 135°F (57°C) to 41°F (5°C) or less, IAW the following criteria:

(1) Within 2 hours from 135°F (57°C) to 70°F (21°C); and

(2) Within 4 hours from 70°F (21°C) to 41°F (5°C).

(B) The PHF(TCS) FOOD shall be cooled within 4 hours to 41°F (5°C) or less if prepared from ingredients at ambient temperature, such as reconstituted FOODS and canned tuna.

(C) Except as specified under ¶ (D) of this section, a PHF(TCS) FOOD received in compliance with LAWS allowing a temperature above 41°F (5°C) during shipment from the supplier as specified in ¶ 3-202.11(B), shall be cooled within 4 hours to 41°F (5°C) or less.

(D) Raw EGGS shall be received as specified under ¶ 3-202.11(C) and immediately placed in refrigerated EQUIPMENT that maintains an ambient air temperature of 41°F (5°C) or less.

### **3-501.15 Cooling methods**

(A) Cooling shall be accomplished IAW the time and temperature criteria specified under § 3-501.14 by using one or more of the following methods based on the type of FOOD being cooled:

(1) Placing the FOOD in shallow pans;

(2) Separating the FOOD into smaller or thinner portions;

(3) Using rapid cooling EQUIPMENT;

(4) Stirring the FOOD in a container placed in an ice water bath;

(5) Using containers that facilitate heat transfer;

(6) Adding ice as an ingredient; or

(7) Other effective methods.

(B) When placed in cooling or cold holding EQUIPMENT, FOOD containers in which FOOD is being cooled shall be—

(1) Arranged in the EQUIPMENT to provide maximum heat transfer through the container walls; and

(2) Loosely covered, or uncovered if protected from overhead contamination as specified under Subparagraph 3-305.11(A)(2), during the cooling period to facilitate heat transfer from the surface of the FOOD.

**3-501.16 Potentially hazardous food (time/temperature control for safety food), hot and cold holding\***

(A) *Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under §3-501.19, and except as specified under ¶ (B) and in ¶ (C) of this section, PHF(TCS) FOOD shall be maintained—*

(1) *At 135°F (57°C) or above, except that roasts cooked to a temperature and for a time specified in ¶ 3-401.11(B) or reheated as specified in ¶ 3-403.11(E) may be held at a temperature of 130°F (54°C) or above; or*

(2) *At 41°F (5°C) or less.*

(B) EGGS that have not been treated to destroy all viable *Salmonellae* shall be stored in refrigerated EQUIPMENT that maintains an ambient air temperature of 41°F (5°C) or less.

(C) The PHF(TCS) FOOD in a homogenous liquid form, provided the FOOD is pasteurized and aseptically packaged, *may be maintained outside of the temperature control requirements, as specified under ¶ (A) of this section, while contained within specially designed EQUIPMENT that complies with the design and construction requirements as specified under ¶ 4-204.13(D).*

(D) Raw plant FOODS that are cut, sliced, or diced as well as cooked plant FOODS shall be maintained as specified in Subparagraphs (A)(1)–(2) of this section. †

**3-501.17 Potentially hazardous food (time/temperature control for safety food), date marking and retention\***

(A) ***On-premises preparation—prepare and hold cold.*** ADVANCED PREPARED and READY-TO-EAT FOODS. Except when PACKAGING FOOD using a REDUCED OXYGEN PACKAGING method as specified under § 3-502.12, and except as specified in ¶¶ (E) and (F) of this section, refrigerated, ADVANCED PREPARED and READY-TO-EAT, PHF(TCS) FOOD prepared and held in a FOOD ESTABLISHMENT for more than 24 hours shall be clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 41°F (5°C) or less. The maximum holding period for these FOODS is 7 days.

(B) ***Commercially processed food—open and hold cold.*** Uncooked or partially cooked PHF(TCS) FOOD PACKAGED by a FOOD PROCESSING PLANT and received frozen at the FOOD ESTABLISHMENT may be thawed under refrigeration prior to use. The maximum holding time of the product when removed from the freezer shall not exceed the manufacturer's recommended shelf life. In the absence of manufacturer's information, the shelf life shall be 7 days from the time the product is removed from the freezer to the time the product is cooked or sold. Frozen FOODS removed from the freezer shall be clearly marked to indicate the date or day by which the FOOD shall be cooked or used. †

(C) Shelf life disposition for individually PACKAGED READY-TO-EAT PHF(TCS) FOODS, such as sandwiches, prepared and frozen in a FOOD PROCESSING PLANT and subsequently slacked or held unopened under refrigeration at the FOOD ESTABLISHMENT shall be sold, used, or discarded IAW the manufacturer's recommended shelf life. †

(D) Except as specified in ¶¶ (F)–(H) of this section, refrigerated, READY-TO-EAT, PHF(TCS) FOOD prepared and PACKAGED by a FOOD PROCESSING PLANT shall be

clearly marked, at the time the original container is opened in a FOOD ESTABLISHMENT and if the FOOD is held for more than 24 hours, to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded, based on the temperature and time combinations specified in ¶ (A) of this section, and:

(1) The day the original container is opened in the FOOD ESTABLISHMENT shall be counted as Day 1; and

(2) The day or date marked by the FOOD ESTABLISHMENT may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on FOOD safety.

(E) A refrigerated, READY-TO-EAT, PHF(TCS) FOOD ingredient or a portion of a refrigerated, READY-TO-EAT, PHF(TCS) FOOD that is subsequently combined with additional ingredients or portions of FOOD shall retain the date marking of the earliest-prepared or first-prepared ingredient.

(F) *A date marking system that meets the criteria stated in ¶¶ (A), (B) and (D) of this section may include—*

(1) *Using a method APPROVED by the REGULATORY AUTHORITY for refrigerated, READY-TO-EAT PHF(TCS) FOOD that is frequently rewrapped, such as lunchmeat or a roast, or for which date marking is impractical, such as soft serve mix or milk in a dispensing machine;*

(2) *Marking the date or day of preparation, with a procedure to discard the FOOD on or before the last date or day by which the FOOD must be consumed on the premises, sold, or discarded as specified under ¶ (A) of this section;*

(3) *Marking the date or day the original container is opened in a FOOD ESTABLISHMENT, with a procedure to discard the FOOD on or before the last date or day by which the FOOD must be consumed on the premises, sold, or discarded as specified under ¶ (C) of this section; or*

(4) *Using calendar dates, days of the week, color-coded marks, or other effective marking methods, provided that the marking system is disclosed to the REGULATORY AUTHORITY upon request.*

(G) *Paragraphs (A) and (D) of this section do not apply to individual meal portions served or rePACKAGED for sale from a bulk container upon a CONSUMER'S request.*

(H) *Paragraph (C) of this section does not apply to the following FOODS prepared and PACKAGED by a FOOD PROCESSING PLANT inspected by a REGULATORY AUTHORITY:*

(1) *Deli salads, such as ham salad, seafood salad, chicken salad, egg salad, pasta salad, potato salad, and macaroni salad, manufactured IAW 21 CFR 110 - Current good manufacturing practice in manufacturing, packing, or holding human food;*

(2) *Hard cheeses containing not more than 39 percent moisture as defined in 21 CFR 133 - Cheeses and related cheese products, such as cheddar, gruyere, parmesan and reggiano, and romano;*

(3) *Semi-soft cheeses containing more than 39 percent moisture, but not more than 50 percent moisture, as defined in 21 CFR 133 - Cheeses and related cheese products, such as blue, Edam, gorgonzola, Gouda, and monterey jack;*

(4) *Cultured dairy products as defined in 21 CFR 131 - Milk and cream, such as yogurt, sour cream, and buttermilk;*

(5) *Preserved FISH products, such as pickled herring and dried or salted cod, and other acidified FISH products defined in 21 CFR 114 - Acidified foods;*

(6) *Shelf stable, dry fermented sausages, such as pepperoni and Genoa salami that are not labeled "Keep Refrigerated" as specified in 9 CFR 317 - Labeling, marking devices, and containers, and which retain the original CASING on the product; and*

(7) *Shelf stable salt-cured products such as prosciutto and Parma (ham) that are not labeled "Keep Refrigerated" as specified in 9 CFR 317 - Labeling, marking devices, and containers.*

### **3-501.18 Ready-to-eat, potentially hazardous food (time/temperature control for safety food) disposition\***

(A) A FOOD specified in ¶¶ 3-501.17(A) - (D) shall be discarded if it:

(1) Exceeds the temperature and time combination specified in ¶ 3-501.17(A), except time that the product is frozen;

(2) Is in a container or PACKAGE that does not bear a date or day; or

(3) Is appropriately marked with a date or day that exceeds a temperature and time combination as specified in ¶ 3-501.17(A).

(B) Refrigerated, READY-TO-EAT, PHF(TCS) FOOD prepared in a FOOD ESTABLISHMENT and dispensed through a VENDING MACHINE with an automatic shutoff control shall be discarded if it exceeds a temperature and time combination as specified in ¶ 3-501.17(A).

### **3-501.19 Time as a public health control\***

(A) Except as specified under ¶ (D) of this section, if time without temperature control is used as the public health control for a working supply of PHF(TCS) FOOD before cooking, or for READY-TO-EAT PHF(TCS) FOOD that is displayed or held for sale or service:

(1) Written procedures shall be prepared and APPROVED by the REGULATORY AUTHORITY in advance. The procedures shall specify:

(a) Methods of compliance with Subparagraphs (B)(1)-(4) or (C)(1)-(5) of this section; and

(b) Methods of compliance with § 3-501.14 for FOOD that is prepared, cooked, and refrigerated before time is used as a public health control.

(2) These procedures shall be maintained in the FOOD ESTABLISHMENT and made available to the FOOD EMPLOYEE at all times and the REGULATORY AUTHORITY upon request. †

(B) **Time—maximum up to 4 hours.** If time without temperature control is used as the public health control for up to a maximum of 4 hours:

(1) The FOOD shall have an initial temperature of 41°F (5°C) or less when removed from cold holding temperature control, or 135°F (57°C) or greater when removed from hot holding temperature control;

(2) The FOOD shall be marked or otherwise identified to indicate the time that is 4 hours past the point in time when the FOOD is removed from temperature control;

(3) The FOOD shall be cooked and served, served at any temperature if READY-TO-EAT, or discarded, within 4 hours from the point in time when the FOOD is removed from temperature control; and

(4) The FOOD in unmarked containers or PACKAGES or marked to exceed a 4-hour limit shall be discarded.

(C) **Time—maximum up to 6 hours.** If time without temperature control is used as the public health control up to a maximum of 6 hours:

(1) The FOOD shall have an initial temperature of 41°F (5°C) or less when removed from temperature control, and the FOOD temperature may not exceed 70°F (21°C) within a maximum time period of 6 hours;

(2) The FOOD shall be monitored to ensure the warmest portion of the FOOD does not exceed 70°F (21°C) during the 6-hour period.

(3) The FOOD shall be marked or otherwise identified to indicate:

(a) The time when the FOOD is removed from 41°F (5°C) or less cold holding temperature control, and

(b) The time that is 6 hours past the point in time when the FOOD is removed from cold holding temperature control;

(4) The FOOD shall be—

(a) Discarded if the temperature of the FOOD exceeds 70°F (21°C), or

(b) Cooked and served, served at any temperature if READY-TO-EAT, or discarded within a maximum of 6 hours from the point in time when the FOOD is removed from 41°F (5°C) or less cold holding temperature control; and

(5) The FOOD in unmarked containers or PACKAGES or marked with a time that exceeds the 6-hour limit shall be discarded.

(D) Except for use of insulated containers in FIELD FOODSERVICE to transport FOOD, a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION may not use time as specified under ¶¶ (A), (B) or (C) of this section as the public health control.

### **3-501.110 Leftovers\* †**

(A) *LEFTOVERS are further distinguished into two categories: PHF(TCS) FOOD and non-PHF(TCS) FOOD. This section does not apply to ADVANCED PREPARED (READY-TO-EAT) PHF(TCS) FOODS as specified under ¶ 3-501.17(A).*

(B) *Non-potentially hazardous LEFTOVERS include but are not limited to individual commercially PACKAGED crackers and condiments, which may be recovered from the serving line and dining room, as specified under Subparagraph 3-306.14(B)(2), and be retained for reuse. Bottled condiments that do not require refrigeration (e.g. mustard, catsup, steak sauce) may be retained for reuse. Unsliced, hard skinned fruits may be retained from serving lines for reuse provided they are washed as specified under § 3-302.15 prior to serving to a new CONSUMER.*

(C) In order to retain PHF(TCS) FOODS as LEFTOVERS, the following provisions apply:

(1) *FOODS with commercially prepared chopped or ground meat ingredients may be retained as leftovers.*

(2) Hot PHF(TCS) FOODS shall be held at 135°F (57°C) or above, and cold PHF(TCS) FOODS at 41°F (5°C) or below throughout the meal period.

(3) Hot items to be retained chilled as a LEFTOVER shall be cooled as specified under § 3-501.14.

(4) Potentially hazardous LEFTOVERS shall have a label indicating, “*Leftover - Use within the specific date and time determined in paragraph (D),*” with the date and time of original preparation and the discard date and time. Other methods for labeling may be used if APPROVED in writing by the REGULATORY AUTHORITY.

(D) LEFTOVER PHF(TCS) FOODS may be—

(1) Retained up to 72 hours if chilled (41° F or below). *The retention time for a cold LEFTOVER begins when the chilled FOOD is removed from cold holding or a hot FOOD is removed from hot holding and properly cooled at the end of the meal period and placed in a cold storage status; or*

(2) Retained until consumed or discarded if held hot at 135°F (57°C) or above.

(E) Freezing LEFTOVERS is prohibited.

(F) Reheating LEFTOVER PHF(TCS) FOODS. PHF(TCS) FOOD that has been cooked and then refrigerated and which is reheated for hot holding shall be reheated so that all parts of the FOOD reach 165°F (74°C) for a minimum of 15 seconds and then held at 135°F (57°C) or above until served. The time for reheating chilled LEFTOVERS to 165°F (74°C) shall not exceed 2 hours.

(G) Prohibited LEFTOVERS.

(1) FOODS composed of ingredients which have been peeled, sliced, or diced by hand after cooking may not be used as LEFTOVERS since the maximum 4-hour time period in which the temperature of these FOODS can be between 135°F (57°C) and 41°F (5°C) is usually spent in preparing, chilling, and serving these FOODS.

(2) Except for commercially PACKAGED READY-TO-EAT FOODS as specified under ¶ 3-501.17(D), prohibited LEFTOVERS include, but are not necessarily limited to potato salad, chicken salad, turkey salad, macaroni salad, shrimp salad, EGG salad, and similar items prepared on the premises by the FOOD ESTABLISHMENT. Also included are FOODS that have been creamed or handled a great amount (e.g., hashes, most gravies and dressings, creamed meats) and items that are highly perishable (e.g., most seafood).

(3) Non-packaged or unwrapped PHF(TSC) FOODS offered for CONSUMER SELF-SERVICE.

(4) PHF(TCS) FOODS that have not been held as specified in Subparagraph (C)(2) of this section.

(5) Any unconsumed PHF(TCS) FOOD from a FIELD FOODSERVICE operation.

(6) Any unconsumed PHF(TCS) FOOD from a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION. *An exception may be APPROVED by the MEDICAL AUTHORITY if the LEFTOVER PHF(TCS) FOOD was held IAW Subparagraph (C)(2) of this*

*section and was never offered for self-service or brought to the serving line (i.e., items were retained in hot/cold holding units throughout the meal period.)*

(7) LEFTOVER PHF(TCS) FOODS that have been previously retained as a LEFTOVER or contain previously LEFTOVER FOODS as an ingredient.

### **3-502 Specialized processing methods**

#### **3-502.11 Variance requirement\***

A FOOD ESTABLISHMENT shall obtain a VARIANCE from the REGULATORY AUTHORITY as specified in § 8-103.10 and under § 8-103.11 before—

(A) Smoking FOOD as a method of FOOD preservation rather than as a method of flavor enhancement;

(B) Curing FOOD;

(C) Using FOOD ADDITIVES or adding components such as vinegar:

(1) As a method of FOOD preservation rather than as a method of flavor enhancement, or

(2) To render a FOOD so that it is not a PHF(TCS) FOOD;

(D) Packaging FOOD using a REDUCED OXYGEN PACKAGING method *except where the growth of and toxin formation by Clostridium botulinum and the growth of Listeria monocytogenes are controlled as specified under § 3-502.12;*

(E) Operating a MOLLUSCAN SHELLFISH life-support system display tank used to store or display shellfish that are offered for human consumption;

(F) Custom-processing animals that are for personal use as FOOD and not for sale or service in a FOOD ESTABLISHMENT;

(G) Preparing FOOD by another method that is determined by the REGULATORY AUTHORITY to require a VARIANCE; or

(H) Sprouting seeds or beans.

#### **3-502.12 Reduced oxygen packaging without a variance, criteria\***

(A) Except for a FOOD ESTABLISHMENT that obtains a VARIANCE as specified under § 3-502.11, a FOOD ESTABLISHMENT that PACKAGES PHF(TCS) FOOD using a REDUCED OXYGEN PACKAGING method shall control the growth and toxin formation of *Clostridium botulinum* and the growth of *Listeria monocytogenes*.

(B) A FOOD ESTABLISHMENT that PACKAGES PHF(TCS) FOOD using a REDUCED OXYGEN PACKAGING method shall have a HACCP PLAN that contains the information specified under ¶ 8-201.14(D) and that—

(1) Identifies the FOOD to be PACKAGED;

(2) Except as specified under ¶¶ (C) - (E) of this section, requires that the PACKAGED FOOD shall be maintained at 41°F (5°C) or less and meet at least one of the following criteria:

(a) Has an  $a_w$  of 0.91 or less,

(b) Has a pH of 4.6 or less,

(c) Is a MEAT or POULTRY product cured at a FOOD PROCESSING PLANT regulated by the USDA using substances specified in 9 CFR 424.21, Use of food ingredients and sources of radiation, and is received in an intact PACKAGE, or

(d) Is a FOOD with a high level of competing organisms such as raw MEAT, raw POULTRY, or raw vegetables;

(3) Describes how the PACKAGE shall be prominently and conspicuously labeled on the principal display panel in bold type on a contrasting background, with instructions to:

(a) Maintain the FOOD at 41°F (5°C) or below, and

(b) Discard the FOOD if within 14 calendar days of its PACKAGING it is not served for on-PREMISES consumption, or consumed if served or sold for off-PREMISES consumption;

(4) Limits the refrigerated shelf life to no more than 14 calendar days from PACKAGING to consumption, except the time the product is maintained frozen, or the original manufacturer's "sell by" or "use by" date, whichever occurs first;

(5) Includes operational procedures that—

(a) Prohibit contacting READY-TO-EAT FOOD with bare hands as specified under ¶ 3-301.11(B),

(b) Identify a designated work area and the method by which—

(i) Physical barriers or methods of separation of raw FOODS and READY-TO-EAT FOODS minimize cross-contamination, and

(ii) Access to the processing EQUIPMENT is limited to responsible, trained personnel familiar with the potential HAZARDS of the operation, and

(c) Delineate cleaning and SANITIZATION procedures for FOOD-CONTACT SURFACES; and

(6) Describes the training program that ensures that the individual responsible for the REDUCED OXYGEN PACKAGING operation understands the—

(a) Concepts required for a safe operation,

(b) EQUIPMENT and facilities, and

(c) Procedures specified under Subparagraph (B)(5) of this section and

¶ 8-201.14(D).

(C) **Fish.** *Except for FISH that is frozen before, during, and after PACKAGING*, a FOOD ESTABLISHMENT may not PACKAGE FISH using a REDUCED OXYGEN PACKAGING method.

(D) **Cook-Chill or Sous Vide.** Except as specified under ¶ (C) of this section, a FOOD ESTABLISHMENT that PACKAGES FOOD using a COOK-CHILL or SOUS VIDE process shall—

(1) Implement a HACCP PLAN that contains the information as specified under ¶ 8-201.14(D);

(2) Ensure the FOOD is—

(a) Prepared and consumed on the PREMISES, or prepared and consumed off the PREMISES but within the same business entity with no distribution or sale of the PACKAGED product to another business entity or the CONSUMER,

(b) Cooked to heat all parts of the FOOD to a temperature and for a time as specified under § 3-401.11,

(c) Protected from contamination before and after cooking as specified under Parts 3-3 and 3-4,

(d) Placed in a PACKAGE with an oxygen barrier and sealed before cooking, or placed in a PACKAGE and sealed immediately after cooking and before reaching a temperature below 135°F (57°C),

(e) Cooled to 41°F (5°C) in the sealed PACKAGE or bag as specified under § 3-501.14 and subsequently—

(i) *Cooled to 34°F (1°C) within 48 hours of reaching 41°F (5°C) and held at that temperature until consumed or discarded within 30 days after the date of PACKAGING;*

(ii) *Cooled to 34°F (1°C) within 48 hours of reaching 41°F (5°C), removed from refrigeration equipment that maintains a 34°F (1°C) FOOD temperature, and then held at 41°F (5°C) or less for no more than 72 hours, at which time the FOOD must be consumed or discarded;*

(iii) *Cooled to 38°F (3°C) or less within 24 hours of reaching 41°F (5°C) and held there for no more than 72 hours from PACKAGING, at which time the FOOD must be consumed or discarded;* or

(iv) Held frozen with no shelf life restriction while frozen until consumed or used.

(f) Held in a refrigeration unit that is equipped with an electronic system that continuously monitors time and temperature and is visually examined for proper operation twice daily,

(g) If transported off-site to a satellite location of the same business entity, equipped with verifiable electronic monitoring devices to ensure that times and temperatures are monitored during transportation, and

(h) Labeled with the product name and the date PACKAGED; and

(3) Maintain the records required to confirm that cooling and cold holding refrigeration time/temperature parameters are required as part of the HACCP PLAN and:

(a) Make such records available to the REGULATORY AUTHORITY upon request, and

(b) Hold such records for at least 6 months; and

(4) Implement written operational procedures as specified under Subparagraph (B)(5) of this section and a training program as specified under Subparagraph (B)(6) of this section.

(E) **Cheese.** A FOOD ESTABLISHMENT that PACKAGES cheese using a REDUCED OXYGEN PACKAGING method shall—

(1) Limit the cheeses PACKAGED to those that are commercially manufactured in a FOOD PROCESSING PLANT with no ingredients added in the FOOD ESTABLISHMENT and that meet the Standards of Identity as specified in 21 CFR 133.150, Hard cheeses, 21 CFR 133.169 Pasteurized process cheese, or 21 CFR 133.187, Semisoft cheeses;

(2) Have a HACCP PLAN that contains the information specified under ¶ 8-201.14(D) and as specified under Subparagraphs (B)(1), (B)(3)(a), (B)(5) and (B)(6) of this section;

(3) Label the PACKAGE on the principal display panel with a “use by” date that does not exceed 30 calendar days from its packaging date or the original manufacturer’s “sell by” or “use by” date, whichever occurs first; and

(4) Discard the REDUCED OXYGEN PACKAGED cheese if it is not sold for off-PREMISES consumption or consumed within 30 calendar days of its PACKAGING.

### ***3-503 Outdated food***

#### **3-503.11 Restrictions for sale<sup>†</sup>**

(A) Except as stated in ¶¶ (B), (D), and (E) of this section, OUTDATED PHF(TCS) FOOD may not be displayed for sale with expired shelf-life or code dates, i.e. “Best used by,” “Best sold by,” or similar.

(B) *The PIC may request inspection by the REGULATORY AUTHORITY to extend food products as long as product wholesomeness and fitness for intended use are maintained.*

(C) Over-the-counter medications and baby FOOD may not be displayed for sale past the expiration date.

(D) *The “Expiration,” “Best used by,” or “Best sold by” date may be extended and the FOOD offered for sale or service if the FOOD is—*

*(1) Inspected and APPROVED by the REGULATORY AUTHORITY; and*

*(2) If documentation of the shelf-life extension is provided and available upon request.*

(E) *When the manufacturer’s date is based upon refrigerated storage and distribution conditions, and, due to supply line requirements, the product is frozen in a FOOD distribution facility prior to distribution, the manufacturer’s assigned date no longer indicates the product’s expected shelf life.*

### **3-6. Food identity, presentation, and on-premises labeling**

#### ***3-601 Accurate representation***

##### **3-601.11 Standards of identity**

PACKAGED FOOD shall comply with standard of identity requirements in 21 CFR 131-169 and 9 CFR 319, Definitions and standards of identity or composition, and the general requirements in 21 CFR 130 - Food Standards: General; and 9 CFR 319, Subpart A: General.

##### **3-601.12 Honestly presented**

(A) FOOD shall be offered for human consumption in a way that does not mislead or misinform the CONSUMER.

(B) FOOD or COLOR ADDITIVES, colored overwraps, or lights may not be used to misrepresent the true appearance, color, or quality of a FOOD.

#### ***3-602 Labeling***

**3-602.11 Food labels**

(A) FOOD PACKAGED in a FOOD ESTABLISHMENT shall be labeled as specified in LAW, including 21 CFR 101 - Food labeling, and 9 CFR 317 Labeling, marking devices, and containers.

(B) Label information shall include:

(1) The common name of the FOOD, or absent a common name, an adequately descriptive identity statement;

(2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the FOOD;

(3) An accurate declaration of the quantity of contents;

(4) The name and place of business of the manufacturer, packer, or distributor; and

(5) The name of the FOOD source for each MAJOR FOOD ALLERGEN contained in the FOOD unless the FOOD source is already part of the common or usual name of the respective ingredient;

(6) Except as exempted in the Federal Food, Drug, and Cosmetic Act § 403(Q)(3)-(5), nutrition labeling as specified in 21 CFR 101-Food Labeling and 9 CFR 317 Subpart B Nutrition Labeling.

(7) For any salmonid FISH containing CANTHAXANTHIN as a COLOR ADDITIVE, the labeling of the bulk FISH container, including a list of ingredients, displayed on the retail container or by other written means, such as a counter card, that discloses the use of CANTHAXANTHIN.

(C) Bulk FOOD that is available for CONSUMER self-dispensing shall be prominently labeled with the following information in plain view of the CONSUMER:

(1) The manufacturer's or processor's label that was provided with the FOOD; or

(2) A card, sign, or other method of notification that includes the information specified under Subparagraphs (B)(1), (2), and (5) of this section.

(D) *Bulk, unPACKAGED FOODS such as bakery products and unPACKAGED FOODS that are portioned to CONSUMER specification need not be labeled if:*

(1) *A health, nutrient content, or other claim is not made;*

(2) *There are no state or local LAWS requiring labeling; and*

(3) *The FOOD is manufactured or prepared on the PREMISES of the FOOD ESTABLISHMENT or at another FOOD ESTABLISHMENT or a FOOD PROCESSING PLANT that is owned by the same PERSON and is regulated by the FOOD regulatory agency that has jurisdiction.*

**3-602.12 Other forms of information**

(A) If required by LAW, CONSUMER warnings shall be provided.

(B) FOOD ESTABLISHMENT or manufacturers' dating information on FOODS may not be concealed or altered.

**3-603 Consumer advisory**

**3-603.11 Consumption of animal foods that are raw, undercooked, or not otherwise processed to eliminate pathogens\***

(A) Except as specified in ¶ 3-401.11(C) and Subparagraph 3-401.11(D)(4) and under ¶ 3-801.11(C), if an animal FOOD such as beef, EGGS, FISH, lamb, milk, pork, POULTRY, or shellfish is served or sold raw, undercooked, or without otherwise being processed to eliminate pathogens, either in READY-TO-EAT form or as an ingredient in another READY-TO-EAT FOOD, the PERSON-IN-CHARGE shall inform CONSUMERS of the significantly increased RISK of consuming such FOODS by way of a DISCLOSURE and REMINDER, as specified in ¶¶ (B) and (C) of this section, using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means.

(B) DISCLOSURE shall include:

(1) A description of the animal-derived FOODS, such as “oysters on the half shell (raw oysters),” “raw-EGG Caesar salad,” and “hamburgers (can be cooked to order);” or

(2) Identification of the animal-derived FOODS by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients.

(C) REMINDER shall include asterisking the animal-derived FOODS requiring DISCLOSURE to a footnote that states:

(1) “Regarding the safety of these items, written information is available upon request”;

(2) “Consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness”; or

(3) “Consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness, especially if you have certain medical conditions.”

**3-7. Contaminated food**

***3-701 Disposition***

**3-701.11 Discarding or reconditioning unsafe, adulterated, or contaminated food\***

(A) A FOOD that is unsafe, ADULTERATED, or not honestly presented as specified under § 3-101.11 shall be segregated, labeled, and discarded, according to an APPROVED procedure.

(B) FOOD that is not from an APPROVED SOURCE as specified under §§ 3-201.11–18 shall be evaluated by the REGULATORY AUTHORITY for disposition.

(C) READY-TO-EAT FOOD that may have been contaminated by an EMPLOYEE who has been RESTRICTED or EXCLUDED as specified under § 2-201.12 shall be discarded.

(D) FOOD that is contaminated by FOOD EMPLOYEES, CONSUMERS, or other PERSONS through contact with their hands, bodily discharges, such as nasal or oral discharges, or other means shall be discarded.

**3-8. Special requirements for highly susceptible populations**

***3-801 Additional safeguards***

**3-801.11 Pasteurized foods, prohibited re-service, and prohibited food\***

In a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION:

(A) The following criteria apply to JUICE:

(1) For the purposes of this paragraph only, children who are age 9 or less and receive FOOD in a school, day care setting, or similar facility that provides custodial care are included as HIGHLY SUSCEPTIBLE POPULATIONS;

(2) PrePACKAGED JUICE or a prePACKAGED BEVERAGE containing JUICE, that bears a warning label as specified in 21 CFR, 101.17(g) Food labeling, warning, notice, and safe handling statements, Juices that have not been specifically processed to prevent, reduce, or eliminate the presence of pathogens; or a PACKAGED JUICE or BEVERAGE containing JUICE, that bears a warning label as specified under ¶ 3-404.11(A)(2) may not be served or offered for sale; and

(3) UnPACKAGED JUICE that is prepared on the premises for service or sale in a READY-TO-EAT form shall be processed under a HACCP PLAN that contains the information specified under ¶¶ 8-201.14(B) - (E) and as specified in 21 CFR Part 120–HACCP Systems, Subpart B Pathogen Reduction, 120.24 Process controls.

(B) Pasteurized EGGS or EGG PRODUCTS shall be substituted for raw EGGS in the preparation of–

(1) FOODS such as Caesar salad, hollandaise or Béarnaise sauce, mayonnaise, meringue, EGGnog, ice cream, and EGG-fortified BEVERAGES, and

(2) Except as specified in ¶ (F) of this section, recipes in which more than one EGG is broken and the EGGS are combined;

(C) The following FOODS may not be served in a READY-TO-EAT form:

(1) Raw animal FOODS such as raw FISH, raw marinated FISH, raw MOLLUSCAN SHELLFISH, and steak tartar,

(2) A partially cooked animal FOOD such as lightly cooked FISH, rare MEAT, soft-cooked EGGS that are made from raw EGGS, and meringue; and

(3) Raw seed sprouts.

(D) FOOD EMPLOYEES may not contact READY-TO-EAT FOOD as specified under ¶¶ 3-301.11(B) and (D).

(E) Time only, as the public health control as specified under ¶ 3-501.19(D), may not be used for raw EGGS.

(F) *Subparagraph (B)(2) of this section does not apply if–*

(1) *The raw EGGS are combined immediately before cooking for one CONSUMER'S serving at a single meal, cooked as specified under Subparagraph 3-401.11(A)(1), and served immediately, such as an omelet, soufflé, or scrambled EGGS;*

(2) *The raw EGGS are combined as an ingredient immediately before baking and the EGGS are thoroughly cooked to a READY-TO-EAT form, such as a cake, muffin, or bread; or*

(3) *The preparation of the food is conducted under a HACCP PLAN that–*

(a) *Identifies the FOOD to be prepared,*

(b) *Prohibits contacting READY-TO-EAT FOOD with bare hands,*

(c) *Includes specifications and practices that ensure:*

(i) *Salmonella* Enteritidis growth is controlled before and after cooking, and  
(ii) *Salmonella* Enteritidis is destroyed by cooking the EGGS according to the temperature and time specified in Subparagraph 3-401.11(A)(2),  
(d) Contains the information specified under ¶ 8-201.14(D) including procedures that—

(i) Control cross-contamination of READY-TO-EAT FOOD with raw EGGS, and  
(ii) Delineate cleaning and SANITIZATION procedures for FOOD-CONTACT SURFACES, and

(e) Describes the training program that ensures that the FOOD EMPLOYEE responsible for the preparation of the FOOD understands the procedures to be used.

(G) **Re-service of food.** Except as specified in paragraph (H) of this section, FOOD may be re-served as specified under Subparagraph 3-306.14(B)(1) and (2).

(H) **Prohibited re-service of food.** FOOD may not be re-served under the following conditions:

(1) Any FOOD served to patients or clients who are under contact precautions in medical isolation or quarantine, or protective environment isolation, or receive their meals in their room via patient tray service, may not be re-served to others outside these environments.

(2) Packages of FOOD from patients, clients, or other CONSUMERS may not be re-served to patients in protective environment isolation or who receive their meals via patient tray service.

### **3-9. Food donations**

#### **3-901 Excess food**

##### **3-901.10 Donation of excess food to local relief organizations<sup>†</sup>**

(A) Only FOODS that have been protected from contamination and have been stored at SAFE FOOD TEMPERATURES may be donated.

(B) Guidance for donation of excess food to local relief organizations and similar programs may be obtained from the REGULATORY AUTHORITY.

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CHAPTER 4

EQUIPMENT, UTENSILS, AND LINENS

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**4-1. Materials for construction and repair**

**4-101 Multiuse**

**4-101.11 Characteristics\***

Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT may not allow the migration of deleterious substances or impart colors, odors, or tastes to FOOD and under normal use conditions shall be—

- (A) Safe;
- (B) Durable, CORROSION-RESISTANT, and nonabsorbent;<sup>N</sup>
- (C) Sufficient in weight and thickness to withstand repeated WAREWASHING;<sup>N</sup>
- (D) Finished to have a SMOOTH, EASILY CLEANABLE surface;<sup>N</sup> and
- (E) Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition.<sup>N</sup>

**4-101.12 Cast iron, use limitation**

(A) Except as specified in ¶¶ (B) and (C) of this section, cast iron may not be used for UTENSILS or FOOD-CONTACT SURFACES of EQUIPMENT.

(B) *Cast iron may be used as a surface for cooking.*

(C) *Cast iron may be used in UTENSILS for serving FOOD if the UTENSILS are used only as part of an uninterrupted process from cooking through service.*

**4-101.13 Lead, use limitation**

(A) Ceramic, china, and crystal UTENSILS, and decorative UTENSILS such as hand-painted ceramic or china that are used in contact with FOOD shall be lead-free or contain levels of lead not exceeding the limits of the following UTENSIL categories provided in Table 4-1.

(B) Pewter alloys containing lead in excess of 0.05 percent may not be used as a FOOD-CONTACT SURFACE.

(C) Solder and flux containing lead in excess of 0.2 percent may not be used as a FOOD-CONTACT SURFACE.

**4-101.14 Copper, use limitation\***

(A) Except as specified in ¶¶ (B) and (C) of this section, copper and copper alloys such as brass may not be used in contact with a FOOD that has a pH below 6 such as vinegar, fruit JUICE, or wine or for a fitting or tubing installed between a backflow prevention device and a carbonator.

**Table 4-1. Maximum lead content for food contact surfaces**

| <b>UTENSIL Category</b>                  | <b>Ceramic Article Description</b> | <b>Maximum Lead mg/L</b> |
|--|------------------------------------|--------------------------|
| Beverage Mugs, Cups, Pitchers            | Coffee Mugs                        | 0.5                      |
| Large Hollowware (excluding pitchers)    | Bowls > 1.1 Liter (1.16 Quart)     | 1                        |
| Small Hollowware (excluding cups & mugs) | Bowls < 1.1 Liter (1.16 Quart)     | 2.0                      |
| Flat TABLEWARE                           | Plates, Saucers                    | 3.0                      |

Note: milligrams per liter (mg/L)

(B) *Copper and copper alloys may be used in contact with beer brewing ingredients that have a pH below 6 in the pre-fermentation and fermentation steps of a beer brewing operation such as a brewpub or microbrewery.*

(C) *Copper and copper alloys may be used with potable, noncarbonated water, pH 6.0 or above, under constant service pressure. †*

**4-101.15 Galvanized metal, use limitation\***

Galvanized metal may not be used for UTENSILS or FOOD-CONTACT SURFACES of EQUIPMENT that are used in contact with acidic FOOD.

**4-101.16 Sponges, use limitation**

Sponges may not be used in contact with cleaned and SANITIZED or in-use FOOD-CONTACT SURFACES.

**4-101.17 Wood, use limitation**

(A) Except as specified in ¶¶ (B), (C), and (D) of this section, wood and wood wicker may not be used as a FOOD-CONTACT SURFACE.

(B) *Hard maple or an equivalently hard, close-grained wood may be used for:*

(1) *Cutting boards, cutting blocks, bakers' tables, and UTENSILS such as rolling pins, doughnut dowels, salad bowls, sushi bamboo rolls, chopsticks; and*

(2) *Wooden paddles used in confectionery operations for pressure scraping kettles when manually preparing confections at a temperature of 230°F (110°C) or above.*

(C) *Whole, uncut, raw fruits and vegetables, and nuts in the shell may be kept in the wood shipping containers in which they were received until the fruits, vegetables, or nuts are used.*

(D) *If the nature of the FOOD requires removal of rinds, peels, husks, or shells before consumption, the whole, uncut, raw FOOD may be kept in—*

(1) *Untreated wood containers; or*

(2) *Treated wood containers if the containers are treated with a preservative that meets the requirements specified in 21 CFR 178.3800, Preservatives for wood.*

**4-101.18 Nonstick coatings, use limitation**

Multiuse KITCHENWARE such as frying pans, griddles, sauce pans, cookie sheets, and waffle bakers that have a fluoropolymer or other non-stick coating shall be used with non-scoring or non-scratching UTENSILS and cleaning aids. *Some KITCHENWARE with non-stick coatings may have to be hand washed and sanitized. Care must be taken to avoid scratching or chipping the coatings or bonding agents.*

**4-101.19 Nonfood-contact surfaces**

NonFOOD-CONTACT SURFACES of EQUIPMENT that are exposed to splash, spillage, or other FOOD soiling or that require frequent cleaning shall be constructed of a CORROSION-RESISTANT, nonabsorbent, and SMOOTH material.

**4-101.110 Paint or other coatings, application** †

Paint or other coatings not APPROVED for application on FOOD-CONTACT SURFACES may not be applied to a FOOD-CONTACT SURFACE or SPLASH ZONE.

**4-101.111 Sealing compounds** †

Sealing compounds shall provide a water- and vermin-tight seal and shall be—

- (A) Sufficiently pliable for ease of application;
- (B) Somewhat elastic after application and adequately firm so as not to be gummy or sticky;
- (C) Non-shrinking;
- (D) Listed in the NSF *White Book*<sup>TM</sup> – *Nonfood Compounds Listings Directory*, available at <http://www.nsf.org/usda/Listings.asp>, if used on FOOD-CONTACT SURFACES and may not void the certification listing of the EQUIPMENT; and
- (E) Shall meet the requirements specified under § 4-101.11.

**4-101.112 Plastic, use prohibition** †

Soft plastic containers not intended as multiuse EQUIPMENT, such as SINGLE-USE deli PACKAGES, pails, and milk jugs, may not be reused for FOOD storage.

**4-101.113 Pallet use** †

(A) PACKAGED FOOD may be stored on NSF<sup>®</sup> International-listed plastic pallets or wood pallets provided the pallets are in sound condition, kept clean, and moved regularly so that the area under the pallets is kept clean. (NSF<sup>®</sup> is a registered trademark of NSF International.)

(B) Except as specified in ¶ (C) of this section, wood pallets may not be used in FOOD preparation areas or any area where unPACKAGED FOOD is processed, prepared or handled.

(C) Wooden pallets may be used for storage of bulk produce in retail stores where limited processing occurs (e.g. commissary).

**4-102 Single-service and single-use**

**4-102.11 Characteristics\***

Materials that are used to make SINGLE-SERVICE and SINGLE-USE ARTICLES—

- (A) May not—
  - (1) Allow the migration of deleterious substances, or
  - (2) Impart colors, odors, or tastes to FOOD;<sup>N</sup> and
- (B) Shall be—
  - (1) Safe, and
  - (2) Clean.<sup>N</sup>

**4-2. Design and construction**

**4-201 Durability and strength**

**4-201.11 Equipment and utensils**

EQUIPMENT and UTENSILS shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.

**4-201.12 Food temperature measuring devices\***

FOOD TEMPERATURE MEASURING DEVICES may not have sensors or stems constructed of glass, *except that thermometers with glass sensors or stems that are encased in a shatterproof coating, such as candy thermometers, may be used.*

**4-201.13 Sealing compounds<sup>†</sup>**

(A) Sealing compounds used in the installation of refrigeration, cooking, and warming EQUIPMENT shall be capable of withstanding the full range of operating temperatures (hot or cold) without cracking or unsealing.

(B) Materials or EQUIPMENT requiring use of sealing compounds shall be physically secured before the compounds are applied. Sealants may not be used to fill open spaces or voids resulting from improper installation, design, or fabrication. *Do not exceed the manufacturer's maximum width for filling voids.*

**4-202 Cleanability**

**4-202.11 Food-contact surfaces\***

- (A) Multiuse FOOD-CONTACT SURFACES shall be—
  - (1) SMOOTH;
  - (2) Free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections;
  - (3) Free of sharp internal angles, corners, and crevices;
  - (4) Finished to have SMOOTH welds and joints; and
  - (5) Except as specified in ¶ (B) of this section, accessible for cleaning and inspection by one of the following methods:
    - (a) Without being disassembled,

(b) By disassembling without the use of tools, or

(c) By easy disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel such as screwdrivers, pliers, open-end wrenches, and Allen wrenches.

(B) *Subparagraph (A)(5) of this section does not apply to cooking oil storage tanks, distribution lines for cooking oils, or BEVERAGE syrup lines or tubes.*

#### **4-202.12 Clean-in-place equipment**

(A) Clean-in-place (CIP) EQUIPMENT shall meet the characteristics specified under § 4-202.11 and shall be designed and constructed so that—

(1) Cleaning and SANITIZING solutions circulate throughout a fixed system and contact all interior FOOD-CONTACT SURFACES, and

(2) The system is self-draining or capable of being completely drained of cleaning and SANITIZING solutions; and

(B) Any CIP EQUIPMENT that is not designed to be disassembled for cleaning shall be designed with inspection access points to ensure that all interior FOOD-CONTACT SURFACES throughout the fixed system are being effectively cleaned.

(C) Fixed EQUIPMENT intended to be cleaned and sanitized using pressure spray methods shall be designed and APPROVED for pressure spray cleaning. †

#### **4-202.13 "V" threads, use limitation**

*Except for hot oil cooking or filtering EQUIPMENT, "V" type threads may not be used on FOOD-CONTACT SURFACES.*

#### **4-202.14 Hot oil filtering equipment**

Hot oil filtering EQUIPMENT shall meet the characteristics specified under § 4-202.11 or § 4-202.12 and shall be readily accessible for filter replacement and cleaning of the filter.

#### **4-202.15 Can openers**

The cutting or piercing parts of can openers shall be readily removable for cleaning and for replacement.

#### **4-202.16 Nonfood-contact surfaces**

NonFOOD-CONTACT SURFACES shall be free of unnecessary ledges, projections, and crevices and shall be designed and constructed to allow easy cleaning and to facilitate maintenance.

#### **4-202.17 Kick plates, removable**

Kick plates shall be designed so that the areas behind them are accessible for inspection and cleaning by being—

(A) Removable by one of the methods specified under Subparagraph 4-202.11(A)(5) or capable of being rotated open; and

- (B) Removable or capable of being rotated open without unlocking EQUIPMENT doors.

**4-202.18 Ventilation hood systems, filters**

Filters or other grease-extracting EQUIPMENT shall be—

- (A) Tight fitting and adequately secured to prevent falling. †
- (B) Designed to be easily accessible and removable for cleaning and replacement if not designed to be cleaned in place.
- (C) Installed at an angle not less than 45 degrees from the horizontal. †
- (D) Equipped with a drip tray beneath the lower edge of the filters. †
- (E) Protected by a fire suppression system. Kitchen exhaust systems shall meet the requirements of the National Fire Protection Association (NFPA Standard 96), Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations. †

**4-203 Accuracy**

**4-203.11 Temperature measuring devices, food**

- (A) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit shall be accurate to  $\pm 1^{\circ}\text{C}$  in the intended range of use.
- (B) FOOD TEMPERATURE MEASURING DEVICES that are scaled only in Fahrenheit shall be accurate to  $\pm 2^{\circ}\text{F}$  in the intended range of use.

**4-203.12 Temperature measuring devices, ambient air and water**

- (A) Ambient air and water TEMPERATURE MEASURING DEVICES that are scaled in Celsius or dually scaled in Celsius and Fahrenheit shall be designed to be easily readable and accurate to  $\pm 1.5^{\circ}\text{C}$  in the intended range of use.
- (B) Ambient air and water TEMPERATURE MEASURING DEVICES that are scaled only in Fahrenheit shall be accurate to  $\pm 3^{\circ}\text{F}$  in the intended range of use.

**4-203.13 Pressure measuring devices, mechanical warewashing equipment**

Pressure measuring devices that display the pressures in the water supply line for the fresh hot water SANITIZING rinse shall have increments of 7 kilopascals (1 pound per square inch) or smaller and shall be accurate to  $\pm 14$  kilopascals ( $\pm 2$  pounds per square inch) in the range indicated on the manufacturer's data plate.

**4-204 Functionality**

**4-204.11 Ventilation hood systems, drip prevention**

Exhaust ventilation hood systems in FOOD preparation and WAREWASHING areas including components such as hoods, fans, guards, and ducting shall be designed to prevent grease or condensation from draining or dripping onto FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

**4-204.12 Equipment openings, closures and deflectors**

(A) A cover or lid for EQUIPMENT shall overlap the opening and be sloped to drain.

(B) An opening located within the top of a unit of EQUIPMENT that is designed for use with a cover or lid shall be flanged upward at least two-tenths of an inch (5 millimeters).

(C) Except as specified under ¶ (D) of this section, fixed piping, TEMPERATURE MEASURING DEVICES, rotary shafts, and other parts extending into EQUIPMENT shall be provided with a watertight joint at the point where the item enters the EQUIPMENT.

(D) If a watertight joint is not provided—

(1) The piping, TEMPERATURE MEASURING DEVICES, rotary shafts, and other parts extending through the openings shall be equipped with an apron designed to deflect condensation, drips, and dust from openings into the FOOD; and

(2) The opening shall be flanged as specified under ¶ (B) of this section.

**4-204.13 Dispensing equipment, protection of equipment and food\***

Bulk milk dispensers, multiservice shipping and dispenser containers, and dispensing tubes shall meet the requirements of NSF International Standard 20, Commercial Bulk Milk Dispensing Equipment, for EQUIPMENT that dispenses or vends liquid FOOD or ice in un-PACKAGED form:

(A) The delivery tube, chute, orifice, and splash surfaces directly above the container receiving the FOOD shall be designed in a manner such as with barriers, baffles, or drip aprons, so that drips from condensation and splash are diverted from the opening of the container receiving the FOOD,<sup>N</sup> and

(1) The bulk milk container dispensing tube shall be cut IAW the manufacturer's instructions or on the diagonal, leaving no more than 1 inch protruding from the chilled dispensing head.<sup>†</sup>

(2) For other FOODS, the delivery tube, chute, and orifice shall be protected from manual contact such as by being recessed,<sup>N</sup>

(B) The delivery tube or chute and orifice of EQUIPMENT used to vend liquid FOOD or ice in un-PACKAGED form to self-service CONSUMERS shall be designed so that the delivery tube or chute and orifice are protected from dust, insects, rodents, and other contamination by a self-closing door if the EQUIPMENT is—

(1) Located in an outside area that does not otherwise afford the protection of an enclosure against the rain, windblown debris, insects, rodents, and other contaminants that are present in the environment,<sup>N</sup> or

(2) Available for self-service during hours when it is not under the full-time supervision of a FOOD EMPLOYEE,<sup>N</sup> and

(C) The dispensing EQUIPMENT actuating lever or mechanism and filling device of CONSUMER self-service BEVERAGE dispensing EQUIPMENT shall be designed to prevent contact with the lip-contact surface of glasses or cups that are refilled.<sup>N</sup>

(D) Dispensing EQUIPMENT in which PHF(TCS) FOOD in a homogenous liquid form is maintained outside of the temperature control requirements as specified under §3-501.16(A) shall—

(1) Be specifically designed and equipped to maintain the commercial sterility of aseptically PACKAGED FOOD in a homogenous liquid form for a specified duration from the time of opening the PACKAGING within the EQUIPMENT; and

(2) Conform to the requirements for this EQUIPMENT as specified in *NSF/ANSI 18-2006 - Manual Food and Beverage Dispensing Equipment*.

#### **4-204.14 Vending machine, vending stage closure**

The dispensing compartment of a VENDING MACHINE, including a machine that is designed to vend pre-PACKAGED snack FOOD that is not PHF(TCS) FOOD such as chips, party mixes, and pretzels, shall be equipped with a self-closing door or cover if the machine is—

(A) Located in an outside area that does not otherwise afford the protection of an enclosure against the rain, windblown debris, insects, rodents, and other contaminants that are present in the environment; or

(B) Available for self-service during hours when it is not under the full-time supervision of a FOOD EMPLOYEE.

#### **4-204.15 Bearings and gear boxes, leakproof**

(A) Except as specified in ¶ (B) of this section, EQUIPMENT containing bearings and gears that require lubricants shall be designed and constructed so that the lubricant cannot leak, drip, or be forced into FOOD or onto FOOD-CONTACT SURFACES.

(B) Safe food-grade lubricants shall be used when EQUIPMENT design does not prevent contact of lubricants with FOOD or FOOD-CONTACT SURFACES. †

#### **4-204.16 Beverage tubing, separation**

Tubing used to convey BEVERAGES or BEVERAGE ingredients to dispensing heads may be in contact with stored ice; however, the ice is rendered non-POTABLE and may not be used for human consumption. †

#### **4-204.17 Ice units, separation of drains**

Liquid waste drain lines of any type may not pass through an ice machine or ice storage bin.

#### **4-204.18 Condenser unit, separation**

If a condenser unit is an integral component of EQUIPMENT, the condenser unit shall be separated from the FOOD and FOOD storage space by a dustproof barrier.

#### **4-204.19 Can openers on vending machines**

The cutting or piercing parts of can openers on VENDING MACHINES shall be protected from manual contact, dust, insects, rodents, and other contamination.

#### **4-204.110 Molluscan shellfish tanks**

(A) Except as specified under ¶ (B) of this section, MOLLUSCAN SHELLFISH life support system display tanks may not be used to store or display shellfish that are offered for human

consumption and shall be conspicuously marked so that it is obvious to the CONSUMER that the shellfish are for display only.

(B) MOLLUSCAN SHELLFISH life-support system display tanks that are used to store or display shellfish that are offered for human consumption shall be operated and maintained IAW a VARIANCE granted by the REGULATORY AUTHORITY as specified in § 8-103.10 and a HACCP PLAN that—

(1) Is submitted by the PERSON-IN-CHARGE and APPROVED as specified under § 8-103.11; and

(2) Ensures that—

(a) Water used with FISH other than MOLLUSCAN SHELLFISH does not flow into the molluscan tank,

(b) The safety and quality of the shellfish as they were received are not compromised by the use of the tank, and

(c) The identity of the source of the SHELLSTOCK is retained as specified under § 3-203.12.

#### **4-204.111 Vending machines, automatic shutoff\***

(A) A machine vending PHF(TCS) FOOD shall have an automatic control that prevents the machine from vending FOOD:

(1) If there is a power failure, mechanical failure, or other condition that results in an internal machine temperature that cannot maintain FOOD temperatures as specified under Chapter 3; and

(2) If a condition specified under Subparagraph (A)(1) of this section occurs, until the machine is serviced and restocked with FOOD that has been maintained at temperatures specified under Chapter 3.

(B) When the automatic shutoff within a machine vending PHF(TCS) FOOD is activated:

(1) In a refrigerated vending machine, the ambient air temperature may not exceed 41°F (5°C) for more than 30 minutes immediately after the machine is filled, serviced, or restocked; or

(2) In a hot holding vending machine, the ambient air temperature may not be less than 135°F (57°C) for more than 120 minutes immediately after the machine is filled, serviced, or restocked.

#### **4-204.112 Temperature measuring devices**

(A) In a mechanically refrigerated or hot FOOD storage unit, the sensor of a TEMPERATURE MEASURING DEVICE shall be located to measure the air temperature or a simulated product temperature in the warmest part of a mechanically refrigerated unit and in the coolest part of a hot FOOD storage unit.

(B) Except as specified in ¶ (C) of this section, cold or hot holding EQUIPMENT used for PHF(TCS) FOOD shall be designed to include and shall be equipped with at least one integral or permanently affixed TEMPERATURE MEASURING DEVICE that is located to allow easy viewing of the device's temperature display without the EQUIPMENT being opened.

(C) Paragraph (B) of this section 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-marie, steam tables, insulated FOOD transport containers, and salad bars.

(D) TEMPERATURE MEASURING DEVICES shall be designed to be easily readable.

(E) FOOD TEMPERATURE MEASURING DEVICES and water TEMPERATURE MEASURING DEVICES on WAREWASHING machines shall have a numerical scale, printed record, or digital readout in increments no greater than 2°F or 1°C in the intended range of use.

#### **4-204.113 Warewashing machine, data plate operating specifications**

A WAREWASHING machine shall be provided with an easily accessible and readable data plate affixed to the machine by the manufacturer and that indicates the machine's design and operation specifications, including the—

(A) Temperatures required for washing, rinsing, and SANITIZING;

(B) Pressure required for the fresh water SANITIZING rinse *unless the machine is designed to use only a pumped SANITIZING rinse*; and

(C) Conveyor speed for conveyor machines or cycle time for stationary rack machines.

#### **4-204.114 Warewashing machines, internal baffles**

(A) WAREWASHING machine wash and rinse tanks shall be equipped with baffles, curtains, or other means to minimize internal cross-contamination of the solutions in wash and rinse tanks.

(B) Baffles and curtains shall be kept in good repair and replaced as needed.

#### **4-204.115 Warewashing machines, temperature measuring devices**

A WAREWASHING machine shall be equipped with a TEMPERATURE MEASURING DEVICE that indicates the temperature of the water:

(A) In each wash and rinse tank; and

(B) As the water enters the hot water SANITIZING final rinse manifold or the chemical SANITIZING solution tank.

#### **4-204.116 Manual warewashing equipment, heaters and baskets**

If hot water is used for SANITIZATION in manual WAREWASHING operations, the SANITIZING compartment of the sink shall be—

(A) Designed with an integral heating device that is capable of maintaining water at a temperature not less than 171°F (77°C); and

(B) Provided with a rack or basket to allow complete immersion of equipment and utensils into the hot water.

**4-204.117 Warewashing machines, automatic dispensing of detergents and sanitizers**

A WAREWASHING machine that is installed after adoption of this publication by the REGULATORY AUTHORITY, shall be equipped to—

- (A) Automatically dispense detergents and SANITIZERS; and
- (B) Incorporate a visual means to verify that detergents and SANITIZERS are delivered or a visual or audible alarm to signal if the detergents and SANITIZERS are not delivered to the respective washing and SANITIZING cycles.

**4-204.118 Warewashing machines, flow pressure device**

(A) WAREWASHING machines that provide a fresh hot water SANITIZING rinse shall be equipped with a pressure gauge or similar device such as a transducer that measures and displays the water pressure in the supply line immediately before the water enters the WAREWASHING machine; and

(B) If the flow pressure measuring device is upstream of the fresh hot water SANITIZING rinse control valve, the device shall be mounted in a ¼-inch or 6.4-millimeter size iron pipe valve.

(C) *Paragraphs (A) and (B) of this section do not apply to a machine that uses only a pumped or recirculated SANITIZING rinse.*

**4-204.119 Warewashing sinks and drainboards, self-draining**

Sinks and drainboards of WAREWASHING sinks and machines shall be self-draining.

**4-204.120 Equipment compartments, drainage**

EQUIPMENT compartments that are subject to accumulation of moisture due to conditions such as condensation, FOOD or BEVERAGE drip, or water from melting ice shall be sloped to an outlet that allows complete draining.

**4-204.121 Vending machines, liquid waste products**

(A) VENDING MACHINES designed to store BEVERAGES that are PACKAGED in containers made from paper products shall be equipped with diversion devices and retention pans or drains for container leakage.

(B) VENDING MACHINES that dispense liquid FOOD in bulk shall be—

(1) Provided with an internally mounted waste receptacle for the collection of drip, spillage, overflow, or other internal wastes; and

(2) Equipped with an automatic shutoff device that will place the machine out of operation before the waste receptacle overflows.

(C) Shutoff devices specified under Subparagraph (B)(2) of this section shall prevent water or liquid FOOD from continuously running if there is a failure of a flow control device in the water or liquid FOOD system or there is a waste accumulation that could lead to overflow of the waste receptacle.

**4-204.122 Case lot handling apparatuses, moveability**

Apparatuses, such as dollies, pallets, racks, and skids used to store and transport large quantities of PACKAGED FOODS received from a supplier in a cased or overwrapped lot, shall be designed to be moved by hand or by conveniently available apparatuses such as hand trucks and forklifts.

**4-204.123 Vending machine doors and openings**

(A) VENDING MACHINE doors and access opening covers to FOOD and container storage spaces shall be tight-fitting so that the space along the entire interface between the doors or covers and the cabinet of the machine, if the doors or covers are in a closed position, is no greater than 1/16 inch (1.5 millimeters) by—

(1) Being covered with louvers, screens, or materials that provide an equivalent opening of not greater than 1/16 inch or 1.5 millimeters. Screening of 12-mesh to 1 inch (12- or more mesh to 2.5 centimeters) meets this requirement;

(2) Being effectively gasketed;

(3) Having interface surfaces that are at least ½-inch (13 millimeters) wide; or

(4) Having jambs or surfaces that form an L-shaped entry path to the interface.

(B) VENDING MACHINE service connection openings through an exterior wall of a machine shall be closed by sealants, clamps, or grommets so that the openings are no larger than 1/16 inch (1.5 millimeters.)

**4-204.124 Mechanical warewashing equipment, heating device †**

(A) Hot water SANITIZING WAREWASHING machines shall be equipped with an adequately sized booster heater as specified in ¶ 4-204.116(A) and § 4-301.16.

(B) *Booster heaters may be required for wash, rinse and final rinse of WAREWASHING machines to ensure temperature compliance as specified under §§ 4-501.110, 4-501.112, and 4-501.114.*

**4-204.200 Manual warewashing equipment, swing-arm faucet †**

*Swing-arm faucets that can serve more than one sink compartment should not be used for the final rinse sink. This is to prevent addition of cold water to the final rinse.*

**4-205 Acceptability**

**4-205.10 Food equipment, certification and classification**

(A) FOOD EQUIPMENT that is certified or classified for sanitation by an ANSI-accredited certification program is deemed to comply with Parts 4-1 and 4-2 of this chapter.

(B) Except EQUIPMENT used in production and preparation areas of retail FOOD stores, such as commissary meat market, fresh seafood, deli, and produce departments, written approval to purchase EQUIPMENT that is industry or USDA-APPROVED, but not NSF International-APPROVED shall be obtained from the REGULATORY AUTHORITY prior to purchase for use in FOOD ESTABLISHMENTS and foodservice areas of retail FOOD stores. *Consultative*

*support for EQUIPMENT APPROVAL is available through the respective Services' Public Health/Preventive Medicine chain of command, to include the respective military Public Health Center/Command.* †

(C) Outside continental United States (OCONUS) FOOD ESTABLISHMENTS may procure foreign-manufactured foodservice EQUIPMENT provided the EQUIPMENT meets sanitation standards outlined in ¶¶ (A) and (B) this section. All questions should be referred to the REGULATORY AUTHORITY. Guidance is provided in ¶ 4-205.13(B) for foreign-manufactured equipment approval. †

(D) Use of home-style FOOD EQUIPMENT, including refrigeration, dishwashing, storage cabinets and counters and similar appliances is authorized for demonstration kitchens in Middle Schools and Teen Facilities and for Wounded Warrior Family Guest Houses. †

(E) Shipboard food service equipment must comply with NAVSUP PUB 533, Shipboard Food Service Equipment Catalog. †

#### **4-205.11 Equipment and utensils, approval** †

(A) Except as specified in § 4-205.10, all foodservice EQUIPMENT and UTENSILS used in a FOOD ESTABLISHMENT shall meet the applicable standards or criteria of:

- (1) NSF International;
- (2) Underwriters Laboratories (UL<sup>®</sup>), Inc. (UL<sup>®</sup> is a registered trademark of UL, LLC.);
- (3) USDA;
- (4) Baking Industry Sanitation Standards Committee (BISSC) for bakery equipment; or
- (5) Other laboratory or national consensus standards acceptable to the REGULATORY

*AUTHORITY with consultative support through the respective Services' Public Health/Preventive Medicine chain of command and Public Health Center/Command food sanitation and safety representative.*

(B) VENDING MACHINES, including customer-operated water VENDING MACHINES, shall meet NSF International Standard 25 or National Automatic Merchandising Association (NAMA) standards.

(C) Provisions of this section and § 4-205.10 shall be incorporated into appropriate specifications, contracts, and procurement documents for type classified, centrally or locally procured, leased and built-in-place foodservice EQUIPMENT and UTENSILS.

#### **4-205.12 Equipment and utensils, compliance measures** †

Compliance for all FOOD EQUIPMENT shall be demonstrated as specified in ¶¶ (A) - (D) of this section.

(A) Meeting NSF International standards or criteria by—

(1) Displaying the NSF International mark on the EQUIPMENT and ensuring the EQUIPMENT is listed in the NSF International's Listing of Food Equipment and Related Products, Components, and Materials for the year the EQUIPMENT was manufactured.

(2) Successfully passing the NSF International's one-time evaluation program for government contracts.

(3) Displaying the UL's marking, "Classified for Sanitation, meets NSF International Standard (Specify)," on the EQUIPMENT and ensuring the EQUIPMENT is listed in the UL's Directory, Food Service Equipment, Classified for Sanitation for the year the EQUIPMENT was manufactured.

(4) Obtaining certification from a recognized independent testing laboratory that is APPROVED by the REGULATORY AUTHORITY. This certificate shall state that the EQUIPMENT or UTENSILS meet applicable standards. *The independent testing laboratory shall be evaluated and approved by ANSI to perform satisfactory testing of foodservice EQUIPMENT. Written approval of the independent testing laboratory by ANSI and results of EQUIPMENT evaluation should be forwarded to the respective Services' Public Health organization.*

(B) Meeting UL safety standards by testing or approval by UL or obtaining independent laboratory certification as specified in Subparagraph (A)(4) of this section.

(C) Meeting BISSC standards by listing the manufacturer in the Directory of BISSC Registered Companies for the year of manufacturing and submitting the BISSC certificate issued by the manufacturer.

(D) Meeting NAMA standards by ensuring the EQUIPMENT is listed in the NAMA directory, <http://www.vending.org/technical/certified.php>.

#### **4-205.13 Overseas food operations** †

Offshore procurement of foreign manufactured foodservice EQUIPMENT for use outside the continental United States (OCONUS) where NSF, UL, or other EQUIPMENT that is approval-listed in § 4-205.11 is either not available or cannot be used because of utility incompatibility, host nation agreements, or other circumstances, shall be authorized by the Command MEDICAL AUTHORITY or designated representative using the following guidance:

(A) The Command MEDICAL AUTHORITY or designated representative consults with the food sanitation and safety representative within the public health chain of command and, when required, consults with the respective Service's Public Health Center/Command, as specified under ¶ 4-205.10(B).

(B) The Command MEDICAL AUTHORITY's authorization is based on the FOOD EQUIPMENT meeting the design, construction and materials intent of this publication and applicable NSF or UL standards as specified under Subparagraphs 4-205.12(A)(2) and (4).

(C) APPROVAL shall be obtained in writing from the MEDICAL AUTHORITY or designated representative before the EQUIPMENT is procured.

#### **4-205.14 Mechanical warewashing equipment, modification** †

(A) Local modification to WAREWASHING machines is prohibited if it violates the manufacturer's warranty and NSF International listing. *Local modification (for example, addition of an emergency backup chemical sanitizer) that does not void the NSF listing and that meets SANITIZATION requirements shall be APPROVED in writing by the REGULATORY AUTHORITY after the installation provides written documentation from NSF International that the system was evaluated and meets NSF standards.*

(B) Local permanent conversion from hot water to a chemical SANITIZING machine is prohibited.

**4-205.15 Warewashing machine, prohibition** †

(A) Except as specified in ¶ (B) of this section, or specifically authorized by the MEDICAL AUTHORITY in deployment locations, home-style WAREWASHING machines may not be used in a FOOD ESTABLISHMENT.

(B) Home-style dishwashers which meet NSF/ANSI Standard 184, “Residential Dishwashers” may be used in family-style guest houses such as the Wounded Warrior family quarters and demonstration kitchens in Middle Schools and Teen Facilities.

**4-3. Numbers and capacities**

**4-301 Equipment**

**4-301.11 Cooling, heating, and holding capacities**

EQUIPMENT for cooling and heating FOOD, and holding cold and hot FOOD, shall be sufficient in number and capacity to provide FOOD temperatures as specified under Chapter 3.

**4-301.12 Manual warewashing, sink compartment requirements**

(A) Except as specified in ¶ (C) of this section, a sink with at least three compartments shall be provided for manually washing, rinsing, and SANITIZING EQUIPMENT and UTENSILS.

(B) Sink compartments shall be large enough to accommodate immersion of the largest EQUIPMENT and UTENSILS routinely used in the FOOD ESTABLISHMENT. If EQUIPMENT or UTENSILS are too large for the WAREWASHING sink, a WAREWASHING machine or alternative EQUIPMENT as specified in ¶ (C) of this section shall be used.

(C) *Alternative manual WAREWASHING EQUIPMENT may be used when there are special cleaning needs or constraints and its use is APPROVED. Alternative manual WAREWASHING EQUIPMENT may include:*

- (1) *High-pressure detergent sprayers;*
- (2) *Low- or line-pressure spray detergent foamers;*
- (3) *Other task-specific cleaning EQUIPMENT;*
- (4) *Brushes or other implements;*
- (5) *Two-compartment sinks as specified under ¶¶ (D) and (E) of this section; or*
- (6) *Receptacles that substitute for the compartments of a multi-compartment sink.*

(D) Two-compartment sink. Before a two-compartment sink is used—

- (1) The PIC shall have its use APPROVED by the REGULATORY AUTHORITY; and
- (2) The PIC shall limit the number of KITCHENWARE items cleaned and SANITIZED in the two-compartment sink, and shall limit WAREWASHING to batch operations for cleaning KITCHENWARE, such as between cutting one type of raw MEAT and another or cleanup at the end of a shift, and shall—

(a) Make up the cleaning and SANITIZING solutions immediately before use and drain them immediately after use, and

(b) Use a detergent-SANITIZER to SANITIZE and apply the detergent-SANITIZER IAW the manufacturer's label instructions and as specified under § 4-501.115, or

(c) Use a hot water SANITIZATION immersion step as specified under ¶ 4-603.16(C).

(E) A two-compartment sink may not be used for WAREWASHING operations where cleaning and SANITIZING solutions are used for a continuous or intermittent flow of KITCHENWARE or TABLEWARE in an ongoing WAREWASHING process.

(F) Sink compartments shall be labeled with instructions, such as wash, rinse, sanitize, and air dry, along with the steps to properly prepare cleaning and chemical SANITIZING solutions. *Location of drainboards, booster heaters, etc. determines the direction of flow for WAREWASHING operations.* †

#### **4-301.13 Drainboards**

(A) Drainboards, UTENSIL racks, or tables large enough to accommodate all soiled and cleaned items that may accumulate during hours of operation shall be provided for necessary UTENSIL holding before cleaning and after SANITIZING.

(B) Except as stated in ¶ (C) this section, separate drainboards shall be provided for clean and soiled items. †

(C) *When separate drainboards are not available, the REGULATORY AUTHORITY may approve use of a single drainboard, rack, or cart provided a written procedure is in place to ensure the drainboard, rack, or cart is washed and sanitized before use with cleaned and sanitized EQUIPMENT and UTENSILS.* †

#### **4-301.14 Ventilation hood systems, adequacy**

Ventilation hood systems and devices shall be sufficient in number and capacity, as specified under § 6-304.12, to prevent grease or condensation from collecting on walls and ceilings.

#### **4-301.15 Clothes washers and dryers**

(A) Except as specified in ¶ (B) of this section, if work clothes or LINENS are laundered on the PREMISES, a mechanical clothes washer and dryer shall be provided and used.

(B) *If on-PREMISES laundering is limited to the wiping cloths intended to be used moist, or the wiping cloths are air-dried as specified under § 4-901.12, a mechanical clothes washer and dryer need not be provided.*

#### **4-301.16 Warewashing heating device, capacity** †

(A) The capacity and design of booster heaters and under-the-sink heaters shall be determined based on input water temperature, aggregate water-using EQUIPMENT requirements, and the WAREWASHING manufacturer's operating specifications.

(B) The under-the-sink booster heater for a three-compartment sink shall provide an adequate volume of hot water to maintain the wash, rinse, and sanitizing rinse temperatures as

specified under §§ 4-501.19, 4-501.111 and 4-501.114. *Separate booster heaters are allowed for wash, rinse, and final rinse compartments.*

#### ***4-302 Utensils, temperature measuring devices, and testing devices***

##### **4-302.11 Utensils, consumer self-service**

A FOOD-dispensing UTENSIL shall be available for each container displayed at a CONSUMER SELF-SERVICE unit such as a buffet or salad bar.

##### **4-302.12 Food temperature measuring devices**

(A) FOOD TEMPERATURE MEASURING DEVICES shall be provided and readily accessible for use in ensuring attainment and maintenance of FOOD temperatures as specified under Chapter 3.

(B) A TEMPERATURE MEASURING DEVICE with a suitable small diameter probe that is designed to measure the temperature of thin masses, *such as a thermocouple*, shall be provided and readily accessible to accurately measure the temperature in thin FOODS such as MEAT patties and FISH filets.

##### **4-302.13 Temperature measuring devices, manual warewashing**

In manual WAREWASHING operations, a TEMPERATURE MEASURING DEVICE shall be provided and readily accessible for frequently measuring the washing and SANITIZING temperatures.

##### **4-302.14 Sanitizing solutions, testing devices**

A test kit or other device that accurately measures the concentration in mg/L or in ppm of SANITIZING solutions shall be provided and used any time a chemical sanitizer is used.

#### **4-4. Location and installation**

##### ***4-401 Location***

##### **4-401.10 General installation<sup>†</sup>**

Foodservice EQUIPMENT shall be installed using guidance provided in NSF International's *Installation Manual for Food Service Equipment*, USACHPPM TG No. 194, or the FDA *Food Establishment Plan Review Guide* 2000, and the requirements specified in Part 4-4 of this publication.

##### **4-401.11 Equipment, clothes washers and dryers, and storage cabinets, contamination prevention**

(A) Except as specified in ¶ (B) of this section, EQUIPMENT, a cabinet used for the storage of FOOD, or a cabinet that is used to store cleaned and SANITIZED EQUIPMENT, UTENSILS, laundered LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES may not be located:

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

(B) *A storage cabinet used for LINENS or SINGLE-SERVICE or SINGLE-USE ARTICLES may be stored in a locker room.*

(C) If a mechanical clothes washer or dryer is provided, it shall be located so that the washer or dryer is protected from contamination and only where there is no exposed FOOD; no clean EQUIPMENT, UTENSILS, and LINENS; and no unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

#### **4-401.12 Ice machines** †

Ice machines shall be installed in a clean area that allows adequate space for safe handling of ice and does not present a RISK for ice contamination.

### **4-402 Installation**

#### **4-402.11 Fixed equipment, spacing or sealing**

(A) EQUIPMENT that is fixed because it is not EASILY MOVABLE shall be installed so that it is:

- (1) Spaced to allow access for cleaning along the sides, behind, and above the EQUIPMENT; or
- (2) Spaced from adjoining EQUIPMENT, walls, and ceilings a distance of not more than one thirty-second (1/32) inch (1 millimeter); or
- (3) SEALED to adjoining EQUIPMENT or walls, if the EQUIPMENT is exposed to spillage or seepage.

(B) COUNTER-MOUNTED EQUIPMENT that is not EASILY MOVABLE shall be installed to allow cleaning of the EQUIPMENT and areas underneath and around the EQUIPMENT by being:

- (1) SEALED; or
- (2) Elevated on legs as specified under ¶ 4-402.12(D).

#### **4-402.12 Fixed equipment, elevation or sealing**

(A) Except as specified in ¶¶ (B) and (C) of this section, floor-mounted EQUIPMENT that is not EASILY MOVABLE shall be SEALED to the floor or elevated on legs that provide at least a 6-inch (15 centimeters) clearance between the floor and the EQUIPMENT.

(B) *If no part of the floor under the floor-mounted EQUIPMENT is more than 6 inches*

*(15 centimeters) from the point of cleaning access, the clearance space may be only 4 inches (10 centimeters).*

*(C) This section does not apply to display shelving units, display refrigeration units, and display freezer units located in the CONSUMER shopping areas of a retail FOOD store, if the floor under the units is maintained clean.*

*(D) Except as specified in ¶ (E) of this section, COUNTER-MOUNTED EQUIPMENT that is not EASILY MOVABLE shall be elevated on legs that provide at least a 4-inch (10 centimeter) clearance between the table and the EQUIPMENT.*

*(E) The clearance space between the table and COUNTER-MOUNTED EQUIPMENT may be:*

*(1) Three inches (7.5 centimeters) if the horizontal distance of the table top under the EQUIPMENT is no more than 20 inches (50 centimeters) from the point of access for cleaning; or*

*(2) Two inches (5 centimeters) if the horizontal distance of the table top under the EQUIPMENT is no more than 3 inches (7.5 centimeters) from the point of access for cleaning.*

#### **4-5. Maintenance and operation**

##### **4-501 Equipment**

###### **4-501.10 Maintenance program** †

*(A) Government and contract FOOD ESTABLISHMENT managers should coordinate with foodservice EQUIPMENT maintenance personnel, as appropriate, to meet the provisions of Subparts 4-501 and 4-502.*

*(B) A semiannual cleaning program should be established for electric motors, refrigeration compressors, controls, and other areas of foodservice EQUIPMENT not normally accessed by FOOD EMPLOYEES. *Cleaning program intent is to improve the operation of the equipment and reduce insect and rodent harborage.**

###### **4-501.11 Good repair and proper adjustment**

*(A) EQUIPMENT shall be maintained in a state of repair and condition that meets the requirements specified under Parts 4-1 and 4-2. The REGULATORY AUTHORITY shall limit or restrict use of EQUIPMENT with FOOD-CONTACT SURFACES that present HAZARDS due to cracks, chips, and similar imperfections.*

*(B) EQUIPMENT components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted IAW manufacturer's specifications.*

*(C) Cutting or piercing parts of can openers shall be kept sharp to minimize the creation of metal fragments that can contaminate FOOD when the container is opened.*

*(D) The REGULATORY AUTHORITY may authorize continued use of foodservice EQUIPMENT or UTENSILS that do not meet NSF International standards but are APPROVED as specified under §§ 4-205.10, 4-205.11, and 4-205.12, are serviceable, and do not present a HAZARD. †*

**4-501.12 Cutting surfaces**

Surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced, if they can no longer be effectively cleaned and SANITIZED, or discarded if they are not capable of being resurfaced.

**4-501.13 Microwave ovens**

Microwave ovens shall meet the safety standards specified in 21 CFR 1030.10, Microwave ovens.

**4-501.14 Warewashing equipment, cleaning frequency**

A WAREWASHING machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing EQUIPMENT, UTENSILS, or raw FOODS, or laundering wiping cloths; and drainboards or other EQUIPMENT used to substitute for drainboards as specified under § 4-301.13 shall be cleaned—

- (A) Before use;
- (B) Throughout the day at a frequency necessary to prevent recontamination of EQUIPMENT and UTENSILS and to ensure that the EQUIPMENT performs its intended function; and
- (C) If used, at least every 24 hours.
- (D) WAREWASHING machines shall be drained and cleaned after each scheduled serving period. †

**4-501.15 Warewashing machines, manufacturers' operating instructions**

(A) A WAREWASHING machine and its auxiliary components shall be operated IAW the machine's data plate and other manufacturer's instructions.

(B) A WAREWASHING machine's conveyor speed and/or automatic cycle times shall be maintained as accurately timed IAW manufacturer's specifications.

**4-501.16 Warewashing sinks, use limitation**

(A) A WAREWASHING sink may not be used for handwashing as specified under § 2-301.15.

(B) If a WAREWASHING sink is used to wash wiping cloths, wash produce, or thaw FOOD, the sink shall be cleaned as specified under § 4-501.14 before and after each time it is used to wash wiping cloths, wash produce, or thaw FOOD. Sinks used to wash produce or thaw FOOD shall be SANITIZED as specified under Part 4-7 before and after using the sink to wash produce or thaw FOOD.

**4-501.17 Warewashing equipment, cleaning agents**

When used for WAREWASHING, the wash compartment of a sink, mechanical warewasher, or wash receptacle of alternative manual WAREWASHING EQUIPMENT as specified in

¶ 4-301.12(C), shall contain a wash solution of soap, detergent, acid cleaner, alkaline cleaner, degreaser, abrasive cleaner, or other cleaning agent according to the cleaning agent manufacturer's label instructions.

#### **4-501.18 Warewashing equipment, clean solutions**

The wash, rinse, and SANITIZE solutions shall be maintained clean.

#### **4-501.19 Manual warewashing equipment, wash and rinse solution temperature**

(A) The temperature of the wash solution in manual WAREWASHING EQUIPMENT shall be maintained at not less than either 110°F (43°C) or the temperature specified on the cleaning agent manufacturer's label instructions.

(B) The temperature of the rinse solution in manual WAREWASHING EQUIPMENT shall be maintained at not less than 120°F (49°C). †

#### **4-501.110 Mechanical warewashing equipment, wash solution temperature**

(A) The temperature of the wash solution in spray type warewashers that use hot water to SANITIZE may not be less than—

- (1) For a stationary rack, single temperature machine, 165°F (74°C);
- (2) For a stationary rack, dual temperature machine, 150°F (66°C);
- (3) For a single tank, conveyor, dual temperature machine, 160°F (71°C); or
- (4) For a multi-tank, conveyor, multi-temperature machine, 150°F (66°C).

(B) The temperature of the wash solution in spray-type warewashers that use chemicals to SANITIZE may not be less than 120°F (49°C).

#### **4-501.111 Manual warewashing equipment, hot water sanitization temperatures**

If immersion in hot water is used for SANITIZING in a manual operation, the temperature of the water shall be maintained at 171°F (77°C) or above.

#### **4-501.112 Mechanical warewashing equipment, hot water sanitization temperatures**

(A) Except as specified in ¶ (B) of this section, in a mechanical operation, the temperature of the fresh hot water SANITIZING rinse as it enters the manifold may not be more than 194°F (90°C), or less than—

- (1) For a stationary rack, single temperature machine, 165°F (74°C); or
- (2) For all other machines, 180°F (82°C).

(B) *The maximum temperature specified under ¶ (A) of this section does not apply to the high pressure and temperature systems with wand-type, hand-held, spraying devices used for the in-place cleaning and SANITIZING of EQUIPMENT such as meat saws.*

(C) *Checking temperatures in WAREWASHING machines may be accomplished using the guidelines contained in NSF International's pamphlet "Recommended Field Evaluation Procedures for Spray-Type Dishwashing Machines." Additionally, temperature-sensitive tape capable of measuring plate temperatures within the 160°F (71°C) requirement should be used to check the final dish temperature for hot-water SANITIZING WAREWASHING machines. †*

**4-501.113 Mechanical warewashing equipment, sanitization pressure**

The flow pressure of the fresh hot water SANITIZING rinse in a WAREWASHING machine, as measured in the water line immediately downstream or upstream from the fresh hot water SANITIZING rinse control valve, shall be within the range specified on the machine manufacturer’s data plate and may not be less than 5 pounds per square inch (35 kilopascals) or more than 30 pounds per square inch (200 kilopascals).

**4-501.114 Manual and mechanical warewashing equipment, chemical sanitization—temperature, pH, concentration, and hardness\***

A chemical SANITIZER used in a SANITIZING solution for a manual or mechanical operation at contact times specified under ¶ 4-703.11(C) shall meet the criteria specified under § 7-204.11 Sanitizers, Criteria, shall be used IAW the EPA-registered label use instructions, and shall be used as follows:

(A) A chlorine solution shall have a minimum temperature based on the concentration and pH of the solution as listed in Table 4-2;

**Table 4-2. Minimum prescribed water temperatures for chlorine concentrations**

| Concentration Range | Minimum Temperature      |                         |
|---------------------|--------------------------|-------------------------|
|                     | pH 10 or less<br>°F (°C) | pH 8 or less<br>°F (°C) |
| 25 – 49             | 120 (49)                 | 120 (49)                |
| 50 – 99             | 100 (38)                 | 75 (24)                 |
| 100                 | 55 (13)                  | 55 (13)                 |

(B) An iodine solution shall have a—

(1) Minimum temperature of 68°F (20°C),

(2) A pH of 5.0 or less or a pH no higher than the level for which the manufacturer specifies the solution is effective, and

(3) Concentration between 12.5 mg/L and 25 mg/L;

(C) A quaternary ammonium compound solution shall—

(1) Have a minimum temperature of 75°F (24°C),

(2) Have a concentration as specified under § 7-204.11 and as indicated by the manufacturer’s use directions included in the labeling, and

(3) Be used only in water with 500 mg/L hardness or less or in water having a hardness no greater than specified by the EPA-registered label use instructions;

(D) If another solution of a chemical specified under ¶¶ (A)–(C) of this section is used, the PIC shall demonstrate to the REGULATORY AUTHORITY that the solution achieves SANITIZATION and the use of the solution shall be APPROVED; or

(E) If a chemical SANITIZER other than chlorine, iodine, or a quaternary ammonium compound is used, it shall be applied IAW the EPA-registered label use instructions.

**4-501.115 Manual warewashing equipment, chemical sanitization using detergent-sanitizers**

If a detergent-SANITIZER is used to SANITIZE in a cleaning and SANITIZING procedure where there is no distinct water rinse between the washing and SANITIZING steps, the agent applied in the SANITIZING step shall be the same detergent-SANITIZER that is used in the washing step.

**4-501.116 Warewashing equipment, determining chemical sanitizer concentration**

(A) Concentration of the SANITIZING solution in manual and mechanical WAREWASHING shall be accurately determined by using a test kit or other device.

(B) *The pH of the SANITIZING solution should be accurately determined when chlorine or iodine SANITIZERS are used, and the total hardness of the water should be determined prior to using quaternary ammonium SANITIZERS. FOOD ESTABLISHMENTS may request assistance from the REGULATORY AUTHORITY at the beginning of operation and at least annually for determining pH and water hardness.* †

(C) Concentration of the SANITIZING solution shall be determined when the sanitizer solutions are initially prepared for manual WAREWASHING and throughout the period of use. For mechanical WAREWASHING, the residual concentration shall be measured at least daily on the dish or utensil surface at the end of the sanitizing cycle. The interval for testing the concentration can be lengthened with approval of the REGULATORY AUTHORITY based on a history of consistent stable results. *For WAREWASHING machines with a POTABLE rinse after the chemical sanitizing rinse, the POTABLE rinse must be turned off during chemical testing.* †

**4-501.200 Chlorine sanitizing solution, preparation** †

Standard, non-scented household-type bleach or calcium hypochlorite (rated at 5 to 6 percent chlorine concentration) should be used to prepare a chlorine sanitizing solution. Prepare a 100-ppm Free Available Chlorine (FAC) SANITIZING solution concentration by mixing 2 tablespoons (1 ounce) of bleach in 4 gallons of water.

**4-502 Utensils and temperature and pressure measuring devices**

**4-502.11 Good repair and calibration**

(A) UTENSILS shall be maintained in a state of repair or condition that complies with the requirements specified under Parts 4-1 and 4-2 or shall be discarded.

(B) FOOD TEMPERATURE MEASURING DEVICES shall be calibrated IAW the manufacturer's specifications as necessary to ensure the DEVICES' accuracy.

(C) Ambient air temperature, water pressure, and water TEMPERATURE MEASURING DEVICES shall be maintained in good repair and accurate within the intended range of use.

**4-502.12 Single-service and single-use articles, required use\***

A FOOD ESTABLISHMENT without facilities specified under Parts 4-6 and 4-7 for cleaning and SANITIZING KITCHENWARE and TABLEWARE shall provide only SINGLE-USE KITCHENWARE, SINGLE-SERVICE ARTICLES, and SINGLE-USE ARTICLES for use by FOOD EMPLOYEES and only SINGLE-SERVICE ARTICLES for use by CONSUMERS.

**4-502.13 Single-service and single-use articles, use limitation**

SINGLE-SERVICE and SINGLE-USE ARTICLES may not be reused.

**4-502.14 Shells, use limitation**

Mollusk, crustacean, and similar shells with the shellfish intact (as received in the natural state) may not be used more than once as serving containers.

**4-503 Ice machines**

**4-503.11 Maintenance of ice machines<sup>†</sup>**

(A) Ice machines shall be cleaned and sanitized as specified under Subparagraph 4-602.11(E)(4).

(B) The procedures and frequency for cleaning and SANITIZING ice machines shall be provided in a standing operating procedure (SOP) by the FOOD ESTABLISHMENT for FOOD EMPLOYEES.

(C) Ice machine water and air filters shall be changed at a frequency recommended by the manufacturer or at least once every 6 months; and

(D) Filter changes shall be documented in a maintenance log or annotated on the filter using permanent marker, indicating the date and name of the person who replaced the filter. Maintenance logs shall be available onsite for inspection by the REGULATORY AUTHORITY.

**4-503.12 Operation, restrictions<sup>†</sup>**

(A) Except as specified in ¶ (B) of this section, the responsibility for packaging ice and cleaning and SANITIZING ice machines is restricted to EMPLOYEES who have received proper FOOD sanitation training as specified under § 2-501.11, Subpart 2-503, and § 2-504.13.

(B) *Cleaning and SANITIZING of ice machines may be performed by the equipment manufacturer or qualified cleaning personnel, as specified in the facility's service contract.*

**4-6. Cleaning of equipment and utensils**

**4-601 Objective**

**4-601.11 Equipment, food-contact surfaces, nonfood-contact surfaces, and utensils\***

(A) EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be clean to sight and touch.

(B) The FOOD-CONTACT SURFACES of cooking EQUIPMENT and pans shall be kept free of encrusted grease deposits and other soil accumulations.<sup>N</sup>

(C) NonFOOD-CONTACT SURFACES of EQUIPMENT shall be kept free of an accumulation of dust, dirt, FOOD residue, and other debris.<sup>N</sup>

**4-602 Frequency**

**4-602.11 Equipment food-contact surfaces and utensils\***

(A) EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be cleaned–

(1) Except as specified in ¶ (B) of this section, before each use with a different type of raw animal FOOD such as beef, FISH, lamb, pork, or POULTRY;

(2) Each time there is a change from working with raw FOODS to working with READY-TO-EAT FOODS;

(3) Between uses with raw FF&V and PHF(TSC) FOODS;

(4) Before using or storing a FOOD TEMPERATURE MEASURING DEVICE; and

(5) At any time during the operation when contamination may have occurred.

(B) *Subparagraph (A)(1) of this section does not apply if the FOOD-CONTACT SURFACE or UTENSIL is in contact with a succession of different raw animal FOODS each requiring a higher cooking temperature as specified under § 3-401.11 than the previous FOOD, such as preparing raw FISH followed by cutting raw poultry on the same cutting board.*

(C) Except as specified in ¶ (D) of this section, if used with PHF(TSC) FOOD, EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be cleaned throughout the day at least every 4 hours.

(D) *Surfaces of UTENSILS and EQUIPMENT contacting PHF(TSC) FOOD may be cleaned less frequently than every 4 hours if–*

(1) *In storage, containers of PHF(TSC) FOOD and their contents are maintained at temperatures specified under Chapter 3 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 one of the temperatures in Table 4-3 and:*

(a) *The UTENSILS and EQUIPMENT are cleaned at the frequency and corresponding temperature noted in Table 4-3; and*

**Table 4-3. Cleaning frequencies for refrigerated food preparation rooms**

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

(b) *The cleaning frequency based on the ambient temperature of the refrigerated room or area is documented in the FOOD ESTABLISHMENT.*

(3) Containers in serving situations such as salad bars, delis, and cafeteria lines hold READY-TO-EAT PHF(TSC) FOOD that is maintained at the temperatures specified under Chapter 3, are intermittently combined with additional supplies of the same FOOD that is at the required temperature, and the containers are cleaned at least every 24 hours;

(4) TEMPERATURE MEASURING DEVICES are maintained in contact with FOOD, such as when left in a container of deli FOOD or in a roast, held at temperatures specified under Chapter 3;

(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:

(a) Characteristics of the EQUIPMENT and its use,

(b) The type of FOOD involved,

(c) The amount of FOOD residue accumulation, and

(d) The temperature at which the FOOD is maintained during the operation and the potential for the rapid and progressive multiplication of pathogenic or toxigenic microorganisms that are capable of causing foodborne disease; or

(7) In-use UTENSILS are intermittently stored in a container of water in which the water is maintained at 135°F (57°C) or more and the UTENSILS and container are cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues.

(8) Except for ice-cream type dipper-wells, which have continuous flowing water, in-use UTENSILS may not be stored in a container with the water temperature below 135°F (57°C).<sup>†</sup>

(E) Except when dry cleaning methods are used as specified under § 4-603.11, surfaces of UTENSILS and EQUIPMENT contacting FOOD that is not PHF(TSC) FOOD shall be cleaned:<sup>N</sup>

(1) At any time when contamination may have occurred;

(2) At least every 24 hours for iced tea dispensers and every 8 hours for CONSUMER SELF-SERVICE UTENSILS such as tongs, scoops, or ladles;

(3) Before restocking CONSUMER self-service EQUIPMENT and UTENSILS such as condiment dispensers and display containers; and

(4) In EQUIPMENT such as ice bins and BEVERAGE dispensing nozzles and enclosed components of EQUIPMENT such as ice makers, cooking oil storage tanks and distribution lines, BEVERAGE and syrup dispensing lines or tubes, coffee bean grinders, and water vending EQUIPMENT:

(a) At a frequency specified by the manufacturer, or

(b) Absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold and to prevent insect attraction.

(c) Surfaces that accumulate grease, sugars, and syrup shall be cleaned and SANITIZED daily.<sup>†</sup>

(d) Ice machines and dispensers are emptied, drained, cleaned, and SANITIZED at least every 30 days or as often as necessary to prevent accumulation of mold, mildew, or other debris. Frequency may be increased by the REGULATORY AUTHORITY based on local conditions.<sup>†</sup>

#### **4-602.12 Cooking and baking equipment**

(A) The FOOD-CONTACT SURFACES of cooking and baking EQUIPMENT shall be cleaned at least every 24 hours. *This section does not apply to hot oil cooking and filtering EQUIPMENT if it is cleaned as specified in Subparagraph 4-602.11(D)(6).*

(B) The cavities and door seals of microwave ovens shall be cleaned at least every 24 hours by using the manufacturer's recommended cleaning procedure.

#### **4-602.13 Nonfood-contact surfaces**

(A) NonFOOD-CONTACT SURFACES of EQUIPMENT shall be cleaned at a frequency necessary to preclude accumulation of soil residues.

(B) Exhaust and ventilation hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned at frequent intervals to prevent accumulation of grease, dirt, or other contaminants. †

(C) Collection containers attached to drip trays on grease removal devices shall be cleaned at least weekly. Collected grease shall be stored in a container with a tight-fitting lid as specified under § 5-501.113. †

### **4-603 Methods**

#### **4-603.11 Dry cleaning**

(A) If used, dry cleaning methods such as brushing, scraping, and vacuuming shall contact only SURFACES that are soiled with dry FOOD residues that are not a PHF(TSC) FOOD.

(B) Cleaning EQUIPMENT used in dry cleaning FOOD-CONTACT SURFACES may not be used for any other purpose.

#### **4-603.12 Pre-cleaning**

(A) FOOD debris on EQUIPMENT and UTENSILS shall be scrapped over a waste disposal unit or garbage receptacle or shall be removed in a WAREWASHING machine with a prewash cycle.

(B) If necessary for effective cleaning, UTENSILS and EQUIPMENT shall be pre-flushed, pre-soaked, or scrubbed with abrasives. *Personal protective equipment, such as WAREWASHING gloves and aprons, should be provided for EMPLOYEE safety if the water temperature exceeds 110°F (43°C).*

#### **4-603.13 Loading of soiled items, warewashing machines**

Soiled items to be cleaned in a WAREWASHING machine shall be loaded into racks, trays, or baskets or onto conveyors in a position that—

(A) Exposes the items to the unobstructed spray from all cycles; and

(B) Allows the items to drain.

#### 4-603.14 Wet cleaning

(A) EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be effectively washed to remove or completely loosen soils by using the manual or mechanical means necessary such as the application of detergents containing wetting agents and emulsifiers; acid, alkaline, or abrasive cleaners; hot water; brushes; scouring pads; high-pressure sprays; or ultrasonic devices.

(B) The washing procedures selected shall be based on the type and purpose of the EQUIPMENT or UTENSIL, and on the type of soil to be removed.

(C) Grease removal devices and grease filters shall be cleaned using APPROVED cleaning chemicals. *Refer to 21 CFR 178.1010 or the NSF White Book for a listing of approved chemicals.* †

(D) Wet cleaning using a three-compartment sink: †

(1) Sinks shall be thoroughly cleaned, rinsed, and SANITIZED before each use or at a frequency to prevent recontamination of EQUIPMENT and UTENSILS.

(2) Wash EQUIPMENT and UTENSILS in the first compartment of the three-compartment sink with a hot detergent solution as specified in ¶ 4-501.19(A).

(3) Drain and prepare a fresh detergent solution when the water becomes visibly soiled with food debris or grease residue.

(4) APPROVED wash solutions shall be used per the manufacturer's instructions.

(E) Use of flammable solvents or other flammable cleaning products is strictly prohibited. †

(F) Wet cleaning using a two-compartment sink: †

(1) A two-compartment sink shall be used only as specified in ¶ 4-301.12(D).

(2) Washing, rinsing, and SANITIZING shall be accomplished as specified in ¶¶ (A) and (D) of this section and under §§ 4-501.115, 4-603.16 and 4-703.11.

(G) *Basic guidance on mechanical cleaning and SANITIZING is contained in MIL HDBK-740 and NSF International's pamphlet "Recommended Field Evaluation Procedures for Spray-Type Dishwashing Machines."* †

#### 4-603.15 Washing, procedures for alternative manual warewashing equipment

If washing in sink compartments or a WAREWASHING machine is impractical, such as when the EQUIPMENT is fixed or the UTENSILS are too large, washing shall be done by using alternative manual WAREWASHING EQUIPMENT as specified in ¶ 4-301.12(C) IAW the following procedures:

(A) EQUIPMENT shall be disassembled as necessary to allow access of the detergent solution to all parts;

(B) EQUIPMENT components and UTENSILS shall be scrapped or rough cleaned to remove FOOD particle accumulation; and

(C) EQUIPMENT and UTENSILS shall be washed as specified under ¶ 4-603.14(A).

#### 4-603.16 Rinsing procedures

Washed UTENSILS and EQUIPMENT shall be rinsed so that abrasives are removed and cleaning chemicals are removed or diluted through the use of water or a detergent-sanitizer solution by using one of the following procedures:

- (A) Use of a distinct, separate water rinse after washing and before SANITIZING if using:
  - (1) A three-compartment sink, rinse in the second compartment with POTABLE water that is kept clean and maintained as specified in ¶ 4-501.19(B);
  - (2) Alternative manual WAREWASHING EQUIPMENT equivalent to a three-compartment sink as specified in ¶ 4-301.12(C), or
  - (3) A three-step washing, rinsing, and SANITIZING procedure in a WAREWASHING system for CIP EQUIPMENT;
- (B) Use of a detergent-SANITIZER as specified under § 4-501.115 if using:
  - (1) Alternative WAREWASHING EQUIPMENT as specified in ¶ 4-301.12(C) that is APPROVED for use with a detergent-SANITIZER, or
  - (2) A WAREWASHING system for CIP EQUIPMENT;
- (C) Use of a non-distinct water rinse that is integrated in the hot water SANITIZATION immersion step of a two-compartment sink operation;
- (D) If using a WAREWASHING machine that does not recycle the SANITIZING solution as specified under ¶ (E) of this section, or alternative manual WAREWASHING EQUIPMENT such as sprayers, use of a non-distinct water rinse that is—
  - (1) Integrated in the application of the SANITIZING solution, and
  - (2) Wasted immediately after each application; or
- (E) If using a WAREWASHING machine that recycles the SANITIZING solution for use in the next wash cycle, use of non-distinct water rinse that is integrated in the application of the SANITIZING solution.

#### 4-603.17 Returnables, cleaning for refilling\*

(A) Except as specified in ¶¶ (B) and (C) of this section, returned empty containers intended for cleaning and refilling with FOOD shall be cleaned and refilled in a regulated FOOD PROCESSING PLANT.

(B) *A FOOD-specific container for BEVERAGES may be refilled at a FOOD ESTABLISHMENT if:*

- (1) *Only a BEVERAGE that is not a PHF(TSC) is used as specified under ¶ 3-304.17(A);*
- (2) *The design of the container and of the rinsing EQUIPMENT and the nature of the BEVERAGE, when considered together, allow effective cleaning at home or in the FOOD ESTABLISHMENT;*
- (3) *Facilities for rinsing before refilling returned containers with fresh, hot water that is under pressure and not recirculated are provided as part of the dispensing system;*
- (4) *The CONSUMER-owned container returned to the FOOD ESTABLISHMENT for refilling is refilled for sale or service only to the same CONSUMER; and*
- (5) *The container is refilled by:*
  - (a) *An EMPLOYEE of the FOOD ESTABLISHMENT, or*

(b) *The owner of the container if the BEVERAGE system includes a contamination-free transfer process that cannot be bypassed by the container owner.*

(C) *CONSUMER-owned containers that are not FOOD-specific may be filled at a water VENDING MACHINE or system.*

**4-603.18 Steel wool prohibition** †

Steel wool or steel wool pads may not be used for cleaning FOOD-CONTACT SURFACES in any foodservice operation. *Use of woven brass or plastic pads is authorized for scrubbing pots and pans, barbeque grills, and stove cooking surfaces provided the pads are cleaned and SANITIZED after each cleanup period.*

**4-7. Sanitization of equipment and utensils**

**4-701 Objective**

**4-701.10 Food-contact surfaces and utensils**

EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be SANITIZED as specified under §§ 4-702.11 and 4-703.11.

**4-702 Frequency**

**4-702.11 Before use after cleaning\***

UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT shall be SANITIZED before use after cleaning.

**4-703 Methods**

**4-703.11 Hot water, chemical, and steam\***

After being cleaned, EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be SANITIZED in:

(A) Hot water manual operations by immersion in the third compartment of a three-compartment sink for at least 30 seconds and as specified under § 4-501.111;

(B) Hot water mechanical operations by being cycled through EQUIPMENT that is set up as specified under §§ 4-501.15, 4-501.112, and 4-501.113 and achieving a UTENSIL surface temperature of 160°F (71°C) as measured by an irreversible registering temperature indicator; or

(C) Chemical manual or mechanical operations, including the application of SANITIZING chemicals by immersion, manual swabbing, brushing, or pressure spraying methods, using a solution as specified under § 4-501.114. Contact times shall be consistent with those on EPA-registered label use instructions by providing:

(1) Except as specified under Subparagraph (C)(2) of this section, a contact time of at least 15 seconds for a chlorine solution specified under ¶ 4-501.114(A),

(2) A contact time of at least 7 seconds for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 100°F (38°C) or a pH of 8 or less and a temperature of at least 75°F (24°C),

(3) A contact time of at least 30 seconds for other chemical SANITIZING solutions, or

(4) A contact time used in relationship with a combination of temperature, concentration, and pH that, when evaluated for efficacy, yields SANITIZATION as defined in the Glossary.

(5) A second clear POTABLE water rinse shall be applied to SANITIZED EQUIPMENT and UTENSILS if the sanitizing solution concentration exceeds the following values: †

(a) Chlorine solution is 200 mg/L or more;

(b) Iodine solution is 25 mg/L or more; or

(c) Quaternary ammonium solution is 200 mg/L or more.

(D) *Hot water sanitization is preferred over using chemical sanitizers because drying time is significantly reduced (see § 4-901.11).*

(E) Except as specified under § 5-101.14, direct, live-steam injection to heat SANITIZING water in manual WAREWASHING operations is prohibited. †

## **4-8. Laundering**

### ***4-801 Objective***

#### **4-801.11 Clean linens**

Clean LINENS shall be free from FOOD residues and other soiling matter.

### ***4-802 Frequency***

#### **4-802.11 Specifications**

(A) LINENS that do not come in direct contact with FOOD shall be laundered between operations if the LINENS become wet, sticky, or visibly soiled.

(B) Cloth gloves used as specified in ¶ 3-304.15(D) shall be laundered before being used with a different type of raw animal FOOD such as beef, FISH, lamb, pork or POULTRY.

(C) LINENS and napkins that are used as specified under § 3-304.13 and cloth napkins shall be laundered between each use.

(D) Wet wiping cloths shall be laundered daily.

(E) Dry wiping cloths shall be laundered as necessary to prevent the contamination of FOOD and clean serving UTENSILS.

### ***4-803 Methods***

#### **4-803.11 Storage of soiled linens**

Soiled LINENS shall be kept in clean, nonabsorbent receptacles or clean, washable laundry bags and stored and transported to prevent contamination of FOOD, clean EQUIPMENT, clean UTENSILS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

#### **4-803.12 Mechanical washing**

(A) Except as specified in ¶ (B) of this section, LINENS shall be mechanically washed.

(B) *In FOOD ESTABLISHMENTS in which only wiping cloths are laundered as specified in ¶ 4-301.15(B), the wiping cloths may be laundered in a mechanical washer, a sink designated only for laundering wiping cloths, or a WAREWASHING or FOOD preparation sink that is cleaned as specified under § 4-501.14.*

#### **4-803.13 Use of laundry facilities**

(A) Except as specified in ¶ (B) of this section, laundry facilities on the PREMISES of a FOOD ESTABLISHMENT shall be used only for the washing and drying of items used in the operation of the establishment.

(B) *Separate laundry facilities located on the PREMISES for the purpose of general laundering such as for institutions providing boarding and lodging (to include FCC homes) may also be used for laundering FOOD ESTABLISHMENT items.*

### **4-9. Protection of clean items**

#### **4-901 Drying**

##### **4-901.11 Equipment and utensils, air-drying required**

After cleaning and SANITIZING, EQUIPMENT and UTENSILS:

(A) Shall be air-dried or used after adequate draining as specified in the first paragraph of 40 CFR 180.940, Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions), before contact with FOOD; and

(B) May not be cloth dried *except that UTENSILS that have been air-dried may be polished with cloths that are maintained clean and dry.*

(C) *Use of chemical sanitization increases drying time as compared with hot water sanitization. It also increases the space requirements for drying and storing utensils as well as the amount of utensils and cooking equipment needed to support the operation. If used, drying chemicals must be APPROVED for use on FOOD-CONTACT SURFACES without POTABLE water rinse.*<sup>†</sup>

##### **4-901.12 Wiping cloths, air-drying locations**

Wiping cloths laundered in a FOOD ESTABLISHMENT that does not have a mechanical clothes dryer as specified in ¶ 4-301.15(B) shall be air-dried in a location and in a manner that prevents contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES and recontamination of the wiping cloths. *This*

*section does not apply if wiping cloths are stored after laundering in a SANITIZING solution as specified under § 4-501.114.*

#### **4-902 Lubricating and reassembling**

##### **4-902.11 Food-contact surfaces**

Lubricants as specified under § 7-205.11 shall be applied to FOOD-CONTACT SURFACES that require lubrication in a manner that does not contaminate FOOD-CONTACT SURFACES.

##### **4-902.12 Equipment**

EQUIPMENT shall be reassembled so that FOOD-CONTACT SURFACES are not contaminated.

#### **4-903 Storing**

##### **4-903.11 Equipment, utensils, linens, and single-service and single-use articles**

(A) Except as specified in ¶ (D) of this section, cleaned EQUIPMENT and UTENSILS, laundered LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES shall be stored:

- (1) In a clean, dry location;
- (2) Where they are not exposed to splash, dust, or other contamination; and
- (3) At least 6 inches (15 centimeters) above the floor.

(B) Clean EQUIPMENT and UTENSILS shall be stored as specified under ¶ (A) of this section and shall be stored:

- (1) In a self-draining position that allows air drying; and
- (2) Covered or inverted.

(C) SINGLE-SERVICE and SINGLE-USE ARTICLES shall be stored as specified under ¶ (A) of this section and shall be kept in the original protective PACKAGE or stored by using other means that afford protection from contamination until used.

(D) *Items that are kept in closed PACKAGES may be stored less than 6 inches (15 centimeters) above the floor on dollies, pallets, racks, and skids that are designed as specified under § 4-204.122.*

##### **4-903.12 Prohibitions**

(A) Except as specified in ¶ (B) of this section, cleaned and SANITIZED EQUIPMENT, UTENSILS, laundered LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES may not be stored:

- (1) In locker rooms;
- (2) In toilet rooms;
- (3) In garbage rooms;
- (4) In mechanical rooms;
- (5) Under sewer lines that are not shielded to intercept potential drips;

- (6) Under leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed;
- (7) Under open stairwells; or
- (8) Under other sources of contamination.

(B) *Laundered LINENS and SINGLE-SERVICE and SINGLE-USE ARTICLES that are PACKAGED or in a facility such as a cabinet may be stored in a locker room.*

#### **4-904 Preventing contamination**

##### **4-904.11 Kitchenware and tableware**

(A) SINGLE-SERVICE and SINGLE-USE ARTICLES and cleaned and SANITIZED UTENSILS shall be handled, displayed, and dispensed so that contamination of FOOD- and lip-contact surfaces is prevented.

(B) Knives, forks, and spoons that are not pre-wrapped shall be presented so that only the handles are touched by EMPLOYEES and by CONSUMERS if CONSUMER SELF-SERVICE is provided.

(C) When inserting bulk-PACKAGED, SINGLE-SERVICE TABLEWARE into holders or wrapping them, FOOD EMPLOYEES shall wash their hands immediately prior to sorting or wrapping the UTENSILS.

(D) Except as specified under ¶ (B) of this section, SINGLE-SERVICE ARTICLES that are intended for FOOD or lip contact shall be furnished for CONSUMER self-service with the original individual wrapper intact or from an APPROVED dispenser.

##### **4-904.12 Soiled and clean tableware**

Soiled TABLEWARE shall be removed from CONSUMER eating and drinking areas and handled so that clean TABLEWARE is not contaminated.

##### **4-904.13 Preset tableware**

(A) TABLEWARE that is preset shall be protected from contamination by being wrapped, covered, or inverted.

(B) *Preset TABLEWARE is considered exposed if unused settings are not immediately removed when a CONSUMER is seated.*

(C) *Settings not removed when a CONSUMER is seated shall be cleaned and SANITIZED before further use.*

##### **4-904.14 Rinsing equipment and utensils after cleaning and sanitizing**

After being cleaned and SANITIZED, EQUIPMENT and UTENSILS shall not be rinsed before air drying or use unless—

(A) The rinse is applied directly from a DRINKING water supply by a WAREWASHING machine that is maintained and operated as specified under Subparts 4-204 and 4-501; and

(B) The rinse is applied only after the EQUIPMENT and UTENSILS have been SANITIZED by the application of hot water or by the application of a chemical SANITIZER solution whose EPA-registered label use instructions call for rinsing off the SANITIZER after it is applied in a commercial WAREWASHING machine.

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CHAPTER 5

WATER, PLUMBING, AND WASTE

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**5-1. Water**

**5-101 Source**

**5-101.11 Approved system\***

DRINKING WATER shall be obtained from an APPROVED source that is—

- (A) A PUBLIC WATER SYSTEM; or
- (B) A nonPUBLIC WATER SYSTEM that is constructed, maintained, and operated according to LAW.

**5-101.12 System flushing and disinfection\***

(A) A DRINKING WATER system shall be flushed, disinfected, and tested for chlorine residual before being placed in service after construction, repair, or modification and after an emergency situation, such as a flood, that may introduce contaminants to the system.

(B) FACILITIES ENGINEERS or other facility manager shall notify the REGULATORY AUTHORITY when a system has been flushed and disinfected to determine if microbiological testing is required before operation. <sup>N †</sup>

**5-101.13 Bottled and packaged drinking water\***

BOTTLED and PACKAGED DRINKING WATER used or sold in a FOOD ESTABLISHMENT shall be obtained from APPROVED sources IAW 21 CFR 129 - Processing and Bottling of Bottled Drinking Water, ¶ 3-201.11(A), and AR 40-657/NAVSUPINST 4355.4H/MCO P10110.31H. *TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP provides additional information concerning the use of bottled and packaged water during deployments.* <sup>†</sup>

**5-101.14 Steam <sup>†</sup>**

(A) Steam used for cleaning or disinfecting FOOD CONTACT SURFACES shall be free from any materials or ADDITIVES other than those ADDITIVES with concentrations listed in 21 CFR 173.310.

(B) Except as specified in ¶ (C) this section, use of heat exchange-type steam generator units that produce steam from DRINKING WATER without the use of boiler water ADDITIVES is authorized.

(C) Direct use of steam generated from a central building boiler—

- (1) Is prohibited unless there is an ongoing system in place to evaluate concentration of boiler water ADDITIVES in the steam.

(2) Is prohibited for injecting steam to heat sanitizing water in manual WAREWASHING operations.

(3) May be used as the heat source for a heat exchange unit as long as there is a system in place to ensure there is no CROSS-CONNECTION with the potable water supply and the steam generated by the heat exchanger is ADDITIVE free.

### **5-102 Quality**

#### **5-102.11 Standards\***

Except as specified under § 5-102.12 and ¶¶ (C) and (D), this section—

(A) Water from a PUBLIC WATER SYSTEM shall meet 40 CFR 141 – National Primary Drinking Water Regulations and state DRINKING WATER quality standards; and

(B) Water from a nonPUBLIC WATER SYSTEM shall meet state DRINKING WATER quality standards.

(C) At OCONUS facilities, DRINKING WATER quality shall meet the Overseas Environmental Baseline Guidance Document (OEBGD) or Final Governing Standards. †

(D) DRINKING WATER quality for military installations in CONUS shall meet the (Army) TB MED 576, (Air Force) AFI 48-144, or (Navy/Marine Corps) OPNAVINST 5090.1 Series/MCO P-5090, as applicable, for garrison operations; for field operations, TB MED 577/NAVMED P-5010-10/AFMAN 48-139\_IP; or for Naval vessels, NAVMED P-5010-6. †

#### **5-102.12 Nondrinking water\***

(A) A nonDRINKING WATER supply shall be used only if its use is APPROVED.

(B) NonDRINKING WATER shall be used only for nonculinary purposes such as air conditioning, nonFOOD EQUIPMENT cooling, and fire protection.

#### **5-102.13 Sampling**

(A) Except when used as specified under § 5-102.12, water from a nonPUBLIC WATER SYSTEM shall be sampled and tested at least annually and more often if required by state water quality regulations, or by the MEDICAL AUTHORITY or designated representative.

(B) *The MEDICAL AUTHORITY or designated representative shall ensure that the installation tests the DRINKING WATER at fixed FOOD ESTABLISHMENTS IAW respective Services' publications (TB MED 576, AFI 48-144, OPNAVINST 5090.1/MCO P-5090).* †

(C) *Water used during FIELD FOODSERVICE or deployments will be tested per TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP.* Foodservice managers are responsible for ensuring chlorine residual of bulk-supplied potable water is tested daily. †

#### **5-102.14 Sample report**

The most recent sample report for the nonPUBLIC WATER SYSTEM shall be retained on file in the FOOD ESTABLISHMENT, or the report shall be maintained as specified by state, DOD, or Federal water quality regulations.

### ***5-103 Quantity and availability***

#### **5-103.11 Capacity**

(A) The water source and system shall be of sufficient capacity to meet the peak water demands of the FOOD ESTABLISHMENT.

(B) Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the FOOD ESTABLISHMENT.

(C) Except during FIELD FOODSERVICE operations, limited services, TEMPORARY and SEASONAL FOOD ESTABLISHMENTS, and VENDING MACHINE FOOD operations, adequate quantities of both hot and cold running water under pressure shall be provided in all areas where FOOD is prepared or where EQUIPMENT, UTENSILS, or containers are washed or SANITIZED. †

#### **5-103.12 Pressure**

Water under pressure shall be provided to all fixtures, EQUIPMENT, and nonFOOD EQUIPMENT that are required to use water *except that water supplied as specified under ¶¶ 5-104.12(A) and (B) to a TEMPORARY or SEASONAL FOOD ESTABLISHMENT or in response to a temporary interruption of a water supply need not be under pressure.*

### ***5-104 Distribution, delivery, and retention***

#### **5-104.11 System**

Water shall be received from the source through the use of:

(A) An APPROVED public water main; or

(B) One or more of the following that shall be constructed, maintained, and operated according to LAW:

(1) Nonpublic water main, water pumps, pipes, hoses, connections, and other appurtenances,

(2) Water transport vehicles, or

(3) Water containers.

#### **5-104.12 Alternative water supply**

Water meeting the requirements specified under Subparts 5-101, 5-102, and 5-103 shall be made available for a mobile facility, for a TEMPORARY or SEASONAL FOOD ESTABLISHMENT without a permanent water supply, and for a FOOD ESTABLISHMENT with a temporary interruption of its water supply through—

(A) A supply of containers of commercially BOTTLED DRINKING WATER;

(B) One or more closed portable water containers;

(C) An enclosed vehicular water tank;

(D) An on-PREMISES water storage tank; or

(E) If APPROVED by the MEDICAL AUTHORITY or designated representative, piping, tubing, or hoses connected to an adjacent APPROVED source.

## 5-2. Plumbing system

### 5-201 Materials

#### 5-201.11 Approved\*

(A) A PLUMBING SYSTEM and hoses conveying water shall be designed, constructed, and repaired with APPROVED materials according to LAW (Unified Facilities Criteria (UFC) 4-722-01, the International Plumbing Code and local plumbing codes).

(B) A water filter shall be made of SAFE MATERIALS.

(C) A water filter shall be provided IAW the foodservice EQUIPMENT specification and operator manual. <sup>N</sup>

(D) High pressure cleaning systems shall be filtered IAW equipment specifications. <sup>N</sup>

### 5-202 Design, construction, and installation

#### 5-202.11 Approved system and cleanable fixtures\*

Except as stated in chapter 9 for FOOD operations occurring in the field and afloat—

(A) A PLUMBING SYSTEM shall be designed, constructed, and installed according to LAW.

(B) A PLUMBING FIXTURE such as a HANDWASHING SINK, toilet, urinal, or grease trap shall be EASILY CLEANABLE. <sup>N</sup>

(C) The FACILITIES ENGINEERS shall size, install, maintain, and operate plumbing per the applicable plumbing code required by UFC 4-722-01. <sup>†</sup>

(D) All piping shall be concealed to the greatest extent possible. <sup>N†</sup>

(E) Where metallic supply line piping cannot be concealed in new construction, it shall be stainless steel or chrome-plated. *In existing facilities, such piping should be stainless steel or chrome-plated.* <sup>N†</sup>

#### 5-202.12 Handwashing sink, installation

(A) A HANDWASHING SINK shall be equipped to provide water at a temperature of at least 100°F (38°C) through a mixing valve or combination faucet.

(B) A steam mixing valve may not be used at a HANDWASHING SINK.

(C) A self-closing, slow-closing, or metering faucet shall provide a flow of water for at least 15 seconds without the need to reactivate the faucet.

(D) An automatic handwashing facility shall be installed IAW the manufacturer's instructions.

(E) The temperature of the water shall not exceed 120°F (49°C). *Desired range is 100° to 120°F (38° to 49°C).* <sup>†</sup>

**5-202.13 Backflow prevention, air gap\***

An air gap between the water supply inlet and the flood level rim of the PLUMBING FIXTURE, EQUIPMENT, or nonFOOD EQUIPMENT shall be at least twice the diameter of the water supply inlet and may not be less than 1 inch (25 mm).

**5-202.14 Backflow prevention device, design standard\***

A backflow or back-siphonage prevention device installed on a water supply system shall meet the applicable plumbing code and UFC-4-722-01 standards for construction, installation, maintenance, inspection, and testing for that specific application and type of device.

**5-202.15 Conditioning device, design**

A water filter, screen, and other water conditioning device installed on water lines shall be designed to facilitate disassembly for periodic servicing and cleaning. A water filter element shall be of the replaceable type.

**5-202.16 Food waste grinders and pulpers<sup>†</sup>**

(A) FOOD waste grinders shall be—

- (1) Provided with an adequate supply of water at a sufficient flow rate to ensure proper functioning of the unit;
- (2) Trapped separately from any other fixture or sink compartment, e.g. no other fixture or equipment uses that trap;
- (3) Installed to allow access for easy cleaning; and
- (4) May not be connected to discharge through a grease trap or interceptor.

(B) Pulping water extraction systems are authorized for FOOD waste provided the system is installed and operated in a sanitary manner and meets applicable plumbing codes.

**5-203 Numbers and capacities**

**5-203.11 Handwashing sinks**

(A) Except as specified in ¶¶ (B) and (C) of this section, at least one HANDWASHING SINK, a number of HANDWASHING SINKS necessary for their convenient use by EMPLOYEES in areas specified under § 5-204.11, and not fewer than the number of HANDWASHING SINKS required by LAW shall be provided.

(B) *If APPROVED and capable of removing the types of soils encountered in the FOOD operations involved, automatic handwashing facilities may be substituted for HANDWASHING SINKS in a FOOD ESTABLISHMENT that has at least one HANDWASHING SINK.*

(C) *If APPROVED, when FOOD exposure is limited, as specified in ¶ (D) this section, and HANDWASHING SINKS are not conveniently available, such as in some mobile, SEASONAL, or TEMPORARY FOOD ESTABLISHMENTS or at some VENDING MACHINE LOCATIONS, EMPLOYEES may use chemically treated towelettes for handwashing. The active ingredients in the towelettes shall meet the criteria for hand antiseptics as specified under § 2-301.16.*

(D) Operations not equipped with HANDWASHING SINKS shall be limited to serving commercially PACKAGED READY-TO-EAT PHF(TCS) FOOD and nonPHF(TCS) FOOD, including hot coffee and tea and individually PACKAGED beverages.

#### **5-203.12 Toilets and urinals**

(A) Except as specified in ¶ (B) of this section, at least one toilet and not fewer than the toilets required by LAW shall be provided. If authorized by LAW and urinals are substituted for toilets, the substitution shall be done as specified in LAW.

(B) *To the maximum extent possible, include separate toilets for customers and staff in all plans for new construction and renovated existing FOOD ESTABLISHMENTS, except for Army/Air Force Exchange Service (AAFES)/Navy Exchange (NEX)/Marine Corps Exchange (MCX) fast FOOD facilities.* †

#### **5-203.13 Service sink**

(A) At least one service sink or one curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.

(B) Toilets and urinals may not be used as a service sink for the disposal of mop water and similar liquid waste.

#### **5-203.14 Backflow prevention device, when required\***

A PLUMBING SYSTEM shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the FOOD ESTABLISHMENT, including on a hose bib if a hose is attached or on a hose bib if a hose is not attached and backflow prevention is required by LAW, by—

(A) Providing an air gap as specified under § 5-202.13; or

(B) Installing an APPROVED backflow prevention device as specified under § 5-202.14.

#### **5-203.15 Backflow prevention device, carbonator**

(A) If not provided with an air gap as specified under § 5-202.13, a dual check valve with an intermediate vent preceded by a screen of not less than 100-mesh to 1 inch (100-mesh to 25.4 millimeter) shall be installed upstream from a carbonating device and downstream from any copper in the water supply line.

(B) *A dual check valve attached to the carbonator need not be of the vented type if an air gap or vented backflow prevention device has been otherwise provided as specified under ¶ (A) of this section.*

### **5-204 Location and placement**

#### **5-204.11 Handwashing sinks**

A HANDWASHING SINK shall be located—

- (A) To allow convenient use by EMPLOYEES in FOOD preparation, FOOD dispensing, and WAREWASHING areas; and
- (B) In, or immediately adjacent to, toilet rooms.

**5-204.12 Backflow prevention device, location**

A backflow prevention device shall be located so that it may be serviced and maintained.

**5-204.13 Conditioning device, location**

A water filter, screen, and other water conditioning device installed on water lines shall be located to facilitate disassembly for periodic servicing and cleaning.

**5-204.14 Floor drains, location** †

(A) Floor drains shall be properly installed and trapped as specified under ¶¶ 5-201.11(A) and 5-202.11(A) and located to facilitate drainage in the following areas:

- (1) Floors water-flushed for cleaning.
- (2) Floors receiving water discharges or other fluid waste from EQUIPMENT.
- (3) Areas where pressure-spray methods for cleaning EQUIPMENT are used.

(B) Where EQUIPMENT discharges onto the floor, a drain shall be provided with a sump and removable protective grate to receive the waste.

**5-205 Operation and maintenance**

**5-205.11 Using a handwashing sink**

(A) A HANDWASHING SINK shall be maintained so that it is accessible at all times for EMPLOYEE use.

(B) A HANDWASHING SINK may not be used for purposes other than handwashing.

(C) An automatic handwashing facility shall be used IAW manufacturer's instructions.

**5-205.12 Prohibiting a cross-connection\***

(A) A PERSON may not create a CROSS-CONNECTION by connecting a pipe or conduit between the DRINKING WATER system and a nonDRINKING WATER system or a water system of unknown quality.

(B) The piping of a nonDRINKING WATER system shall be durably identified so that it is readily distinguishable from piping that carries DRINKING WATER. <sup>N</sup>

(C) A hose may not be attached to a faucet unless backflow prevention is provided. Where continuous pressure exists and hose bib vacuum breakers cannot be used, an APPROVED continuous pressure backflow device shall be installed. †

**5-205.13 Scheduling inspection and service for a water system device**

A device such as a water treatment device or backflow preventer shall be scheduled for inspection and service IAW the manufacturer's instructions and as necessary to prevent device

failure based on local water conditions. Records demonstrating inspection and service shall be maintained at the FOOD ESTABLISHMENT by the PIC.

**5-205.14 Water reservoir of fogging devices, cleaning\***

(A) A reservoir that is used to supply water to a device such as a produce fogger shall be—  
(1) Maintained IAW manufacturer's specifications; and  
(2) Cleaned IAW manufacturer's specifications or according to the procedures specified under ¶ (B) of this section, whichever is more stringent.

(B) Cleaning procedures shall include at least the following steps and shall be conducted at least once a week:

- (1) Draining and complete disassembly of the water and aerosol contact parts;
- (2) Brush-cleaning the reservoir, aerosol tubing, and discharge nozzles with a suitable detergent solution;
- (3) Flushing the complete system with water to remove the detergent solution and particulate accumulation; and
- (4) Rinsing by immersing, spraying, or swabbing the reservoir, aerosol tubing, and discharge nozzles with at least 50 mg/L hypochlorite solution.

(C) The reservoir shall be located away from general customer access and shall be protected from contamination. <sup>N†</sup>

**5-205.15 System maintained in good repair\***

A PLUMBING SYSTEM shall be—

- (A) Repaired according to LAW; and
- (B) Maintained in good repair. <sup>S</sup>

**5-205.16 Water conditioning device, replacing cartridges and filters <sup>†</sup>**

Replacement of cartridges and filters shall be based on either the manufacturer's recommendation or field water chemistry tests. Cartridges shall be marked with the date and initials of the person servicing the unit.

**5-3. Mobile water tank and mobile food establishment water tank**

**5-301 Materials**

**5-301.11 Approved\***

Materials that are used in the construction of a mobile water tank, MOBILE FOOD ESTABLISHMENT water tank, and appurtenances shall be—

- (A) Safe;
- (B) Durable, CORROSION-RESISTANT, and nonabsorbent; <sup>N</sup> and
- (C) Finished to have a SMOOTH, EASILY CLEANABLE surface. <sup>N</sup>

**5-302 Design and construction**

**5-302.11 Enclosed system, sloped to drain**

A mobile water tank shall be—

- (A) Enclosed from the filling inlet to the discharge outlet; and
- (B) Sloped to an outlet that allows complete drainage of the tank.

**5-302.12 Inspection and cleaning port, protected and secured**

If a water tank is designed with an access port for inspection and cleaning, the opening shall be in the top of the tank and—

- (A) Flanged upward at least ½ inch (13 millimeters); and
- (B) Equipped with a port cover assembly that is—
  - (1) Provided with a gasket and a device for securing the cover in place, and
  - (2) Flanged to overlap the opening and sloped to drain.

**5-302.13 “V” type threads, use limitation**

A fitting with “V” type threads on a water tank inlet or outlet shall be allowed only when a hose is permanently attached.

**5-302.14 Tank vent, protected**

If provided, a water tank vent shall terminate in a downward direction and shall be covered with:

- (A) A 16-mesh to 1 inch (16-mesh to 25.4 millimeters) screen or equivalent when the vent is in a protected area; or
- (B) A protective filter when the vent is in an area that is not protected from windblown dirt and debris.

**5-302.15 Inlet and outlet, sloped to drain**

- (A) A water tank and its inlet and outlet shall be sloped to drain.
- (B) A water tank inlet shall be positioned so that it is protected from contaminants such as waste discharge, road dust, oil, or grease.

**5-302.16 Hose, construction and identification\***

A hose used for conveying DRINKING WATER from a water tank shall be—

- (A) Safe;
- (B) Durable, CORROSION-RESISTANT, and nonabsorbent; <sup>N</sup>
- (C) Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition; <sup>N</sup>
- (D) Finished with a SMOOTH interior surface; <sup>N</sup>
- (E) Clearly and durably identified as to its use if not permanently attached; <sup>N</sup> and
- (F) The hose connection for the DRINKING WATER shall be a different diameter or thread size than the waste drain connection. <sup>N†</sup>

**5-303 Numbers and capacities**

**5-303.11 Filter, compressed air\***

A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and DRINKING WATER system when compressed air is used to pressurize the water tank system.

**5-303.12 Protective cover or device**

A cap and keeper chain, closed cabinet, closed storage tube, or other APPROVED protective cover or device shall be provided for a water inlet, outlet, and hose.

**5-303.13 Mobile food establishment tank inlet**

A mobile FOOD ESTABLISHMENT'S water tank inlet shall be—

- (A) Three-fourths inch (19.1 millimeters) in inner diameter or less; and
- (B) Provided with a hose connection of a size or type that will prevent its use for any other service.

**5-304 Operation and Maintenance**

**5-304.11 System flushing and sanitization\***

A water tank, pump, and hoses shall be flushed and SANITIZED before being placed in service after construction, repair, modification, and periods of nonuse.

**5-304.12 Using a pump and hoses, backflow prevention**

A PERSON shall operate a water tank, pump, and hoses so that backflow and other contamination of the water supply are prevented.

**5-304.13 Protecting inlet, outlet, and hose fitting**

If not in use, a water tank and hose inlet and outlet fitting shall be protected using a cover or device as specified under § 5-303.12.

**5-304.14 Tank, pump, and hoses, dedication\***

(A) Except as specified in ¶ (B) of this section, a water tank, pump, and hoses used for conveying DRINKING WATER shall be used for no other purpose.

(B) *Water tanks, pumps, and hoses APPROVED for liquid FOODS may be used for conveying DRINKING WATER if they are cleaned and SANITIZED before they are used to convey water.*

**5-4. Sewage, other liquid waste, and rainwater**

**5-401 Mobile holding tank**

**5-401.11 Capacity and drainage**

A SEWAGE holding tank in a MOBILE FOOD ESTABLISHMENT shall be—

- (A) Sized 15 percent larger in capacity than the water supply tank; and
- (B) Sloped to a drain that is 1 inch (25 millimeters) in inner diameter or greater, equipped with a shut-off valve.

#### **5-402 Retention, drainage, and delivery**

##### **5-402.10 Establishment drainage system**

FOOD ESTABLISHMENT drainage systems, including grease traps, that convey SEWAGE shall be designed and installed as specified under ¶ 5-202.11(A).

##### **5-402.11 Backflow prevention\***

(A) Except as specified in ¶¶ (B), (C), and (D) of this section, a direct connection may not exist between the SEWAGE system and a drain originating from EQUIPMENT in which FOOD, portable EQUIPMENT, or UTENSILS are placed.

(B) *Paragraph (A) of this section does not apply to floor drains that originate in refrigerated spaces that are constructed as an integral part of the building.*

(C) *If allowed by LAW, a WAREWASHING machine may have a direct connection between its waste outlet and a floor drain when the machine is located within 5 feet (1.5 meters) of a trapped floor drain and the machine outlet is connected to the inlet side of a properly vented floor drain trap.*

(D) *If allowed by LAW, a WAREWASHING or culinary sink may have a direct connection, but it must be properly trapped.*

##### **5-402.12 Grease trap**

(A) If used, a grease trap shall be located to be easily accessible for cleaning as specified in § 6-501.12(C).

(B) Grease traps shall be located outside the building in new construction or renovation. *Coordination with REGULATORY AUTHORITY and FACILITIES ENGINEERS is required for any variance to allow installation of a grease trap indoors.* †

(C) Except as specified in ¶ (D) this section, grease traps are required to support all sinks used for cleaning and SANITIZING FOOD EQUIPMENT, utility sinks, and WAREWASHING machines. †

(D) Grease traps are not required in CHILD CARE FACILITIES that do not fry FOODS. †

##### **5-402.13 Conveying sewage\***

(A) SEWAGE shall be conveyed to the point of disposal through an APPROVED sanitary SEWAGE system or other system, including use of SEWAGE transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to LAW.

(B) Non-water-carriage SEWAGE disposal systems (composting toilets, waste bladders, etc.) are prohibited for fixed FOOD ESTABLISHMENTS, but may be authorized by the

REGULATORY AUTHORITY for use in conjunction with TEMPORARY FOOD ESTABLISHMENTS or FIELD FOODSERVICE operations.<sup>N†</sup>

**5-402.14 Removing mobile food establishment wastes**

SEWAGE and other liquid wastes shall be removed from a MOBILE FOOD ESTABLISHMENT at an APPROVED waste SERVICING AREA or by a SEWAGE transport vehicle in such a way that a public health HAZARD or nuisance is not created.

**5-402.15 Flushing a waste retention tank**

A tank for liquid waste retention shall be thoroughly flushed and drained in a sanitary manner during the servicing operation. Liquid waste shall be discharged into an approved sanitary SEWAGE system.

**5-403 Disposal facility—design and construction**

**5-403.11 Approved sewage disposal system\***

SEWAGE and waste generated from FOOD processing and cleaning shall be disposed of through an APPROVED facility that is:

- (A) A public SEWAGE treatment plant; or
- (B) An individual SEWAGE disposal system that is sized, constructed, maintained, and operated according to LAW.

**5-403.12 Other liquid wastes and rainwater**

Condensate drainage and other non-SEWAGE liquids and rainwater shall be drained from the point of discharge to disposal according to LAW.

**5-5. Refuse, recyclables, and returnables**

**5-501 Facilities on the Premises**

**5-501.10 Indoor storage area**

If located within the FOOD ESTABLISHMENT, a storage area for REFUSE, recyclables, and returnables shall meet the requirements specified under §§ 6-101.11, 6-201.11–6-201.18, 6-202.15, and 6-202.16.

**5-501.11 Outdoor storage surface**

An outdoor storage surface for REFUSE, recyclables, and returnables shall be constructed of nonabsorbent material such as concrete or asphalt and shall be SMOOTH, durable, and sloped to drain.

**5-501.12 Outdoor enclosure**

If used, an outdoor enclosure for REFUSE, recyclables, and returnables shall be constructed of durable and cleanable materials.

**5-501.13 Receptacles**

(A) Except as specified in ¶ (B) of this section, receptacles and waste handling units for REFUSE, recyclables, and returnables and for use with materials containing FOOD residue shall be durable, cleanable, insect- and rodent-resistant, leakproof, and nonabsorbent.

(B) *Plastic bags and wet strength paper bags may be used to line receptacles for storage inside the FOOD ESTABLISHMENT, or within closed outside receptacles.*

**5-501.14 Receptacles in vending machines**

*Except for a receptacle for BEVERAGE bottle crown closures, a REFUSE receptacle may not be located within a VENDING MACHINE.*

**5-501.15 Outside receptacles**

(A) Receptacles and waste handling units for REFUSE, recyclables, and returnables used with materials containing FOOD residue and used outside the FOOD ESTABLISHMENT shall be designed and constructed to have tight-fitting lids, doors, or covers.

(B) Receptacles and waste handling units for REFUSE and recyclables such as an onsite compactor shall be installed so that accumulations of debris and insect and rodent attraction and harborage are minimized and effective cleaning is facilitated around and, if the unit is not installed flush with the base pad, under the unit.

(C) Compactor-type wet trash units shall be— †

(1) Located on a surface as specified in § 5-501.11.

(2) Outside the FOOD ESTABLISHMENT adjacent to waste access doors, but as far from the FOOD delivery area as possible.

**5-501.16 Storage areas, rooms, and receptacles, capacity and availability**

(A) An inside storage room and area, outside storage area and enclosure, and receptacles shall be of sufficient capacity to hold REFUSE, recyclables, and returnables that accumulate.

(B) A receptacle shall be provided in each area of the FOOD ESTABLISHMENT or PREMISES where REFUSE is generated or commonly discarded, or where recyclables or returnables are placed.

(C) If disposable towels are used at handwashing lavatories, a waste receptacle shall be located at each lavatory or group of adjacent lavatories.

**5-501.17 Toilet room receptacle, covered**

A toilet room used by females shall be provided with a covered receptacle for sanitary napkins.

**5-501.18 Cleaning implements and supplies**

(A) Except as specified in ¶ (B) of this section, suitable cleaning implements and supplies such as high pressure pumps, hot water, steam, and detergent shall be provided as necessary for effective cleaning of receptacles and waste handling units for REFUSE, recyclables, and returnables.

(B) *If APPROVED, off-PREMISES-based cleaning services may be used if on-PREMISES cleaning implements and supplies are not provided.*

**5-501.19 Storage areas, redeeming machines, receptacles and waste handling units, location**

(A) An area designated for REFUSE, recyclables, returnables, and, except as specified in ¶ (B) of this section, a redeeming machine for recyclables or returnables shall be located so that it is separate from FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES and a public health HAZARD or nuisance is not created.

(B) *A redeeming machine may be located in the PACKAGED FOOD storage area or CONSUMER area of a FOOD ESTABLISHMENT if FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES are not subject to contamination from the machines and a public health HAZARD or nuisance is not created.*

(C) The location of receptacles and waste handling units for REFUSE, recyclables, and returnables may not create a public health HAZARD or nuisance or interfere with the cleaning of adjacent space.

(D) With the exception of compactors, bulk collection dumpsters shall be located more than 50 feet (15 meters) from the FOOD ESTABLISHMENT's entrance doors and adjacent to the receiving area. †

(E) *Trash receptacles in toilet rooms should be located near the exit door to promote employee practice of using a clean paper towel to open the door after handwashing.* †

**5-501.110 Storing refuse, recyclables, and returnables**

REFUSE, recyclables, and returnables shall be stored in receptacles or waste handling units so that they are inaccessible to insects and rodents.

**5-501.111 Areas, enclosures, and receptacles, good repair**

Storage areas, enclosures, and receptacles for REFUSE, recyclables, and returnables shall be maintained in good repair.

**5-501.112 Outside storage prohibitions**

(A) Except as specified in ¶ (B) of this section, REFUSE receptacles not meeting the requirements specified under ¶ 5-501.13(A) such as receptacles that are not rodent-resistant, unprotected plastic bags and paper bags, or baled units that contain materials with FOOD residue may not be stored outside.

(B) *Cardboard or other packaging material that does not contain FOOD residues and that is awaiting regularly scheduled delivery to a recycling or disposal site may be stored outside*

*without being in a covered receptacle if it is stored so that it does not create a rodent harborage problem.*

**5-501.113 Covering receptacles**

Except as specified in ¶ 5-501.112(B) and ¶ (C) of this section, receptacles and waste handling units for REFUSE, recyclables, and returnables shall be kept covered—

(A) Inside the FOOD ESTABLISHMENT if the receptacles and units:

- (1) Contain FOOD residue and are not in continuous use; or
- (2) After they are filled; and

(B) With tight-fitting lids or doors if kept outside the FOOD ESTABLISHMENT.

(C) Garbage and trash receptacles in active use inside the FOOD ESTABLISHMENT may remain uncovered temporarily while in use, but shall be covered immediately upon completion of the task. †

**5-501.114 Using drain plugs**

Drains in receptacles and waste handling units for REFUSE, recyclables, and returnables shall have drain plugs in place.

**5-501.115 Maintaining refuse areas and enclosures**

A storage area and enclosure for REFUSE, recyclables, or returnables shall be maintained free of unnecessary items, as specified under § 6-501.114, and clean.

**5-501.116 Cleaning receptacles**

(A) Receptacles and waste handling units for REFUSE, recyclables, and returnables shall be thoroughly cleaned in a way that does not contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, or SINGLE-SERVICE and SINGLE-USE ARTICLES, and waste water shall be disposed of as specified under § 5-402.13.

(B) Soiled receptacles and waste handling units for REFUSE, recyclables, and returnables shall be cleaned at a frequency necessary to prevent them from developing a buildup of soil or becoming attractants for insects and rodents.

(C) Large garbage receptacles, dumpsters, and compactors that are cleaned at or near the FOOD ESTABLISHMENT shall be cleaned using hot, high-pressure water and detergent soap or a high-pressure spray with a self-contained vacuum residue collector. †

(1) In-place cleaning of bulk waste receptacles and compactors at a FOOD ESTABLISHMENT is prohibited unless cleaning operations are located on a hardstand with wash down and drainage capabilities.

(2) An area shall be designated at the FOOD ESTABLISHMENT for cleaning and air-drying trash cans.

(D) Dumpsters and compactors moved to a central location for cleaning shall be: †

- (1) Transported to minimize spilling of liquid or solid waste; and
- (2) Cleaned following the in-place cleaning procedure specified in ¶ (C) of this section.

**5-502 Removal**

**5-502.11 Frequency**

REFUSE, recyclables, and returnables shall be removed from the PREMISES at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

**5-502.12 Receptacles or vehicles**

REFUSE, recyclables, and returnables shall be removed from the PREMISES by way of—

- (A) Portable receptacles that are constructed and maintained according to LAW; or
- (B) A transport vehicle that is constructed, maintained, and operated according to LAW.

**5-503 Facilities for disposal and recycling**

**5-503.11 Community or individual facility**

Solid waste not disposed of through the SEWAGE system, such as through grinders and pulpers, shall be recycled or disposed of in an APPROVED public or private community recycling or REFUSE facility, a commercial or APPROVED installation composting facility, or an individual REFUSE facility such as a landfill or incinerator which is sized, constructed, maintained, and operated according to LAW.

## CHAPTER 6

### PHYSICAL FACILITIES

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#### 6-1. Materials for construction and repair

##### 6-101 Indoor areas

##### 6-101.11 Surface characteristics

(A) Except as specified in ¶¶ (B) and (C) of this section, materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be—

(1) SMOOTH, durable, and EASILY CLEANABLE for areas where FOOD ESTABLISHMENT operations are conducted;

(2) Closely woven and EASILY CLEANABLE carpet for carpeted areas; and

(3) Nonabsorbent for areas subject to moisture such as FOOD preparation areas, walk-in refrigerators, WAREWASHING areas, toilet rooms, mobile FOOD ESTABLISHMENT SERVICING AREAS, and areas subject to flushing or spray cleaning methods. For new construction or renovation, gypsum wallboard or similar pervious material may not be used in FOOD preparation, serving, SELF-SERVICING AREAS; WAREWASHING and pot and pan washing areas; toilet areas; or other areas subject to water damage or high humidity; or in areas used by MOBILE foodservice EQUIPMENT. Water/mold resistant gypsum wallboard with epoxy paint is acceptable.

(B) *In a TEMPORARY or SEASONAL FOOD ESTABLISHMENT:*

(1) *Except as specified under ¶ 6-200.12, if graded to drain, a floor may be concrete, machine-laid asphalt, or dirt or gravel if it is covered with mats, removable platforms, duckboards, or other APPROVED materials that are effectively treated to control dust and mud; and*

(2) *Walls and ceilings may be constructed of a material that protects the interior from the weather, windblown dust, and debris.*

(C) *Acoustical material used in areas exposed to grease or high humidity should be constructed and installed to provide a reasonably nonabsorbent, EASILY CLEANABLE surface. These materials require periodic replacement to maintain sanitary standards. †*

(D) *Water/mold-resistant gypsum wallboard protected by a cement backerboard or green board and ceramic tile may be used to sheath stud walls. †*

(E) Binding cement, mortar, or grout (epoxy) jointed materials used for walls and ceilings (including doors, windows, skylights, and similar closures) shall be waterproof, grease proof, and erosion resistant. †

##### 6-102 Outdoor areas

### **6-102.11 Surface characteristics**

(A) The outdoor walking and driving areas shall be surfaced with concrete, asphalt, or gravel or other materials that have been effectively treated to minimize dust, facilitate maintenance, prevent muddy conditions, and pooling of water.

(B) Exterior surfaces of buildings and MOBILE FOOD ESTABLISHMENTS shall be of weather-resistant materials and shall comply with LAW.

(C) Outdoor storage areas for REFUSE, recyclables, or returnables shall be of materials specified under §§ 5-501.11 and 5-501.12.

## **6-2. Design, construction, and installation**

### **6-200 General requirements**

#### **6-200.11 Food operations, fixed facilities<sup>†</sup>**

(A) Except as specified in ¶ (B) of this section, FOOD ESTABLISHMENTS at fixed installations shall be used solely for FOOD operations.

(B) Areas in which food operations occur within retail stores, such as mini-marts, service stations, and Express stores, shall adhere to all of the design criteria, EQUIPMENT, and maintenance provisions of this publication.

### **6-201 Cleanability**

#### **6-201.11 Floors, walls, and ceilings**

(A) Except as specified under §§ 6-201.14 and 9-203.11 and *except for anti-slip floor coverings or applications that may be used for safety reasons*, floors, floor coverings, walls, wall coverings, and ceilings shall be designed, constructed, and installed so they are SMOOTH and EASILY CLEANABLE.

(B) Walls and ceilings shall be light-colored in all FOOD preparation areas for easy identification of soiled areas.<sup>†</sup>

(C) The floor area shall be waterproofed within 2 feet (60 centimeters) from toilet base and urinal lip with a SMOOTH, EASILY CLEANABLE, non-ABSORBENT material.<sup>†</sup>

(D) Toilet and locker room walls shall be waterproofed at a minimum 4 feet (120 cm) above the floor and at least 1 foot (30 centimeters) to each side of the urinal with a SMOOTH, EASILY CLEANABLE, non-ABSORBENT material. *Use of water/mold resistant gypsum wall board painted with epoxy paint is acceptable.*<sup>†</sup>

#### **6-201.12 Floors, walls, and ceilings, utility lines**

(A) Utility service lines and pipes may not be unnecessarily exposed.

(B) Exposed utility service lines and pipes shall be installed so they do not obstruct or prevent cleaning of the floors, walls, or ceilings.

(C) Exposed horizontal utility service lines and pipes may not be installed on the floor.

**6-201.13 Floor and wall junctures, coved, and enclosed or sealed**

(A) In FOOD ESTABLISHMENTS in which cleaning methods other than water flushing are used for cleaning floors, the floor and wall junctures shall be coved and closed to no larger than one thirty-second (1/32) inch (1 millimeter).

(B) The floors in FOOD ESTABLISHMENTS in which water flush cleaning methods are used shall be provided with drains and be graded to drain, and the floor and wall junctures shall be coved and SEALED.

**6-201.14 Floor carpeting, restrictions, and installation**

(A) A floor covering such as carpeting or similar material may not be installed as a floor covering in FOOD preparation and serving areas, walk-in refrigerators, WAREWASHING areas, toilet room areas where handwashing lavatories, toilets, and urinals are located, REFUSE storage rooms, or other areas where the floor is subject to moisture, flushing, or spray cleaning methods. *Carpeting is authorized in administrative and customer dining areas of a FOOD operation.*

(B) If carpeting is installed in areas specified in ¶ (A) of this section, it shall be—

(1) Securely attached to the floor with a durable mastic, by using a stretch and tack method, or by another method; and

(2) Installed tightly against the wall under the coving or installed away from the wall with a space between the carpet and the wall and with the edges of the carpet secured by metal stripping or some other means.

(3) Maintained in good repair. †

**6-201.15 Floor covering, mats, and duckboards**

(A) Mats and duckboards shall be designed to be removable and EASILY CLEANABLE, shall meet NSF International Standard 52 requirements, and shall be kept clean.

(B) Wooden duckboards or pallets which do not meet NSF International Standard 52 requirements may not be used as flooring material except when used in FIELD or TEMPORARY FOOD ESTABLISHMENTS. †

**6-201.16 Wall and ceiling coverings and coatings**

(A) Wall and ceiling covering materials shall be attached so that they are EASILY CLEANABLE.

(B) *Except in areas used only for dry storage*, concrete, porous blocks, or bricks used for indoor wall construction shall be finished and SEALED to provide a SMOOTH, nonabsorbent, EASILY CLEANABLE surface.

(C) Lead-based paint and paint containing pesticides may not be used inside FOOD ESTABLISHMENTS. †

(D) Exposed corners of glazed structural units, concrete masonry unit partitions, and columns subjected to damage from portable foodservice EQUIPMENT shall be protected through the use of corner protective guards. These guards should extend at least 72 inches (180 centimeters) above the finished floor. †

(E) The wall-floor intersections shall be coved and sealed to prevent moisture from entering the wall. †

#### **6-201.17 Walls and ceilings, attachments**

(A) Except as specified in ¶ (B) of this section, attachments to walls and ceilings such as light fixtures, mechanical room ventilation system components, vent covers, wall mounted fans, decorative items, and other attachments shall be EASILY CLEANABLE, maintained in good repair, and mounted so as to minimize vermin harborage or entrance to the unit.

(B) *In CONSUMER dining areas and administrative offices, wall and ceiling surfaces, decorative items and attachments that are provided for ambiance need not meet this requirement if they are kept clean.*

#### **6-201.18 Walls and ceilings, studs, joists, and rafters**

(A) *Except for TEMPORARY FOOD ESTABLISHMENTS and as specified under ¶¶ (B) and (C) of this section, studs, joists, and rafters may not be exposed in areas subject to moisture.*

(B) If exposed in areas outside the FOOD preparation areas (including walk-in refrigeration units, EMPLOYEES' dressing and locker areas, toilet rooms, vestibules, and other similar rooms or areas), studs, joists, and rafters shall be finished to provide a SMOOTH, EASILY CLEANABLE surface. †

(C) *Theme designs in customer service areas are permitted provided all wood is sealed and the areas are kept free from moisture accumulation and dust.* †

### **6-202 Functionality**

#### **6-202.11 Light bulbs, protective shielding**

(A) Except as specified in ¶ (B) of this section, light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; or unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

(B) *Shielded, coated, or otherwise shatter-resistant bulbs need not be used in areas used only for storing FOOD in unopened packages, if—*

(1) *The integrity of the packages cannot be affected by broken glass falling onto them; and*

(2) *The packages are capable of being cleaned of debris from broken bulbs, including any toxic chemical residue before the packages are opened.*

(C) An infrared or other heat lamp shall be protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed.

#### **6-202.12 Heating, ventilating, air-conditioning system vents**

Heating, ventilating, and air conditioning systems shall be designed and installed so that make-up air intake and exhaust vents do not cause contamination of FOOD, FOOD-CONTACT SURFACES, EQUIPMENT, or UTENSILS.

### **6-202.13 Insect control devices, design, and installation**

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

(B) Insect control devices shall be installed so that:

(1) The devices are not located over a FOOD preparation area; and

(2) Dead insects and insect fragments are prevented from being impelled onto or falling on exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

(3) They are wall-mounted type only. *The REGULATORY AUTHORITY may waive this requirement if the facility demonstrates a need.* †

(4) The center of the device is not more than 3 feet (90 centimeters) above the floor and no closer than 5 feet (150 centimeters) from exposed FOODS, FOOD-contact surfaces, or clean EQUIPMENT and UTENSILS. †

(5) They are accepted, certified, listed, labeled, or otherwise determined to be safe by a nationally recognized testing laboratory acceptable to the REGULATORY AUTHORITY and the Armed Forces Pest Management Board. †

### **6-202.14 Toilet rooms, enclosed**

*Except where a toilet room is located outside a FOOD ESTABLISHMENT and does not open directly into the FOOD ESTABLISHMENT, such as a toilet room that is provided by the management of a shopping mall, a toilet room located on the PREMISES shall be completely enclosed and provided with a tight-fitting and self-closing door.*

### **6-202.15 Outer openings, protected**

(A) Except as specified in ¶¶ (B), (C), and (E) and under ¶ (D) of this section, outer openings of a FOOD ESTABLISHMENT shall be protected against the entry of insects and rodents by—

(1) Filling or closing holes and other gaps along floors, walls, ceilings

(2) Closed, tight-fitting windows; and

(3) Solid, self-closing, outward-opening, tight-fitting doors.

(B) *Paragraph (A) of this section does not apply if a FOOD ESTABLISHMENT opens into a larger structure, such as a mall, airport, or office building, or into an attached structure, such as a porch, and the outer openings from the larger or attached structure are protected against the entry of insects and rodents.*

(C) *Exterior doors used as exits need not be self-closing if they are:*

(1) *Solid and tight-fitting;*

(2) *Designated for use only when an emergency exists, by the fire protection authority that has jurisdiction over the FOOD ESTABLISHMENT; and*

(3) *Limited-use so they are not used for entrance or exit from the building for purposes other than the designated emergency exit use.*

(D) Except as specified in ¶¶ (B) and (E) of this section, if the windows or doors of a FOOD ESTABLISHMENT, or of a larger structure within which a FOOD ESTABLISHMENT is

located, are kept open for ventilation or other purposes or if a TEMPORARY FOOD ESTABLISHMENT is not provided with windows and doors as specified under ¶ (A) of this section, the openings shall be protected against the entry of insects and rodents by—

- (1) Sixteen-mesh to 1 inch (16-mesh to 25.4 millimeters) screens;
- (2) Properly designed and installed air curtains to control flying insects.

(a) Air curtains will be installed and directed to blow pests away from building entrances. †

(b) Air velocity, measured 3 feet (90 centimeters) above the floor, shall be at least 600 feet per minute (fpm) for personnel-only entrances and 1,600 fpm for service entrances (See NSF International Standard 37 for guidance); † or

- (3) Other effective means.

(E) *Paragraph (D) of this section does not apply if flying insects and other pests are absent due to the location of the ESTABLISHMENT, the weather, altitude, or other limiting condition. The REGULATORY AUTHORITY should be consulted for determination of barrier control.*

(F) Exterior doors to FOOD ESTABLISHMENTS shall be kept closed while not in use. †

#### **6-202.16 Exterior walls and roofs, protective barrier**

Perimeter walls and roofs of a FOOD ESTABLISHMENT shall effectively protect the establishment from the weather and the entry of insects, rodents, and other animals.

#### **6-202.17 Outdoor food vending areas, overhead protection**

*Except for machines that vend only canned BEVERAGES or other canned FOOD, if located outside, machines which vend FOOD shall be provided with overhead protection.*

#### **6-202.18 Outdoor servicing areas, overhead protection**

*Except for areas used only for the loading of water or the discharge of SEWAGE and other liquid waste, through the use of a closed system of hoses, SERVICING AREAS shall be provided with overhead protection.*

#### **6-202.19 Outdoor walking and driving surfaces, graded to drain**

Exterior walking and driving surfaces shall be graded to drain.

#### **6-202.110 Outdoor refuse areas, curbed and graded to drain**

Outdoor REFUSE areas shall be constructed IAW LAW and shall be curbed and graded to drain to collect and dispose of liquid waste generated from the REFUSE and from cleaning the area and waste receptacles.

#### **6-202.111 Private homes and living or sleeping quarters, use prohibition\***

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 may not be used for conducting FOOD ESTABLISHMENT operations.

**6-202.112 Living or sleeping quarters, separation**

Living or sleeping quarters located on the PREMISES of a FOOD ESTABLISHMENT, such as those provided for lodging registration clerks or resident managers, shall be separated from rooms and areas used for FOOD ESTABLISHMENT operations by complete floor-to-ceiling partitioning and solid self-closing doors.

**6-3. Numbers and capacities**

**6-301 Handwashing sinks**

**6-301.10 Minimum number**

HANDWASHING SINKS shall be provided as specified under § 5-203.11.

**6-301.11 Handwashing cleanser, availability**

(A) Each HANDWASHING SINK or group of two adjacent HANDWASHING SINKS shall be provided with a supply of hand cleaning liquid, powder, or bar soap.

(B) HANDWASHING SINKS shall be equipped with a self-draining soap dish when bar soap is used. †

**6-301.12 Hand-drying provision**

Each HANDWASHING SINK or group of adjacent HANDWASHING SINKS shall be provided with:

- (A) Individual, disposable towels;
- (B) A heated-air hand drying device; or
- (C) A hand drying device that employs an air-knife system that delivers high-velocity, pressurized air at ambient temperatures.

**6-301.13 Handwashing aids and devices, use restrictions**

A sink used for FOOD preparation or UTENSIL washing, or a service sink or curbed cleaning facility used for the disposal of mop water or similar wastes, may not be provided with the handwashing aids and devices required for a HANDWASHING SINK as specified under §§ 6-301.11 and 6-301.12 and ¶ 5-501.16(C).

**6-301.14 Handwashing signage**

A sign or poster that notifies FOOD EMPLOYEES to wash their hands shall be provided at all HANDWASHING SINKS used by FOOD EMPLOYEES and shall be clearly visible to FOOD EMPLOYEES. Multilingual signs shall be provided when appropriate.

**6-301.20 Disposable towels, waste receptacle**

A HANDWASHING SINK or group of adjacent HANDWASHING SINKS that is provided with disposable towels shall be provided with a waste receptacle as specified under ¶ 5-501.16(C). *A waste receptacle should be placed near the entrance.*

### **6-302 Toilets and urinals**

#### **6-302.10 Minimum number**

Toilets and urinals shall be provided as specified under § 5-203.12.

#### **6-302.11 Toilet tissue, availability**

A supply of toilet tissue shall be available at each toilet.

### **6-303 Lighting**

#### **6-303.11 Intensity**

The light intensity shall be—

(A) At least 108 lux (10 foot candles) at a distance of 30 inches (75 centimeters) above the floor, in walk-in refrigeration units and dry FOOD storage areas and in other areas and rooms during periods of cleaning;

(B) At least 215 lux (20 foot candles)—

(1) At a surface where FOOD is provided for CONSUMER self-service such as buffets and salad bars or where fresh produce or PACKAGED FOODS are sold or offered for consumption,

(2) Inside EQUIPMENT such as reach-in and under-counter refrigerators; and

(3) At a distance of 30 inches (75 centimeters) above the floor in areas used for handwashing, WAREWASHING, and EQUIPMENT and UTENSIL storage, and in toilet rooms; and

(C) At least 540 lux (50 foot candles) at a surface where a FOOD EMPLOYEE is working with FOOD or working with UTENSILS or EQUIPMENT such as knives, slicers, grinders, or saws where EMPLOYEE safety is a factor.

(D) *Lighting intensity should be verified during preopening inspections and whenever new lighting fixtures and walk-in refrigeration units are installed.*

### **6-304 Ventilation**

#### **6-304.11 Mechanical**

(A) Except as specified in ¶ (B) of this section, mechanical ventilation shall be provided as follows:

(1) If necessary to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes.

(2) In WAREWASHING and pot and pan washing areas; FOOD preparation, processing, and serving areas; dressing or locker rooms; toilet rooms; and indoor garbage or REFUSE storage areas. †

(3) An exhaust ventilation hood system shall be provided over all cooking EQUIPMENT that produces excessive smoke, grease-laden vapors, or odors. †

(4) All cooking EQUIPMENT producing steam condensate but not producing smoke or grease-laden vapors, if not adequately controlled by general dilution ventilation, shall have a local exhaust ventilation system exhausting to the outdoors. †

(5) Local exhaust ventilation systems and attendant fire protection as specified in NFPA Standard 96 shall be installed for all cooking EQUIPMENT that produces smoke or grease-laden vapor. †

(6) FOOD ESTABLISHMENTS located in buildings served by a common building ventilation system shall exhaust all air from preparation, WAREWASHING, and serving lines to the outdoors and may not be recirculated. †

(B) EQUIPMENT not requiring hoods or local exhaust systems (unless deemed necessary by the REGULATORY AUTHORITY or fire safety representative) include: †

- (1) Hot-holding units.
- (2) Chemical dishwashing and glassware machines.
- (3) Coney Island grills.
- (4) Under-the-counter dishwashing machines.
- (5) Pretzel machines.
- (6) Popcorn machines.
- (7) Enclosed electric (300°F (148°C) maximum) ovens.
- (8) Roller type hot dog machines.

**6-304.12 Exhaust rates †**

(A) Minimum exhaust rates for WAREWASHING areas are:

- (1) Not less than 20 air changes per hour; or
- (2) As required by UFC 4-722-01; or
- (3) As recommended by the WAREWASHING manufacturer. *Exhaust shall provide the capture velocity recommended by the dishwashing machine manufacturer.*

(B) Mechanical ventilation systems in new construction shall be designed to provide at least 10 air changes per hour in all toilet rooms.

(C) Exhaust ventilation hoods shall meet the following requirements:

- (1) Existing hoods shall meet or be modified to meet NFPA Standard 96.
- (2) The capture velocity (V) – air flow at the cooking surface – adequately entrains particles in the air stream and draws contaminated air into the hood at a velocity prescribed in Table 6-1.

**Table 6-1. Local exhaust ventilation capture velocities**

| V (fpm) | Equipment Type  |
|---------|---|
| 50      | non-grease-producing equipment<br>(e.g., kettles, ranges, small griddles) |
| 75      | grease-producing equipment<br>(e.g., fryers, pressure fryers, griddles)   |
| 150     | high heat-producing equipment<br>(e.g., char-broilers, upright broilers)  |

**6-305 Dressing areas and lockers**

**6-305.11 Designation**

(A) Dressing rooms or dressing areas shall be designated if EMPLOYEES routinely change their clothes in the establishment.

(B) Lockers or other suitable facilities shall be provided for the orderly storage of EMPLOYEES' clothing and other possessions.

**6-306 Service sinks**

**6-306.10 Availability**

A service sink or curbed cleaning facility shall be provided as specified under ¶ 5-203.13(A).

**6-4. Location and placement**

**6-401 Handwashing Sinks**

**6-401.10 Conveniently located**

HANDWASHING SINKS shall be conveniently located as specified under § 5-204.11.

**6-402 Toilet rooms**

**6-402.11 Convenience and accessibility**

Toilet rooms shall be conveniently located and accessible to EMPLOYEES during all hours of operation.

**6-403 Employee accommodations**

**6-403.11 Designated areas**

(A) Areas designated for EMPLOYEES to eat, drink, and use tobacco shall be located so that FOOD, EQUIPMENT, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES are protected from contamination.

(B) Lockers or other suitable facilities shall be located in a designated room or area where contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES cannot occur.

**6-404 Distressed merchandise**

**6-404.11 Segregation and location**

Products that are held by the PIC for medical inspection, credit, redemption, or return to the distributor, such as damaged, spoiled, or recalled products, shall be segregated and held in designated areas that are separated from FOOD, EQUIPMENT, UTENSILS, LINENS, and

SINGLE-SERVICE and SINGLE-USE ARTICLES. FOOD products returned by the CONSUMER due to FOOD safety or quality concerns shall be put aside for public health inspection before disposal.

**6-405 Refuse, recyclables, and returnables**

**6-405.10 Receptacles, waste handling units, and designated storage areas**

Units, receptacles, and areas designated for storage of REFUSE and recyclable and returnable containers shall be located as specified under § 5-501.19.

**6-5. Maintenance and operation**

**6-501 Premises, structures, attachments, and fixtures—methods**

**6-501.11 Repairing**

PHYSICAL FACILITIES shall be maintained in good repair.

**6-501.12 Cleaning, frequency, and restrictions**

(A) PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean.

(B) *Except for cleaning that is necessary due to a spill or other accident*, cleaning shall be done during periods when the least amount of FOOD is exposed such as after closing.

(C) Grease traps, FOOD grinders, and other plumbing fixtures used to trap, grind, or pulverize FOOD wastes shall be cleaned as often as necessary to prevent obnoxious odors and pest harborage. †

**6-501.13 Cleaning floors, dustless methods**

(A) Except as specified in ¶ (B) of this section, only dustless methods of cleaning shall be used, such as wet cleaning, vacuum cleaning, mopping with treated dust mops, or sweeping using a broom and dust-arresting compounds.

(B) *Spills or drippage on floors that occur between normal floor cleaning times may be cleaned—*

(1) *Without the use of dust-arresting compounds; and*

(2) *In the case of liquid spills or drippage, with the use of a small amount of absorbent compound such as sawdust or diatomaceous earth applied immediately before spot cleaning.*

**6-501.14 Cleaning ventilation systems, nuisance and discharge prohibition**

(A) Intake and exhaust air ducts shall be cleaned and filters changed so they are not a source of contamination by dust, dirt, and other materials.

(B) If vented to the outside, ventilation systems may not create a public health HAZARD or nuisance or UNLAWFUL discharge.

**6-501.15 Cleaning maintenance tools, preventing contamination**

FOOD preparation sinks, HANDWASHING SINKS, and WAREWASHING EQUIPMENT may not be used for the cleaning of maintenance tools, the preparation or holding of maintenance materials, or the disposal of mop water and similar liquid wastes.

**6-501.16 Drying and maintaining mops**

(A) After use, mops shall be placed in a position that allows them to air-dry without soiling walls, EQUIPMENT, the mop handle, or supplies. *The preferred method of storing mops is head down. An angled rack that allows the mop head to hang freely without draining onto the mop handle is also acceptable.*

(B) Mop heads shall be kept trimmed and shall be replaced when heavily soiled or no longer serviceable.<sup>†</sup>

**6-501.17 Absorbent materials on floors, use limitation**

Except as specified in ¶ 6-501.13(B), sawdust, wood shavings, granular salt, baked clay, diatomaceous earth, or similar materials may not be used on floors.

**6-501.18 Cleaning of plumbing fixtures**

PLUMBING FIXTURES such as HANDWASHING SINKS, toilets, and urinals shall be cleaned as often as necessary to keep them visually clean.

**6-501.19 Closing toilet room doors**

*Except during cleaning and maintenance operations,* toilet room doors as specified under § 6-202.14 shall be kept closed.

**6-501.110 Using dressing rooms and lockers**

(A) Dressing rooms shall be used by EMPLOYEES if the EMPLOYEES regularly change their clothes in the establishment. If they are directed to only change their clothes in the establishment, dressing rooms must be provided.

(B) Lockers or other suitable facilities shall be used for the orderly storage of EMPLOYEE clothing, purses, backpacks, and other possessions.

**6-501.111 Controlling pests**

The PREMISES shall be maintained free of insects, rodents, and other pests. The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the PREMISES by—

- (A) Routinely inspecting incoming shipments of FOOD and supplies;
- (B) Routinely inspecting the PREMISES for evidence of pests;
- (C) Using methods, if pests are found, such as trapping devices or other means of pest control as specified under §§ 7-202.12, 7-206.12, and 7-206.13;
- (D) Eliminating harborage and entry conditions using an integrated pest management approach; and

(E) *Employing proper stock rotation, “first in, first out” or the manufacturer’s “use by” date.*

**6-501.112 Removing dead or trapped birds, insects, rodents, and other pests**

Dead or trapped birds, insects, rodents, and other pests shall be removed from control devices and the PREMISES at a frequency that prevents their accumulation, decomposition, or the attraction of pests.

**6-501.113 Storing maintenance tools**

Maintenance tools such as brooms, mops, vacuum cleaners, and similar items shall be–

(A) Stored so they do not contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES; and

(B) Stored in an orderly manner that facilitates cleaning the area used for storing the maintenance tools.

**6-501.114 Maintaining premises, unnecessary items, and litter**

(A) The PREMISES shall be free of–

(1) Items that are unnecessary to the operation or maintenance of the establishment such as EQUIPMENT that is nonfunctional or no longer used; and

(2) Litter.

(B) *The FOOD ESTABLISHMENT PIC is responsible for ensuring the PREMISES are kept clean. Specific collection requirements for waste disposal are contained in AR 420-1 and TM 5-634/NAVFAC MO-213/AFI 32-7042. †*

**6-501.115 Prohibiting animals**

(A) Except as specified in ¶¶ (B) and (C) of this section, live animals may not be allowed on the PREMISES of a FOOD ESTABLISHMENT.

(B) *Live animals may be allowed in the following situations if the contamination of FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES cannot result:*

(1) *Edible FISH or decorative FISH in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems;*

(2) *Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;*

(3) *In areas that are not used for FOOD preparation and that are usually open for customers, such as dining and sales areas, SERVICE ANIMALS that are controlled by the disabled EMPLOYEE or PERSON, if a health or safety HAZARD will not result from the presence or activities of the SERVICE ANIMAL;*

(4) *Except as specified in Subparagraph (B)(6) of this section, pets in the common dining areas of institutional care facilities such as nursing homes, assisted living facilities, group homes, or residential care facilities at times other than during meals if–*

(a) *Effective partitioning and self-closing doors separate the common dining areas from FOOD storage or FOOD preparation areas,*

(b) *Condiments, EQUIPMENT, and UTENSILS are stored in enclosed cabinets or removed from the common dining areas or otherwise protected from contamination when pets are present, and*

(c) *Dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service; and*

(5) *In areas that are not used for FOOD preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined, such as in a variety store that sells pets or a tourist park that displays animals.*

(6) *At Army installations, only animals engaging in Animal Assisted Therapies or in Animal Assisted Activities are authorized in the common dining areas of institutional care facilities. †*

(C) *Live or dead FISH bait may be stored if contamination of FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES cannot result.*

#### **6-501.116 Plants †**

Live plants and decorative artificial plants are authorized in non-FOOD preparation areas of FOOD ESTABLISHMENTS provided that:

(A) They do not contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES; and

(B) They are clean and do not provide a harborage area for pests.

#### **6-502 Unauthorized personnel**

##### **6-502.11 Restricted access †**

Except for planned tours, traffic of unauthorized PERSONS through FOOD preparation, FOOD storage, or WAREWASHING areas is prohibited.

## CHAPTER 7

### POISONOUS OR TOXIC MATERIALS

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#### 7-1. Labeling and identification

##### 7-101 *Original containers*

###### 7-101.11 **Identifying information, prominence**

(A) Containers of POISONOUS OR TOXIC MATERIALS and PERSONAL CARE ITEMS shall bear a legible manufacturer's label.

(B) Chemicals that bear the EPA's registration or HAZCOM label shall be kept in their original containers when required by LAW. †

##### 7-102 *Working containers*

###### 7-102.11 **Common name**

Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners and SANITIZERS taken from bulk supplies shall be clearly and individually identified with the common name of the material. The common name shall be written in English and in the predominant language in the workplace if other than English.

#### 7-2. Operational supplies and applications

##### 7-201 *Storage*

###### 7-201.11 **Separation\***

POISONOUS OR TOXIC MATERIALS shall be stored in a separate locked cabinet or room with restricted access to prevent unauthorized use and/or contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by—

(A) Separating the POISONOUS OR TOXIC MATERIALS by spacing or partitioning; <sup>S</sup> and

(B) Locating the POISONOUS OR TOXIC MATERIALS in an area that is not above FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE or SINGLE-USE ARTICLES. *This paragraph does not apply to EQUIPMENT and UTENSIL cleaners and SANITIZERS that are stored in WAREWASHING areas for availability and convenience if the materials are stored to prevent contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.*

##### 7-202 *Presence and use*

**7-202.11 Restriction**

(A) Only those POISONOUS OR TOXIC MATERIALS that are required for the operation and maintenance of a FOOD ESTABLISHMENT, such as for the cleaning and SANITIZING of EQUIPMENT and UTENSILS and the control of insects and rodents, shall be allowed in a FOOD ESTABLISHMENT.

(B) *Paragraph (A) of this section does not apply to PACKAGED POISONOUS OR TOXIC MATERIALS that are for retail sale.*

**7-202.12 Conditions of use\***

POISONOUS OR TOXIC MATERIALS shall be—

(A) Used according to:

- (1) LAW and this publication,
- (2) Manufacturer's use directions included in label; for pesticides, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT,
- (3) The conditions of certification, if certification is required, for use of the pest control materials, and
- (4) Additional conditions that may be established by the REGULATORY AUTHORITY;<sup>N</sup> and

(B) Applied so that—

- (1) A HAZARD to EMPLOYEES or other PERSONS is not constituted, and
- (2) Contamination including toxic residues due to drip, drain, fog, splash, or spray on FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES is prevented, and for a RESTRICTED USE PESTICIDE, this is achieved by—
  - (a) Removing the items,
  - (b) Covering the items with impermeable covers, or
  - (c) Taking other appropriate preventive actions, and
  - (d) Cleaning and SANITIZING EQUIPMENT, UTENSILS, countertops, and other FOOD CONTACT SURFACES after the application.

(C) A RESTRICTED USE PESTICIDE shall be applied only by a certified applicator as defined in Title 7 U.S. Code (USC) Section 136 (7 USC 136) Definitions, (e) Certified Applicator, of the Federal Insecticide, Fungicide, and Rodenticide Act, or a PERSON under the direct supervision of a certified applicator.<sup>N</sup>

(D) Chemical pest control—<sup>†</sup>

- (1) May not be applied by the FOOD EMPLOYEE;<sup>N</sup>
- (2) Shall only be applied by a certified applicator or as specified under ¶ (C) of this section;<sup>N</sup> and
- (3) Shall be approved for use in a foodservice area or establishment.

**7-203 Container prohibitions**

**7-203.11 Poisonous or toxic material containers\***

A container previously used to store POISONOUS OR TOXIC MATERIALS may not be used to store, transport, or dispense FOOD.

**7-204 Chemicals**

**7-204.11 Sanitizers, criteria\***

Chemical SANITIZERS and other chemical antimicrobials applied to FOOD-CONTACT SURFACES shall meet the requirements specified in 40 CFR 180.940, *Tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions)*.

**7-204.12 Chemicals for washing, treatment, storage and processing fruits and vegetables, criteria\***

(A) Chemicals used to wash or peel raw, whole fruits and vegetables shall meet the requirements specified in 21 CFR 173.315, Chemicals used in washing or to assist in the peeling of fruits and vegetables.

(B) Ozone as an antimicrobial agent used in the treatment, storage, and processing of fruits and vegetables in a food establishment shall meet the requirements specified in 21 CFR 173.368, Ozone.<sup>N</sup>

**7-204.13 Boiler water additives, criteria\***

Chemicals used as boiler water ADDITIVES shall meet the requirements specified in 21 CFR 173.310, Boiler water additives.

**7-204.14 Drying agents, criteria\***

Drying agents used in conjunction with SANITIZATION shall—

(A) Contain only components that are listed as one of the following:

(1) Generally recognized as safe for use in FOOD as specified in 21 CFR 182 - Substances Generally Recognized as Safe, or 21 CFR 184 - Direct Food Substances Affirmed as Generally Recognized as Safe,

(2) Generally recognized as safe for the intended use as specified in 21 CFR 186 - Indirect Food Substances Affirmed as Generally Recognized as Safe,

(3) APPROVED for use as a drying agent under a prior sanction specified in 21 CFR 181 - Prior-Sanctioned Food Ingredients,

(4) Specifically regulated as an indirect FOOD ADDITIVE for use as a drying agent as specified in 21 CFR Parts 175-178, or

(5) APPROVED for use as a drying agent under the threshold of regulation process established by 21 CFR 170.39, Threshold of regulation for substances used in FOOD-contact articles; and

(B) When SANITIZATION is with chemicals, the approval required under Subparagraph (A)(3) or (A)(5) of this section or the regulation as an indirect FOOD ADDITIVE required under

Subparagraph (A)(4) of this section, shall be specifically for use with chemical SANITIZING solutions.

### **7-205 Lubricants**

#### **7-205.11 Incidental food contact, criteria\***

Lubricants shall meet the requirements specified in 21 CFR 178.3570, Lubricants with incidental FOOD contact, if they are used on FOOD-CONTACT SURFACES, on bearings and gears located on or within FOOD-CONTACT SURFACES, or on bearings and gears that are located so that lubricants may leak, drip, or be forced into FOOD or onto FOOD-CONTACT SURFACES.

### **7-206 Pesticides**

#### **7-206.11 Restricted use pesticides, criteria\***

RESTRICTED USE PESTICIDES specified under ¶ 7-202.12(C) shall meet the requirements specified in 40 CFR 152 Subpart I - Classification of Pesticides.

#### **7-206.12 Rodent bait stations\***

(A) Rodent bait shall be—

- (1) Contained in a covered, tamper-resistant bait station; and
- (2) Inspected as often as necessary to ensure effectiveness. <sup>N†</sup>

(B) The PIC shall have access to a map of bait station locations throughout the facility, which is maintained and updated by the pest control operator. <sup>N†</sup>

#### **7-206.13 Tracking powders, pest control and monitoring\***

(A) Except as specified in ¶ (B) of this section, a tracking powder pesticide may not be used in a FOOD ESTABLISHMENT.

(B) If used, a nontoxic tracking powder such as talcum or flour may not contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES. <sup>N</sup>

### **7-207 Medicines**

#### **7-207.11 Restriction and storage\***

(A) *Except for medicines that are stored or displayed for retail sale*, only those medicines that are necessary for the health of EMPLOYEES shall be allowed in a FOOD ESTABLISHMENT. <sup>N</sup>

(B) Personal medicines that are in a FOOD ESTABLISHMENT for the EMPLOYEES' use shall be labeled as specified under § 7-101.11 and located to prevent the contamination of FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

**7-207.12 Refrigerated medicines, storage\***

Personal medicines belonging to EMPLOYEES or to children in a day care center that require refrigeration and are stored in a FOOD refrigerator shall be—

- (A) Stored in a package or container and kept inside a covered, leak-proof container that is identified as a container for the storage of medicines; and
- (B) Located so they are inaccessible to children.

**7-208 First-aid supplies**

**7-208.11 Storage\***

First-aid supplies that are in a FOOD ESTABLISHMENT for the EMPLOYEES' use shall be—

- (A) Labeled as specified under § 7-101.11;<sup>S</sup> and
- (B) Stored in a kit or a container that is located to prevent the contamination of FOOD, EQUIPMENT, UTENSILS, and LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES.

**7-209 Other personal care items**

**7-209.11 Storage**

Except as specified under §§ 7-207.12 and 7-208.11, EMPLOYEES shall store their PERSONAL CARE ITEMS in facilities as specified under ¶ 6-305.11(B).

**7-3. Stock and retail sales**

**7-301 Storage and display**

**7-301.11 Separation\***

POISONOUS or TOXIC MATERIALS shall be stored and displayed for retail sale by the following means so they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by—

- (A) Separating the POISONOUS or TOXIC MATERIALS from FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by spacing or partitioning;<sup>S</sup> and
- (B) Locating the POISONOUS OR TOXIC MATERIALS in an area that is not above FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE or SINGLE-USE ARTICLES.

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## CHAPTER 8

### COMPLIANCE AND ENFORCEMENT

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#### 8-1. Applicability

##### *8-101 Use for intended purpose*

###### **8-101.10 Public health protection**

(A) The REGULATORY AUTHORITY shall apply this publication to promote its underlying purpose, as specified in § 1-102.10, of safeguarding public health and ensuring that FOOD is safe, unADULTERATED, and honestly presented, as specified under § 3-601.12, when offered to the CONSUMER.

(B) In enforcing the provisions of this publication, the REGULATORY AUTHORITY shall assess existing facilities or EQUIPMENT that were in use before the effective date of this publication based on the following considerations:

(1) Whether the facilities or EQUIPMENT are sufficient in size, quantity, and good operating condition to protect FOOD safety, and are capable of being maintained in a sanitary condition;

(2) Whether FOOD-CONTACT SURFACES comply with Subpart 4-101;

(3) Whether the capacities of cooling, heating, and holding EQUIPMENT are sufficient to comply with § 4-301.11; and

(4) The existence of a documented agreement, such as a Work Order, with the FOOD ESTABLISHMENT that the facilities or EQUIPMENT will be replaced or repaired as specified under ¶ 8-304.11(F) if it does not meet the requirements in this publication. *The FOOD ESTABLISHMENT should have written procedures for managing Work Orders and should follow up on active Work Orders through periodic contact with the FACILITIES ENGINEER.*

##### *8-102 Additional requirements*

###### **8-102.10 Preventing health hazards, provision for conditions not addressed**

(A) If necessary to protect against public health HAZARDS or nuisances, the REGULATORY AUTHORITY may impose specific requirements in addition to the requirements contained in this publication that are authorized by LAW.

(B) The REGULATORY AUTHORITY shall document the conditions that necessitate the imposition of additional requirements and the underlying public health rationale. The documentation shall be provided to the FOOD ESTABLISHMENT manager and the CONTRACTING OFFICER (KO) for contracted FOOD ESTABLISHMENTS, and a copy shall be maintained in the REGULATORY AUTHORITY's file for the FOOD ESTABLISHMENT until the condition warranting the additional requirement no longer exists.

### **8-103 Variances**

#### **8-103.10 Modifications and waivers**

The REGULATORY AUTHORITY may grant a VARIANCE by modifying or waiving the requirements of this publication if in the opinion of the REGULATORY AUTHORITY a health HAZARD or nuisance will not result from the VARIANCE. If a VARIANCE is granted, the REGULATORY AUTHORITY shall retain the information specified under § 8-103.11 in its records for the FOOD ESTABLISHMENT.

#### **8-103.11 Documentation of proposed variance and justification**

(A) Before a VARIANCE from a requirement of this publication is APPROVED, the following information shall be provided by the PERSON requesting the VARIANCE:

(1) A statement of the proposed VARIANCE of this publication requirement citing relevant publication section numbers;

(2) An analysis of the rationale for how potential public health HAZARDS and nuisances addressed by the relevant publication sections will be alternatively addressed by the proposal; and

(3) A HACCP PLAN if required as specified under ¶ 8-201.13(A) that includes the information specified under § 8-201.14 as it is relevant to the VARIANCE requested.

(B) *A copy of the APPROVED VARIANCE shall be retained on file by the REGULATORY AUTHORITY.*

(C) *The REGULATORY AUTHORITY shall forward copies of a locally APPROVED VARIANCE to the supported Service's public health organization as specified in subparagraph 8-7.g.(1).<sup>†</sup>*

(D) A VARIANCE with potential Service- or DOD-wide application should be forwarded through the respective Service's Public Health/Preventive Medicine/Veterinary chain of command, to include the applicable Service's Public Health Center/Command for approval. *Service- and installation-unique interpretations are addressed by respective Service SMEs; however, Preventive Medicine and Veterinary representatives from the Services' Public Health Centers/Commands collaborate on issues applicable to multiple Services to ensure continuity through a unified interpretation or response.<sup>†</sup>*

(E) A VARIANCE from this publication is not in effect until the VARIANCE has been signed and APPROVED by the REGULATORY AUTHORITY, as specified under § 8-103.10 and ¶ (D) of this section.<sup>†</sup>

#### **8-103.12 Conformance with approved procedures\***

If the REGULATORY AUTHORITY grants a VARIANCE as specified in § 8-103.10, or a HACCP PLAN is otherwise required as specified under § 8-201.13, the FOOD ESTABLISHMENT manager or PIC shall—

(A) Comply with the HACCP PLANs and procedures that are submitted as specified under § 8-201.14 and APPROVED as a basis for the modification or waiver; and

(B) Maintain and provide to the REGULATORY AUTHORITY, upon request, records specified under ¶¶ 8-201.14(D) and (E) that demonstrate that the following are routinely employed: <sup>N</sup>

- (1) Procedures for monitoring the CRITICAL CONTROL POINTS,
- (2) Monitoring of the CRITICAL CONTROL POINTS,
- (3) Verification of the effectiveness of the operation or process, and
- (4) Necessary corrective actions if there is failure at a CRITICAL CONTROL POINT.

## **8-2. Plan submission and approval**

### ***8-201 Facility and operating plans***

#### **8-201.11 When plans are required**

(A) The KO or designated installation representative shall submit through the installation commander and the MEDICAL AUTHORITY to the REGULATORY AUTHORITY properly prepared plans and specifications for review and approval IAW local procedures for construction and design review a minimum of 60 days prior to—

- (1) The construction of a new FOOD ESTABLISHMENT;
- (2) The conversion of an existing structure for use as a FOOD ESTABLISHMENT; or
- (3) The remodeling of a FOOD ESTABLISHMENT or a change of type of FOOD ESTABLISHMENT or FOOD operation as specified under ¶¶ 8-302.14(B) and (C) if the REGULATORY AUTHORITY determines that plans and specifications are necessary to ensure compliance with this publication.

(B) The sponsoring/contracting organization or designated installation representative shall notify the REGULATORY AUTHORITY a minimum of 14 days prior to the scheduled start date for commencement of foodservice activities associated with a TEMPORARY FOOD ESTABLISHMENT. <sup>†</sup>

(C) Plans for commissary facilities shall be submitted as specified in DODI 1330.17, Armed Services Commissary Operations; DODI 7700.18, Commissary Surcharge, Non-Appropriated Fund (NAF), and Privately Financed Construction Reporting Procedures; and DeCA Commissary Design Guidance – General Design Requirements. When a commissary construction plan or renovation plan is initiated, DeCA shall notify the installation MEDICAL AUTHORITY or designated REGULATORY AUTHORITY representative as specified in the DeCA P-Plan document. <sup>†</sup>

#### **8-201.12 Contents of the plans and specifications**

(A) RESERVED (pending Office of Management and Budget (OMB) review).

(B) *The REGULATORY AUTHORITY uses the following criteria when evaluating new or renovated FOOD ESTABLISHMENT ESTABLISHMENTS—*

- (1) *Intended menu;*
- (2) *Anticipated volume of FOOD to be stored, prepared, and sold or served, including FOOD delivery schedules;*

- (3) *Proposed layout, mechanical schematics, construction materials, and finish schedules;*
- (4) *Proposed EQUIPMENT types, manufacturers, model numbers, locations, dimensions, performance capacities, and installation specifications;*
- (5) *Facility type – Fixed, MOBILE, TEMPORARY, or SEASONAL. †*
- (6) *Other considerations † –*
  - (a) *Is a MOBILE operation intended to operate in either a mobile or stationary capacity, is a TEMPORARY, SEASONAL, or permanent/fixed FOOD operation;*
  - (b) *Prepares PHF(TCS) FOOD only to order upon CONSUMER request, or greater than 2 hours prior to serving;*
  - (c) *Uses Time as the public health control as specified under 3-501.19.*

(C) Plans for Armed Services commissary operations shall contain design specifications as specified in DODI 7700.18, in the *DeCA Commissary Design Guidance* document, and, when applicable, in § 8-201.13 to demonstrate conformance with this publication's provisions. †

### **8-201.13 When a HACCP Plan is required**

(A) Before engaging in an activity that requires a HACCP PLAN, the FOOD ESTABLISHMENT manager or PIC shall submit to the REGULATORY AUTHORITY for approval a properly prepared HACCP PLAN as specified under § 8-201.14 and the relevant provisions of this publication if—

- (1) Submission of a HACCP PLAN is required according to LAW;
- (2) A VARIANCE is required as specified under Subparagraph 3-401.11(D)(4), § 3-502.11, or ¶ 4-204.110(B);
- (3) The REGULATORY AUTHORITY determines that a FOOD preparation or processing method requires a VARIANCE based on a plan submittal specified under § 8-201.12, an inspectional finding, or a VARIANCE request.

(B) The FOOD ESTABLISHMENT shall have a properly prepared HACCP PLAN as specified under § 3-502.12.

(C) An HACCP PLAN is specifically required for: †

- (1) COOK-CHILL operations;
- (2) FOOD ESTABLISHMENTS which request or require a VARIANCE from this publication; and
- (3) Patient Tray Service at DOD medical facilities when required for accreditation.

(D) FOOD safety plans for franchise FOOD operations can be considered a HACCP PLAN, provided the plan meets the requirements of this chapter and are approved by the REGULATORY AUTHORITY as specified under § 8-103.11.

### **8-201.14 Contents of a HACCP Plan**

For a FOOD ESTABLISHMENT that is required under § 8-201.13 to have a HACCP PLAN, the plan and specifications shall indicate:

(A) A categorization of the types of PHF(TSC) that are specified in the menu such as soups and sauces, salads, and bulk, solid FOODS such as MEAT roasts, or of other FOODS that are specified by the REGULATORY AUTHORITY;

(B) A flow diagram by specific FOOD or category type identifying CRITICAL CONTROL POINTS and providing information on the following:

(1) Ingredients, materials, and EQUIPMENT used in the preparation of that FOOD, and

(2) Formulations or recipes that delineate methods and procedural control measures that address the FOOD safety concerns involved;

(C) A FOOD EMPLOYEE and supervisory training plan that addresses the FOOD safety issues of concern;

(D) A statement of standard operating procedures for the plan under consideration, including clearly identifying:

(1) Each CRITICAL CONTROL POINT,

(2) The CRITICAL LIMITS for each CRITICAL CONTROL POINT,

(3) The method and frequency for monitoring and controlling each CRITICAL CONTROL POINT by the FOOD EMPLOYEE designated by the PIC,

(4) The method and frequency for the PIC to routinely verify that the FOOD EMPLOYEE is following standard operating procedures and monitoring CRITICAL CONTROL POINTS,

(5) Action to be taken by the PIC if the CRITICAL LIMITS for each CRITICAL CONTROL POINT are not met, and

(6) Records to be maintained by the PIC to demonstrate that the HACCP PLAN is properly operated and managed; and

(E) Additional scientific data or other information, as required by the REGULATORY AUTHORITY, supporting the determination that FOOD safety is not compromised by the proposal.

## ***8-202 Confidentiality***

### **8-202.10 Trade secrets**

The REGULATORY AUTHORITY shall protect IAW LAW, information that meets the criteria specified in LAW for a trade secret and is contained on FOOD ESTABLISHMENT inspection reports and in the plans and specifications submitted as specified under §§ 8-201.12 and 8-201.14. This includes content of FOOD safety plans as identified in ¶ 8-201.13(D).

## ***8-203 Construction inspection and approval***

### **8-203.10 Preoperational inspections**

The REGULATORY AUTHORITY shall conduct one or more preoperational inspections to verify that the FOOD ESTABLISHMENT will achieve the following requirements:

(A) The establishment is constructed and equipped IAW the APPROVED plans and APPROVED modifications of those plans;

(B) The establishment has prepared standard operating procedures as specified under ¶ 8-201.12(E); and

(C) The establishment is in compliance with LAW and this publication as specified in § 8-301.11.

### ***8-204 Construction standards***

#### **8-204.11 Construction requirements<sup>†</sup>**

Applicable construction and design review publications shall be used to evaluate existing FOOD ESTABLISHMENTS prior to remodeling or major renovations and to perform reviews of drawings, specification, and solicitations for renovations and new construction. Publications include, but are not limited to the following:

(A) DOD 4270.1M, DOD Construction Criteria Manual;

(B) UFC 4-010-01, 4-020-02, and 4-023-03;

(C) USACHPPM TG 194; and

(D) NAVSEA S9-AAO-AA-SPN-010/GENSPEC, General Specifications for Ships of the United States Navy.

### **8-3. Authorization to operate**

#### ***8-301 Requirements***

##### **8-301.11 Prerequisite for operation**

A PERSON may not operate a FOOD ESTABLISHMENT before preoperational coordination has been completed, as specified under Subpart 8-201, and a preoperational inspection is conducted, as specified in § 8-204.11. The FOOD ESTABLISHMENT shall attain a preoperational inspection rating of *Fully Compliant* in order to be APPROVED by the REGULATORY AUTHORITY. An exception may be granted at the discretion of the REGULATORY AUTHORITY for NON-CRITICAL deficiencies identified on an inspection report rated *Substantially Compliant*.<sup>†</sup>

#### ***8-302 Application procedures***

##### **8-302.11 Submission**

RESERVED (pending OMB review).

##### **8-302.12 Form of submission**

RESERVED (pending OMB review).

**8-302.13 Qualifications and responsibilities of applicants**

To qualify for approval to operate a FOOD ESTABLISHMENT on an installation or area governed by this publication, the foodservice MANAGER or KO shall–

- (A) Comply with the requirements of this publication; and
- (B) As specified under § 8-402.11, agree to allow access to the FOOD ESTABLISHMENT and to provide required information.

**8-302.14 Contents of the application**

RESERVED (pending OMB review)

*The REGULATORY AUTHORITY should maintain a record of FOOD ESTABLISHMENTS operating on the installation, which include the following characteristics–*

(A) *The name, birth date, mailing address, telephone number, and signature of the PERSON submitting the application; and the name, mailing address, and location of the FOOD ESTABLISHMENT;*

(B) *Information specifying whether the FOOD ESTABLISHMENT is owned by the government, an association, corporation, individual, partnership, or other legal entity;*

(C) *A statement specifying whether the FOOD ESTABLISHMENT–*

(1) *Is a MOBILE operation intended to operate in either a mobile or stationary capacity, is a TEMPORARY, SEASONAL, or permanent/fixed FOOD operation, and*

(2) *Is an operation that includes one or more of the following activities:*

(a) *Prepares, offers for sale, or serves PHF(TCS) FOOD under the following conditions:*

(i) *Only to order upon a CONSUMER'S request,*

(ii) *In advance in quantities based on projected CONSUMER demand and discards FOOD that is not sold or served at an APPROVED frequency, or*

(iii) *Using time as the public health control as specified under § 3-501.19,*

(b) *Prepares PHF(TCS) FOOD in advance using a FOOD preparation method that involves two or more steps which may include combining PHF(TCS) FOOD ingredients; cooking; cooling; reheating; hot or cold holding; freezing; or thawing,*

(c) *Prepares FOOD as specified under Subparagraph (C)(2)(b) of this section for delivery to and consumption at a location off the PREMISES of the FOOD ESTABLISHMENT where it is prepared,*

(d) *Prepares FOOD as specified under Subparagraph (C)(2)(b) of this section for service to a HIGHLY SUSCEPTIBLE POPULATION,*

(e) *Prepares only FOOD that is not PHF(TCS) FOOD, or*

(f) *Does not prepare, but offers for sale only prePACKAGED FOOD that is not a PHF(TCS) FOOD;*

(3) *Prepares FOOD at a facility located off of the installation. In this case, the facility's address and the conveyance method for FOODS that are transported from off-post sites or between facilities on post shall be provided in the application.*

(D) *The name, title, address, and telephone number of the PERSON directly responsible for the FOOD ESTABLISHMENT;*

(E) *The name, title, address, and telephone number of the PERSON who functions as the immediate supervisor of the PERSON specified under ¶ (D) of this section such as the zone, district, or regional supervisor;*

(F) *The names, titles, and addresses of:*

(1) *The PERSONS comprising the legal ownership as specified under ¶ (B) of this section including the owners and officers, and*

(2) *The local resident agent if one is required based on the type of legal ownership;*

### **8-303 Issuance**

#### **8-303.10 New, converted, or remodeled establishments**

For FOOD ESTABLISHMENTS that are required to submit plans as specified under § 8-201.11 the REGULATORY AUTHORITY shall approve the *Application to Operate* after—

(A) A properly completed application is submitted;

(B) The required plans, specifications, and information are reviewed and APPROVED;

(C) A preoperational inspection as specified in § 8-203.10 shows that the establishment is built or remodeled IAW the APPROVED plans and specifications and that the establishment is in compliance with this publication.

#### **8-303.20 Existing establishments, changing management or contract<sup>†</sup>**

(A) Refer to § 8-302.11 for requirements when changing the management or contract for an existing FOOD ESTABLISHMENT.

(B) Except as stated in ¶ (C) this section, a change in management applies when:

(1) A FOOD ESTABLISHMENT previously managed by military personnel is converted to a contracted operation (in part or in full) and the manager is non-military;

(2) A FOOD ESTABLISHMENT previously managed by a civilian contract is converted to a military-managed operation; or

(3) The FOOD ESTABLISHMENT management contract is terminated and a new contract is awarded to a different company.

(C) Changes in management personnel within an existing contract or operation do not require submission of a new *Application to Operate*.

#### **8-303.30 Denial of application to operate, notice**

If an *Application to Operate* is denied, the REGULATORY AUTHORITY shall provide the applicant with a notice that includes:

(A) The specific reasons and publication citations for the denial;

(B) The actions, if any, that the applicant must take to qualify to operate; and

(C) Advisement of the applicant's right to reapply.

### **8-304 Conditions of retention**

**8-304.10 Access to the Tri-Service Food Code** †

(A) Contracted Food Operations. CONTRACTING OFFICERS shall ensure that this publication is incorporated by reference in the FOOD ESTABLISHMENT contract.

(B) Upon request, the REGULATORY AUTHORITY will provide the web address for access to this publication.

**8-304.11 Responsibilities of the food manager**

Upon approval of the *Application to Operate* issued by the REGULATORY AUTHORITY, the FOOD ESTABLISHMENT shall—

(A) Comply with the provisions of this publication, including the conditions of a granted VARIANCE as specified under § 8-103.12, and APPROVED plans as specified under § 8-201.12;

(B) If a FOOD ESTABLISHMENT is required under § 8-201.13 to operate under an HACCP PLAN, comply with the plan as specified under § 8-103.12;

(C) Immediately contact the REGULATORY AUTHORITY to report an illness of a FOOD EMPLOYEE or CONDITIONAL EMPLOYEE as specified under ¶ 2-201.11(B);

(D) Immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist as specified under § 8-404.11;

(E) Allow representatives of the REGULATORY AUTHORITY access to the FOOD ESTABLISHMENT as specified under § 8-402.11;

(F) Replace or repair existing facilities and EQUIPMENT specified in § 8-101.10 with facilities and EQUIPMENT that comply with this publication if—

(1) The REGULATORY AUTHORITY directs the replacement or repair because the facilities and EQUIPMENT constitute a public health HAZARD or nuisance or no longer comply with the criteria upon which the facilities and EQUIPMENT were accepted,

(2) The REGULATORY AUTHORITY directs the replacement or repair of the facilities and EQUIPMENT because of a change of ownership, or

(3) The facilities and EQUIPMENT are replaced in the normal course of operation;

(G) Comply with directives of the REGULATORY AUTHORITY, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the REGULATORY AUTHORITY in regard to the FOOD ESTABLISHMENT or in response to a declared state of emergency;

(H) Accept notices issued and served by the REGULATORY AUTHORITY according to LAW; and

(I) Be subject to the administrative, civil, injunctive, and criminal remedies authorized in LAW for failure to comply with this publication or a directive of the REGULATORY AUTHORITY, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives.

**8-304.20 Approval to operate, not transferable**

An APPROVED *Application to Operate* a FOOD ESTABLISHMENT may not be transferred from one PERSON to another PERSON, from one FOOD ESTABLISHMENT to another, or

from one type of operation to another if the FOOD operation changes from the type of operation specified in the application as specified under ¶ 8-302.14(C) and the change in operation is not APPROVED by the REGULATORY AUTHORITY.

#### **8-304.30 Suspension of approval, vending operations** †

The MEDICAL AUTHORITY or designated representative may, without prior warning or notice, suspend approval to operate a VENDING MACHINE on the installation if the operation constitutes an IMMEDIATE HEALTH HAZARD to the public.

(A) When approval is suspended, the REGULATORY AUTHORITY shall notify the operator by telephone and in writing. The vending operation will cease on initial notification.

(B) Suspension of approval may be withdrawn following re-inspection if correction of noted deficiencies has been accomplished.

### **8-4. Inspections and correction of violations**

#### **8-400 Philosophy of inspection**

##### **8-400.10 Inspection goals** †

(A) The goals of FOOD safety and sanitation inspection programs are–

- (1) To ensure public health protection through FOOD safety,
- (2) To reduce the occurrence of foodborne illness, and
- (3) To ensure compliance with the requirements in this publication.

(B) Ultimately, the responsibility for providing safe FOOD lies with the PIC of the FOOD ESTABLISHMENT.

(C) Sanitation inspections and education programs are the REGULATORY AUTHORITY's primary tools for identifying procedures, practices, facilities, and EQUIPMENT that may be hazardous, and for initiating actions necessary to correct deficiencies. Sanitation inspections serve the commander and the FOOD ESTABLISHMENT by–

- (1) Identifying potential problems and providing reasonable solutions to correct sanitation and FOOD safety problems before outbreaks of foodborne illness occur;
- (2) Identifying procedural, training, and management needs, and providing guidance for FOOD EMPLOYEES; and
- (3) Assisting the FOOD ESTABLISHMENT's PIC to identify deficiencies in EQUIPMENT and facilities.

(D) The REGULATORY AUTHORITY shall place emphasis on those practices and procedures that have a direct bearing on the prevention of foodborne illness.

(E) It is impossible to delineate every discrepancy and possible interpretation of requirements within this publication. Items that, in the opinion of the REGULATORY AUTHORITY, constitute a health hazard shall be reported along with suitable recommendations, even though the items are not specifically addressed in this publication or any other military publication.

### **8-400.20 Inspection types** †

The five types of food safety and sanitation inspections are Preoperational, Routine, Follow-up, Walk-through, and Complaint. These inspections are conducted by the REGULATORY AUTHORITY and are characterized as follows:

(A) Preoperational inspections are conducted for new or modified FOOD ESTABLISHMENTS as specified in §§ 8-201.12 and 8-203.10. The inspection provides assurance that a FOOD ESTABLISHMENT can safely store, prepare, serve, or sell FOOD.

(B) Routine inspections are unannounced, formal sanitary inspections conducted as part of regular, ongoing public health surveillance activities and are administered as specified in subparagraphs 8-6.d.(1) and (2).

(C) Follow-up inspections are announced, formal sanitary inspections that are administered as specified in subparagraphs 8-6.e.(1) and (2).

(D) Walk-through inspections are informal, sanitary inspections performed to assist management in preventing foodborne illness, protecting the public's health, and maintaining the establishment in a sanitary condition. The inspection, administered as specified in subparagraph 8-6.d.(3), is used to identify potential problems with facilities, EQUIPMENT, or FOOD handling procedures and to initiate corrective actions before a formal sanitary inspection is conducted.

(E) Complaint inspections are initiated in response to a customer complaint involving a FOOD ESTABLISHMENT and/or FOOD-related public health issue and administered as specified under subparagraphs 8.e.(1) and (3).

### **8-400.30 Installation Food vulnerability assessment** †

Installation food vulnerability assessments (IFVA) are comprehensive security inspections for FOOD DEFENSE. Installation food vulnerability assessments are not regulated by this publication. The REGULATORY AUTHORITY participates in conducting IFVAs; however, the program is managed by the following antiterrorism and force protection regulations: DODI 2000.12, DODI 2000.16, and other Service-specific publications. The USACHPPM Technical Guide 188, produced by DOD Veterinary Services Activity and the U.S. Army Public Health Command, provides guidance for conducting food and water vulnerability assessments. For AF installations, the HHQ Food Defense program is managed by the Food Protection Section based at the USAF School of Aerospace Medicine. The AFIs 10-245 and 10-246 govern the Air Force Installation Vulnerability Assessment and the Food Vulnerability Assessment programs, respectively.

## **8-401 Frequency**

### **8-401.10 Establishing inspection interval**

(A) Except as specified in ¶¶ (B), (C) and (D) of this section, the REGULATORY AUTHORITY shall inspect each FOOD ESTABLISHMENT and retail FOOD store using the minimum recommended frequency in Table 8-1 for the specified type of FOOD facility or operation.

(B) The REGULATORY AUTHORITY may increase the interval (*e.g., decrease the inspection frequency*) between required routine inspections if—

(1) The FOOD facility or operation is fully operating under an APPROVED and validated HACCP PLAN as specified under § 8-201.14 and ¶¶ 8-103.12(A) and (B) and has demonstrated compliance with the plan during previous inspections;

(2) A FOOD facility risk assessment, as outlined in Appendix D, is conducted and supports a reduction in frequency. *When using this method, a written RISK-based inspection schedule should be uniformly applied throughout the REGULATORY AUTHORITY's jurisdiction. Furthermore, in addition to conducting the requisite number of inspections designated by the Risk Category, the REGULATORY AUTHORITY should contact the FOOD ESTABLISHMENT by telephone or other means at least once every 3 months (for semiannual inspection intervals) or 6 months (for annual inspection intervals) to ensure that the establishment manager and the nature of the FOOD operation are not changed;* or

(3) The FOOD facility or operation involves only coffee service and other unPACKAGED or prePACKAGED FOOD that is not PHF(TCS) FOOD such as carbonated BEVERAGES and snack FOOD such as chips, nuts, popcorn, and pretzels.

(C) The REGULATORY AUTHORITY shall periodically inspect throughout its approved period of operation, all TEMPORARY and SEASONAL FOOD ESTABLISHMENTS that prepare, sell, or serve unPACKAGED PHF(TCS) FOOD and that—

**Table 8-1. Minimum recommended inspection frequencies**

| Risk Category  | Inspection Frequency                    | Examples of Facilities   |
|----------------|---|--|
| Extremely High | Monthly                                 | Shipboard; Hospital nutrition care serving in- or out-patients; Child Care Facilities <sup>1</sup> ; Field foodservice (tactical)  |
| High           | Quarterly                               | Dining facility (DFAC); Fast-food concessions (Burger King, Popeye’s, Subway; Anthony’s Pizza; Exchange Food Court, etc.); Community club  |
| High           | Quarterly                               | <b>Retail Store<sup>2</sup>:</b> Large retail store providing one or more of the following <i>Advanced<sup>3</sup></i> food services: rotisserie chicken; onsite macaroni, tuna, egg, or potato salad prep, sandwich prep/Panini; sushi bar; self-serve salad/soup/buffet bar; bakery with onsite preparation involving mixing raw ingredients; fresh seafood department   |
| Moderate       | 6 months                                | Small food concessions limited to sandwich/soup/salad prep; Coffee shop (pastries, sandwiches, & salads are commercially packaged and not prepared onsite); Ice cream shop; Mobile snack truck limited to serving hot hold/cold PHFs and non-PHF’s (no raw food prep)  |
| Moderate       | 6 months                                | <b>Retail Store<sup>2</sup>:</b> Retail stores providing <i>Basic<sup>3</sup></i> services; Small retail store: Mini-mart, Express, or gas station retail store. These facilities are characterized as retail stores providing typical grocer services (commercially packaged goods) and may include one or more of the following: limited bakery (bakes using frozen products or pre-mixed dough); deli that does not perform cooking or food prep from raw ingredients; self-serve sandwiches (hot breakfast or commercially packaged); hot dogs, pizza, or other pre-cooked foods held in hot holding for individual service. |
| Low            | Annually                                | Vending machine operations; Operations dispensing only non-PHF’s   |
| UNRATED        | Preopening & periodic when in operation | Temporary food establishments; Seasonal food establishments  |

<sup>1</sup> Inspection intervals for child care facilities are prescribed in AFI 48-117, AR 608-10, and OPNAVISNT 1700.9 Series; inspection frequency may not be reduced unless authorized by the governing regulation.  
<sup>2</sup> Minimum frequency for sanitary inspections conducted by U.S. Army Veterinary Service personnel are prescribed in AR 40-657.  
<sup>3</sup> The terms *advanced* and *basic* are used to distinguish between a traditional grocery store typically supplying only packaged foods and may operate a limited service deli and bakery. “Limited-service deli” is defined as serving meats, cheeses, and/or dispensing from bulk, commercially packaged products for individual customer orders.

(1) Have improvised rather than permanent facilities or EQUIPMENT for accomplishing functions such as handwashing, FOOD preparation and protection, FOOD temperature control, WAREWASHING, providing DRINKING WATER, waste retention and disposal, and insect and rodent control; or

(2) Have inexperienced FOOD EMPLOYEES.

(D) The REGULATORY AUTHORITY may increase the frequency of inspections if— †

(1) The results of the FOOD facility risk assessment indicate a risk rating other than

*Low*;

(2) There is an overriding regulatory requirement to conduct more frequent inspection;

(3) In the absence of a FOOD facility risk assessment, the FOOD facility or operation has recently demonstrated poor performance and conformance to this publication’s provisions; or

(4) Public health resources allow for a more robust inspection program.

**8-401.20 Performance- and risk-based inspections**

Within the parameters specified in § 8-401.10, the REGULATORY AUTHORITY shall prioritize and conduct more frequent inspections based upon its assessment of a FOOD facility or operation's history of compliance with this publication's and the establishment's potential as a vector of foodborne illness by evaluating—

(A) Past performance for nonconformance with this publication's or the HACCP PLAN's requirements that are CRITICAL ITEMS;

(B) Past performance for numerous or repeat violations of this publication's or HACCP PLAN's requirements that are SWING or NON-CRITICAL ITEMS;

(C) Past performance for customer complaints investigated and found to be valid;

(D) The HAZARDS associated with the particular FOODS that are prepared, stored, or served;

(E) The type of operation, including the methods and extent of FOOD storage, preparation, and service;

(F) The number of people served; and

(G) Whether the population served is a HIGHLY SUSCEPTIBLE POPULATION.

**8-401.30 Routine inspection substitution <sup>†</sup>**

(A) Routine sanitary inspections may be substituted with interventions at the frequencies prescribed in Table 8-2 and as defined in ¶ (B) of this section.

(B) Telephone contacts or consultations may not serve as an intervention. Inspection interventions may include the following:

(1) HACCP training. HACCP training may include a comprehensive course that teaches the principles of HACCP and application within foodservice operations, or a course that is tailored to a variance authorized at the facility. *The REGULATORY AUTHORITY (or trainer) conducting HACCP training should have completed formal HACCP training in order to use this intervention;*

(2) Formal FOOD safety/sanitation training for FOOD operation's management and EMPLOYEES given by the REGULATORY AUTHORITY. *Training may be a standard written course, an in-service briefing, or presentation tailored to the needs of the FOOD operation. This training requires the participation of at least 50 percent of both management and FOOD EMPLOYEES who work at the FOOD ESTABLISHMENT;* or

(3) A documented conference/consultation visit with the FOOD ESTABLISHMENT or operation's PIC that results in a written agreement to correct an identified CRITICAL operation. *For example, strategies for improving/implementing an integrated pest management plan, cooling procedures for leftover management, or implementing procedures for using time only as a public health control.*

(C) Follow-up inspections are not interventions. Follow-up inspections are those inspections conducted to verify compliance with previously documented deficiencies.

(D) Interventions shall be thoroughly documented to substitute for an inspection.

**Table 8-2. Number of authorized interventions<sup>1</sup>**

| Required Inspection Frequency <sup>2</sup> | Required Number of Routine Inspections <sup>3</sup> | Number of Interventions <sup>3</sup> Authorized  |
|--|---|--|
| Annual                                     | 1   | 0 <sup>4</sup><br>(phone contact after 6 months) |
| 6 Months                                   | 2   | 0 <sup>4</sup><br>(phone contact after 3 months) |
| Quarterly                                  | 4   | 0  |
|  | 3   | 1  |
|  | 2   | 2  |
| Monthly                                    | 12  | 0  |
|  | 11  | 1  |
|  | 10  | 2  |
|  | 9   | 3  |
|  | 8   | 4  |
|  | 7   | 5  |
|  | 6   | 6  |

<sup>1</sup> Minimum frequency for sanitary inspections conducted by U.S. Army Veterinary Service personnel are prescribed in AR 40-657; interventions may not be substituted for retail store inspections.  
<sup>2</sup> Inspection frequency is IAW with Table 8-1, a facility risk assessment, or as directed by the Regulatory Authority.  
<sup>3</sup> Required number of inspections and corresponding interventions to be completed within a 12-month period. No more than half of the required quarterly or monthly inspections may be substituted by interventions. Interventions may not be substituted for annual or semi-annual inspections.  
<sup>4</sup> Contact by phone is required at the mid-point between annual and semi-annual inspections to determine if the operation or menu has changed. New ownership or management, or some operation and menu changes may require reclassification into a higher risk category.

(E) Training interventions that are substituted for inspections must involve at least 50 percent of all assigned FOOD management staff and employees across all shifts; several training iterations may be required to capture the target population.

(F) Consultations, such as development or improvement of facility procedures or sanitation standing operating procedures, should involve representative of both FOOD management staff and supervisory level personnel from each work shift within the operation (weekday, weekend, and evening).

**8-402 Inspection process**

**8-402.10 Competency of inspectors**

An authorized representative of the REGULATORY AUTHORITY who inspects a FOOD ESTABLISHMENT or conducts a plan review for compliance with this publication shall have

the knowledge, skills, and ability to adequately perform the required duties. An exception may be granted by the MEDICAL AUTHORITY where designated inspection personnel are under direct supervision of the REGULATORY AUTHORITY. For example, a Navy Independent Duty Corpsman may supervise other individuals who received on-the-job training in FOOD safety and are designated to conduct inspections.

**8-402.11 Access, allowed at reasonable times after due notice**

After the REGULATORY AUTHORITY presents official credentials and informs the PIC upon entering the facility of the purpose and intent to conduct an inspection, the PIC shall allow the REGULATORY AUTHORITY access to the facility to determine if the FOOD ESTABLISHMENT is in compliance with this publication. Access shall be granted during the FOOD ESTABLISHMENT's hours of operation and other reasonable times, including pre- and post-operational periods when food is received, placed into storage or prepared, or during cleanup activities. Access also includes allowing inspection and providing information and records specified in this publication to which the REGULATORY AUTHORITY is entitled according to LAW.

**8-402.12 Self-evaluations<sup>†</sup>**

Each FOOD ESTABLISHMENT manager or PIC shall—

(A) Perform a documented SELF-EVALUATION of the FOOD ESTABLISHMENT once a week using the guidelines contained in this publication.

(B) Keep records of documented weekly SELF-EVALUATIONS on file for at least 1 year. Records shall be made available to the REGULATORY AUTHORITY upon request.

(C) Conduct daily, informal SELF-EVALUATIONS. *These evaluations are typically conducted by managers, supervisors, or shift leaders and do not require documentation. Daily SELF-EVALUATIONS should focus on time-temperature control of FOOD, personal hygiene, and FOOD handling practices. Documentation of daily monitoring activities associated with a HACCP Plan qualifies as a SELF-EVALUATION.*

**8-402.13 Conducting formal inspections<sup>†</sup>**

The REGULATORY AUTHORITY conducting the sanitary inspection shall—

(A) At the time of inspection, notify the PIC of the FOOD ESTABLISHMENT prior to commencing the inspection and ask that he or she, or an appropriate representative, accompany the inspector through the FOOD ESTABLISHMENT.

(B) *Emphasize control of practices and conditions that have been associated with outbreaks of foodborne illness. This emphasis does not minimize the need to evaluate other areas or practices, but it allows effective use of resources in promoting and enforcing FOOD safety and sanitation programs. If the FOOD ESTABLISHMENT has implemented an APPROVED HACCP PLAN or FOOD Safety Plan, inspections will include evaluating the effectiveness of, and compliance with, the HACCP program.*

(C) Make every effort to avoid interfering with the FOOD ESTABLISHMENT operation while conducting the sanitary inspection.

(D) Explain to the management representative or PIC all findings and the assigned inspection rating. *Comments or discussions of problems should not be conducted in the presence of customers.*

**8-402.14 Inspection of multi-shift operations** †

Inspections of multi-shift operations shall be conducted during all periods of meal preparation, service, and cleanup. The REGULATORY AUTHORITY may schedule a portion of the FOOD ESTABLISHMENT inspection outside of the inspector's normal duty hours, including weekends, to fully assess FOOD operation practices and employees.

**8-402.20 Inspection of off-installation food establishments** †

Inspection of off-installation FOOD ESTABLISHMENTS (restaurants, not retail stores or FOOD production factories) that are frequented by military personnel may be conducted by local preventive medicine or veterinary service personnel in conjunction with appropriate civilian health authorities. Preventive medicine should first determine if the FOOD ESTABLISHMENT is Directory Listed as an APPROVED SOURCE and consult with supporting Veterinary Services, as appropriate. When a FOOD ESTABLISHMENT is suspected of presenting a foodborne illness risk to military personnel, performance of a joint inspection is recommended. When correction is not obtained through local (city/county/state) public health departments, the MEDICAL AUTHORITY or designated representative recommends to the installation or senior tactical commander that the FOOD ESTABLISHMENT be placed off limits.

**8-402.30 Inspection of atypical foodservice establishments** †

Service-specific sanitary requirements for evaluation of foodservice operations at CHILD CARE FACILITIES are contained in AFI 48-117, AR 608-10, and OPNAVINST 1700.9E.

**8-403 Report of findings**

**8-403.10 Documenting information and observations**

The REGULATORY AUTHORITY shall document inspection findings using DD Form 2973, *Food Operation Inspection Report*, as specified in paragraph 8-6.c. and Appendix E.

(A) Fill in all administrative information about the FOOD ESTABLISHMENT, and record the inspection's *Start time* and the *Inspector's* identification information. Upon completion of the inspection, record the *End time*. †

(B) Specific factual observations of non-compliant inspection items or deviations from this publication will be identified by a check mark next to the corresponding item number. Repeat findings from the last inspection report will also be identified by a check mark in the appropriate column for the corresponding item number. Observations that are corrected onsite (COS) will be annotated on the form. CRITICAL violations, to include IMMEDIATE HEALTH HAZARDS, are identified by an asterisk (\*) next to the item number or appropriate provision number within the item grouping. †

**8-403.20 Inspection ratings** †

(A) *Potential problems in FOOD ESTABLISHMENTS should be resolved at the lowest level possible without compromising the health of customers. The PIC and the REGULATORY AUTHORITY should work as partners to ensure safe, wholesome FOOD.*

(B) *Ratings are only one tool used by inspectors to promote health and are somewhat subjective, so sound judgment is very important. It is critical to work as a team with FOOD ESTABLISHMENT management to effectively and efficiently resolve and eliminate potential health problems.*

(C) Rating of sanitary conditions on inspection reports shall be identified as “Fully Compliant,” “Substantially Compliant,” “Partially Compliant,” or “Non-Compliant.” Table 8-3 identifies specific criteria that are used to assign the inspection ratings.

**Table 8-3. Inspection ratings**

| Rating  | Criteria   |
|---|--|
| Fully Compliant   | <ul style="list-style-type: none"> <li>• No deficiencies</li> </ul>  |
| Substantially Compliant   | <ul style="list-style-type: none"> <li>• No Imminent Health Hazard (IHH)<sup>1</sup>; <b>and</b></li> <li>• Two or less Critical findings Corrected Onsite (COS)<sup>2</sup>; <b>and/or</b></li> <li>• Five or less Non-Critical findings</li> </ul> |
| Partially Compliant   | <ul style="list-style-type: none"> <li>• No IHH; <b>and</b></li> <li>• Three or more Critical findings COS; <b>and/or</b></li> <li>• Six or more Non-Critical findings</li> </ul>  |
| Non-Compliant   | <ul style="list-style-type: none"> <li>• IHH is present; <b>or</b></li> <li>• Any Critical finding not COS</li> </ul>  |
| <p><sup>1</sup> Presence of any imminent health hazard results in a Non-Compliant rating.<br/> <sup>2</sup> Presence of any Critical finding that cannot be corrected onsite results in a Non-Compliant rating.</p> |  |

**8-403.30 Specifying time frame for corrections and follow-up inspection**

(A) The REGULATORY AUTHORITY shall specify on the inspection document the time frame for correction of violations as specified under §§ 8-404.11 (Imminent Health Hazards), 8-405.11 (Critical violations), and 8-406.11 (Noncritical violations), and the date in which a follow-up inspection will be conducted as specified in ¶ (B) of this section.

(B) A follow-up inspection is required for FOOD ESTABLISHMENTS rated as Non-Compliant. Follow-up inspections shall be conducted no later than 5 calendar days following the Non-Compliant inspection. †

**8-403.40 Issuing report and obtaining acknowledgment of receipt**

(A) For inspections documented using the *Food Operation Inspection Report*, a copy of the report shall be provided to the PIC at the conclusion of the inspection. The REGULATORY AUTHORITY shall review the report findings with the PIC, request a signed acknowledgment of receipt, and provide a copy of the completed and signed report to the PIC.

(B) When the FOOD ESTABLISHMENT PIC refuses to sign acknowledgment of receipt, the REGULATORY AUTHORITY shall—

(1) Inform the PERSON who declines to sign an acknowledgment of receipt of the inspection document that—

(a) An acknowledgment of receipt is not an agreement with findings,

(b) Refusal to sign an acknowledgment of receipt will not affect the FOOD ESTABLISHMENT PIC's obligation to correct the violations noted in the inspection document within the time frame specified, and

(c) Refusal to sign an acknowledgment of receipt is noted in the inspection document and conveyed to the REGULATORY AUTHORITY's historical record for the FOOD ESTABLISHMENT; and

(2) Make a final request that the PIC sign an acknowledgment receipt of inspectional findings.

#### **8-403.50 Public information**

Except as specified in § 8-202.10, the REGULATORY AUTHORITY and the PIC shall treat the inspection report as a public document and shall make it available for disclosure to a PERSON who requests it as provided in LAW. This provision does not prohibit the installation commander from establishing a program to publish inspection results; nor does it require posting of the inspection results in the facility.

#### **8-404 Imminent health hazard**

##### **8-404.11 Ceasing operations and reporting**

(A) Except as specified in ¶ (B) of this section, a FOOD ESTABLISHMENT shall immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service (greater than 2 hours), SEWAGE backup, misuse of POISONOUS OR TOXIC MATERIALS, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health.

(B) A FOOD ESTABLISHMENT need not discontinue operations in an area of an establishment that is unaffected by the IMMINENT HEALTH HAZARD.

##### **8-404.12 Resumption of operations**

(A) If operations are discontinued as specified under § 8-404.11 or otherwise according to LAW, the PIC shall obtain approval from the REGULATORY AUTHORITY before resuming operations.

(B) Raw or READY-TO-EAT PHF(TCS) FOOD that has been exposed to temperatures outside the SAFE TEMPERATURE ZONE as specified in § 3-501.16 for less than 4 hours, but has not been exposed to any known contaminants, may be served with approval of the REGULATORY AUTHORITY, provided it is—†

(1) Rapidly reheated as specified in § 3-403.11 for raw or READY-TO-EAT PHF(TCS) FOOD; or

(2) Reconditioned based on the risks associated with the particular FOOD without compromising the health of the CONSUMER as specified in § 3-701.11.

### ***8-405 Critical deficiencies, correction***

#### **8-405.11 Timely correction**

(A) Except as specified in ¶ (B) of this section, a FOOD ESTABLISHMENT shall at the time of inspection correct all CRITICAL violations of this publication and implement corrective actions for a HACCP PLAN provision that is not in compliance with its CRITICAL LIMIT.

(B) *Considering the nature of the potential HAZARD involved and the complexity of the corrective action needed, the REGULATORY AUTHORITY may agree to or specify a longer time frame, not to exceed 5 calendar days after the inspection, for the FOOD ESTABLISHMENT to correct CRITICAL violations or HACCP PLAN deviations.*

#### **8-405.20 Verification and documentation of correction**

(A) After observing at the time of inspection a correction of a violation of a CRITICAL or NON-CRITICAL deficiency or a HACCP PLAN deviation, the REGULATORY AUTHORITY shall enter the violation and information about the corrective action on the inspection report form.

(B) As specified under ¶ 8-405.11(B), after receiving notification that the PIC has corrected a CRITICAL or NON-CRITICAL deficiency or HACCP PLAN deviation, or at the end of the specified period of time, the REGULATORY AUTHORITY shall verify correction of the violation, document the information on an inspection report, and enter the report in the REGULATORY AUTHORITY's records.

### ***8-406 Noncritical deficiencies, correction***

#### **8-406.11 Time frame for correction**

(A) Except as specified in ¶ (B) of this section, the FOOD ESTABLISHMENT shall correct all NON-CRITICAL deficiencies by a date and time agreed to or specified by the REGULATORY AUTHORITY but no later than 30 calendar days after the inspection.

(B) *The REGULATORY AUTHORITY may approve a compliance schedule that extends beyond the time limits specified under ¶ (A) of this section if a written schedule of compliance is submitted by the FOOD ESTABLISHMENT and no health HAZARD exists or will result from allowing an extended schedule for compliance.*

## **8-5. Prevention of foodborne disease transmission by employees**

### ***8-501 Investigation and control***

**8-501.10 Obtaining information: personal history of illness, medical examination, and specimen analysis**

The REGULATORY AUTHORITY shall act when it has reasonable cause to believe that a FOOD EMPLOYEE or CONDITIONAL EMPLOYEE has possibly transmitted disease; may be infected with a disease in a communicable form that is transmissible through FOOD; may be a carrier of infectious agents that cause a disease that is transmissible through FOOD; or is affected with a boil, an infected wound, or acute respiratory infection, by—

(A) Securing a confidential medical history of the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE suspected of transmitting disease or making other investigations as deemed appropriate; and

(B) Requiring appropriate medical examinations, including collection of specimens for laboratory analysis, of a suspected FOOD EMPLOYEE or CONDITIONAL EMPLOYEE.

(C) For deployments where adequate civilian medical support, including a medical laboratory, is not available, the senior MEDICAL AUTHORITY (Theater Surgeon/Task Force Surgeon) shall be consulted regarding the use of U.S. medical resources for this purpose. †

**8-501.20 Restriction or exclusion of food employee, or suspension of operation**

Based on the findings of an investigation related to a FOOD EMPLOYEE or CONDITIONAL EMPLOYEE who is suspected of being infected or diseased, the REGULATORY AUTHORITY may issue an order to the suspected FOOD EMPLOYEE, CONDITIONAL EMPLOYEE, or PIC instituting one or more of the following control measures—

(A) RESTRICTING the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE;

(B) EXCLUDING the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE; or

(C) Coordinating with the installation or senior tactical commander (holding command authority) to suspend operation of the implicated FOOD ESTABLISHMENT. †

**8-501.30 Restriction or exclusion order**

Based on the findings of the investigation as specified in § 8-501.10 and to control disease transmission, the REGULATORY AUTHORITY may issue an order (in a formal letter or memorandum) of RESTRICTION or EXCLUSION to a suspected FOOD EMPLOYEE or the PIC without prior warning if the order—

(A) States the reasons for the RESTRICTION or EXCLUSION that is ordered;

(B) States the criteria that the FOOD EMPLOYEE or PIC shall provide in order to demonstrate that the reasons for the RESTRICTION or EXCLUSION are eliminated; and

(C) States that the suspected FOOD EMPLOYEE or the PIC may request an appeal by the MEDICAL AUTHORITY or designated representative by submitting a timely written request as provided in LAW; and

(D) Provides the name and address of the REGULATORY AUTHORITY representative to whom a request for an appeal may be made.

#### **8-501.40 Removal of exclusions and restrictions**

The REGULATORY AUTHORITY shall release a FOOD EMPLOYEE or CONDITIONAL EMPLOYEE from RESTRICTION or EXCLUSION according to LAW and the conditions specified under § 2-201.13.

#### **8-6. Inspection guidance** †

*a.* Food sanitation inspections are conducted by military Preventive Medicine and Veterinary Services personnel as stated in paragraph *b.* of this section. Other military personnel tasked to perform food sanitation inspections will undergo comprehensive on-the-job training to ensure competency. Service-specific regulations, as referenced in paragraphs 8-8*a.–c.*, should be consulted regarding collaboration and communication of inspection activities between Preventive Medicine and Veterinary Services personnel at the installation level.

##### *b. Authorized inspectors*

The following Service-specific officer and enlisted job series personnel are generally recognized as qualified to conduct inspections based on the education received during their occupational specialty training. This list is not all-inclusive; DOD civilians and contracted personnel hired to perform public health FOOD sanitation inspections and audits are considered qualified. Additionally, Joint-basing, deployment, or absence of local public health assets may result in designation of qualified inspectors that are approved by the MEDICAL AUTHORITY to perform in an official capacity on vessels, installations, or at facilities not affiliated with their assigned Service. *This list is not intended to delineate jurisdiction of inspection authority by installation or facility type.*

(1) *Air Force.* Air Force Public Health Officers, Public Health Technicians, Flight Surgeons, and Independent Duty Medical Technicians.

(2) *Army.* Preventive Medicine Technicians and Non-commissioned Officers (NCOs); Environmental Science and Engineering Officers; Veterinarians, Veterinary Warrant Officers, and Veterinary NCOs.

(3) *Navy and Marine Corps.* Environmental Health Officers; Preventive Medicine Technicians; Independent Duty Corpsmen; or other Hospital Corpsmen authorized by the Medical Authority.

##### *c. Inspection forms*

(1) The *Food Operation Inspection Report* form prescribed in this publication is used by all Services when conducting sanitary inspections at FOOD ESTABLISHMENTS. Inspection of military units operating tactical feeding systems should be documented using DD Form 2974, *Tactical Kitchen Food Sanitation Inspection*. Procedures for using these forms are provided in Appendix E.

(2) FOOD ESTABLISHMENT inspections may also be documented through the Defense Occupational and Environmental Health Readiness System (DOEHRS) by means of the *Food Operation Inspection Report*, which replaced the *Food Establishment Survey Report*.

(*a*) DOEHRS, available at <https://doehrs-ih.csd.disa.mil/>, is a DOD data repository and requires user registration for access to the website.

(b) In order to facilitate data mining and queries in DOEHRS, direct keystroke entry on applicable inspection reports is required on a desktop computer or DOEHRS-Mobile platform.

(c) When the DOEHRS website or DOEHRS-Mobile is unavailable, inaccessible, or not practical for use, the manual forms specified in subparagraph 8-6.c.(1) should be used.

*d. Routine and walk-through inspections*

(1) Routine and Walk-through inspections are comprehensive in nature and shall examine all aspects of the FOOD operation: preparation, service, and cleanup.

(2) *Routine inspections—*

(a) Are conducted with the PIC or the FOOD ESTABLISHMENT's designated representative and may include other personnel such as the FACILITIES ENGINEERS or COR; and

(b) Should include a review of Walk-through inspections and the facility's documented weekly SELF-EVALUATION reports to identify continuous and systemic problems. Additionally, the inspector should observe daily SELF-EVALUATION practices employed by the PIC or supervisors.

(3) *Walk-through inspections—*

(a) May be initiated by the REGULATORY AUTHORITY or at the request of the FOOD ESTABLISHMENT PIC.

(b) Are documented using DD Form 2973, *Food Operation Inspection Report*, informal memorandum (memorandum for record), or other document, and do not generate an inspection rating, except as specified in subparagraph *d.(3)(d)* of this section.

(c) Findings from a Walk-through inspection are not formally reported through command or official reporting channels unless requested by the FOOD ESTABLISHMENT PIC or the CONTRACTING OFFICER.

(d) If an IMMEDIATE HEALTH HAZARD is discovered or if a CRITICAL deficiency is found and not corrected onsite, the REGULATORY AUTHORITY shall convert the inspection to a formal, Routine inspection, shall initiate action as specified under § 8-404.11, as applicable, and report findings as specified under Part 8-7.

*e. Follow-up and complaint inspections.*

(1) Follow-up and Complaint inspections are typically limited in focus, depending on the circumstances triggering the inspection; it is the REGULATORY AUTHORITY's discretion to conduct a comprehensive assessment of the FOOD ESTABLISHMENT.

(2) *Follow-up inspections.* Follow-up inspections are required, as specified under ¶¶ 8-403.30(B) and 8-404.12(A), following a Non-Compliant inspection rating or verification of a reported IMMEDIATE HEALTH HAZARD at the FOOD ESTABLISHMENT.

(a) The inspection is documented using DD Form 2973, *Food Operation Inspection Report*.

(b) Follow-up inspections are conducted until all corrective actions for IMMEDIATE HEALTH HAZARDS or CRITICAL items noted on the last Routine inspection have been completed.

(3) *Complaint inspections—*

(a) Investigation of a customer complaint involving a public health concern at a FOOD ESTABLISHMENT shall be conducted within 24 hours of the reported issue or as soon as reasonably feasible based on the REGULATORY AUTHORITY's mission priority and operating tempo.

(b) During the investigation, the REGULATORY AUTHORITY has the discretion to dismiss the complaint due to insufficient findings, or conduct a Complaint-driven inspection of the FOOD ESTABLISHMENT.

(c) Complaint inspections may be documented using DD Form 2973, *Food Operation Inspection Report*, or in an informal memorandum (memorandum for record). Whenever possible, the customer presenting the original complaint will be contacted by the REGULATORY AUTHORITY and apprised of the inspection results.

(4) Report distribution is conducted as specified under Part 8-7.

f. *Self-evaluations.* Weekly self-evaluations conducted by the FOOD ESTABLISHMENT may be documented using DD Form 2973, *Food Operation Inspection Report*, or any applicable retail self-evaluation sanitary checklist. †

#### **8-7. Report distribution** †

##### *a. General distribution.*

##### (1) Army.

(a) Copies of all Routine and Follow-up inspection forms and reports, and select Complaint inspection reports, as specified in subparagraph 8-6.e.(3)(b), shall be directed to the PIC's unit commander or supervisor and distributed as specified under paragraphs b.–g. of this section. A courtesy copy of inspections conducted at retail store FOOD concessions (i.e., contracted concessions located inside the commissary, or foodservice operations inside the Mini-mart or Express) should be provided to the Preventive Medicine or Veterinary Services office, as appropriate, to promote collaboration and ensure visibility of facility status or conditions.

(b) Significant repeated discrepancies or Non-Compliant ratings shall be reported to the next higher command level having jurisdiction over the FOOD ESTABLISHMENT, for example, the installation commander.

(c) Where corrections of CRITICAL or repeated deficiencies are not obtained or are beyond the capability of the local installation commander or tactical commander, the conditions noted and recommended corrective actions will be summarized in a memorandum to the Command Surgeon. A copy of the completed and signed inspection form shall be attached to the memorandum.

(d) Applicable portions or copies of the inspection form shall be provided to the local installation support activities (COR, Engineers/Directorate of Engineering and Housing, Director of Logistics) whenever coordination is needed for deficiency correction.

(2) Air Force report distribution should be conducted IAW the most current version of AFI 48-116.

(3) Navy. The completed DD Form 2973, *Food Operation Inspection Report*, shall be distributed as follows:

(a) Original to the commanding officer having direct responsibility for the FOOD ESTABLISHMENT.

(b) Copy to the PIC.

(c) File copy retained for the Preventive Medicine Authority.

*b. Troop dining food establishments.*

(1) Except as specified in subparagraph *b.(4)*, this section, when rating troop dining FOOD ESTABLISHMENTS, information copies of all Routine, Follow-up, and select Complaint inspection forms shall be forwarded to the appropriate Food Program Manager (FPM).

(2) When a contractor-operated FOOD ESTABLISHMENT is rated, the information copies of all Routine, Follow-up, and select Complaint inspection forms shall be forwarded to the appropriate FPM and the appropriate COR.

(3) To enhance awareness of contractor-operated FOOD ESTABLISHMENTS and maintain an open communication dialogue, the COR should forward copies of all evaluations (i.e., self-evaluations and quality assurance evaluations) involving FOOD safety and sanitation deficiencies at contractor-operated FOOD ESTABLISHMENTS to the REGULATORY AUTHORITY.

(4) Air Force report distribution should be conducted IAW the most current version of AFI 48-116.

*c. AAFES/NEX/MCX food establishments.* When an inspection of any AAFES, NEX, or MCX FOOD ESTABLISHMENT or affiliated FOOD concessionaire results in a Non-Compliant rating, the inspecting office, after coordination with command channels, shall send a copy of the report to the appropriate AAFEX/NEX General Manager and the AAFES Staff Veterinarian as follows:

(1) *AAFES food establishments.* Information copies of all Non-Compliant inspections for AAFES FOOD ESTABLISHMENTS within CONUS, the Pacific, and Europe shall be forwarded to the AAFES Staff Veterinarian via organizational e-mail account at: [food-drug.safety@aafes.com](mailto:food-drug.safety@aafes.com). Alaska, Panama, and Puerto Rico are included in CONUS, and the Pacific includes Hawaii, Japan, Korea, and other Pacific installations.

(2) *NEX food establishments.* Information copies of all Non-Compliant inspections for NEX FOOD ESTABLISHMENTS within CONUS, the Pacific, and Europe shall be forwarded to: NEX General Manager and Director Food Service Program, Navy Exchange Service Command, 3280 Virginia Beach Boulevard, Virginia Beach, VA 23452-5724. The Pacific includes Hawaii, Japan, Guam, and other Pacific installations.

(3) *MCX food establishments.* Information copies of all Non-Compliant inspections for MCX NEX FOOD ESTABLISHMENTS within CONUS, the Pacific, and Europe shall be forwarded to: MCCS/MCX General Manager and Branch Head – Food & Hospitality & Entertainment Headquarters, United States Marine Corps, 3044 Catlin Avenue, Quantico, VA 22134-5099. The Pacific includes Hawaii, Japan, Guam, and other Pacific installations.

*d. Nonappropriated funds (NAF) food establishments.* Information copies of Non-Compliant inspection reports of NAF dining FOOD ESTABLISHMENTS (officer, non-

commissioned officer, community, and enlisted clubs, except AAFES) shall be forwarded to the installation Director of Personnel and Community Activities.

e. *Defense Commissary Agency (DeCA) food establishments* When an inspection of a DeCA FOOD ESTABLISHMENT results in a Non-Compliant rating, the inspecting office, after coordination with appropriate command channels, shall send a copy of the report to the Defense Commissary Agency, Consumer Safety Officer via email at [foodsafety4@deca.mil](mailto:foodsafety4@deca.mil) (or phone 804-734-8000 extension 48364 for assistance), from which it will be routed to the appropriate DeCA Area Consumer Safety Officer.

f. *Vending machine operations, contracted.* Information copies of Non-Compliant reports of VENDING MACHINES shall be forwarded to the owner and the VENDING MACHINE CONTRACTING OFFICER.

g. *Documents forwarded to military public health organization.*

(1) Information copies of all FOOD ESTABLISHMENT (non-retail store) Non-Compliant inspection reports and APPROVED FOOD ESTABLISHMENT VARIANCES shall be sent to the appropriate military Public Health organization:

(a) *Air Force.* Non-Compliant inspection reports are routed IAW AFI 48-116.

(b) *Army.* U.S. Army Public Health Command, Army Institute of Public Health, Environmental Health Sanitation and Hygiene office. Electronic mail communication is preferred. Refer to Appendix B for contact information.

(c) *Navy and Marine Corps.* Submission of non-compliant inspection reports is optional but highly encouraged. Reports should be submitted to the Navy and Marine Corps Public Health Center. Electronic mail communication is preferred; contact the Navy representative at the number provided in Appendix B to obtain appropriate email address.

(2) Submittal of Non-Compliant reports to the Service's public health organization is for informational purpose only; actions regarding non-compliance are managed by the REGULATORY AUTHORITY at the installation level. Forwarded reports are evaluated by the respective military public health organizations to determine necessary changes or clarification to this publication, trends in FOOD safety and sanitation RISK factors, and to assist in developing training programs.

(3) Successful submission of a completed DOEHRS food sanitation inspection report to the DOEHRS Repository using DOEHRS-Mobile or direct keystroke entry in the DOEHRS Web site shall be considered as compliance with this requirement. Reports that are scanned and posted to DOEHRS as a PDF file must be submitted as specified in subparagraph g.(1) of this section.

## **8-8. Responsibilities<sup>†</sup>**

a. *Air Force.* Responsibilities for oversight and management of food sanitation activities at Air Force installations are provided in AFI 48-116.

b. *Navy and Marine Corps.* The Manual of the Medical Department, NAVMED P-117, assigns the responsibility for oversight and management of food sanitation activities.

Paragraph *c.* of this section outlines specific responsibilities for food managers and medical regulatory personnel at Army installations and is applicable to Navy and Marine Corps installations.

*c. Army.* Responsibilities for oversight and management of FOOD sanitation and safety program activities are as follows:

(1) The staff veterinarian at major Army Commands, medical regions, and installation medical facilities serves as the MEDICAL AUTHORITY designated representative, and veterinary officers and qualified enlisted inspectors will serve as REGULATORY AUTHORITY for the following activities—

(a) Conducting necessary sanitary inspections or audits of FOOD ESTABLISHMENTS; investigating reports of FOOD infested, ADULTERATED, or damaged by pests; and reporting damage as per the guidance in AR 40-657/NAVSUPINST 4355.4F/MCO P10110.31G;

(b) Conducting other inspections related to veterinary aspects of FOOD procurement; processing, storing, shipping, receiving, and distributing per AR 40-657/NAVSUPINST 4355.4F/MCO P10110.31G;

(c) Conducting HACCP PLAN verification at retail stores;

(d) Serving as the lead medical coordinator for FOOD DEFENSE; and

(e) Advising the installation commander of the FOOD sanitation and FOOD safety implications of military facilities and operations.

(2) Preventive medicine officers and qualified enlisted personnel serving as the MEDICAL AUTHORITY's designated representative are the REGULATORY AUTHORITY that conducts the actions specified in subparagraph 8-8.e. to ensure compliance with this publication.

*d. Installation commander.* The installation commander—

(1) Maintains the sanitary control of all FOOD and BEVERAGES served or dispensed at the installation.

(2) Ensures that FOOD and BEVERAGES are served only through APPROVED FOOD ESTABLISHMENTS or VENDING MACHINES and operations.

(3) Ensures that the construction, alteration, or modifications of FOOD ESTABLISHMENTS are accomplished only after the plans and specifications have been reviewed and APPROVED by the MEDICAL AUTHORITY or designated representative. Upon completion of such projects, ensures that the FOOD ESTABLISHMENT does not begin operations without a satisfactory onsite evaluation by the MEDICAL AUTHORITY or designated representative.

(4) Ensures the FOOD ESTABLISHMENT's supervisory personnel and FOOD EMPLOYEES are trained as specified under § 2-102.20 and Part 2-5.

(5) Ensures that all individuals handling or serving FOOD have received medical clearances as required in Part 2-2.

*e. Medical Authority.* The MEDICAL AUTHORITY or designated representative—

(1) Advises the installation commander of the FOOD sanitation and FOOD safety implications of military operations.

(2) Conducts inspections of FOOD ESTABLISHMENTS to ensure compliance with this publication and reference documents.

(3) Determines the requirements for providing medical examinations of FOOD EMPLOYEES.

(4) Conducts medical examinations as required in Part 2-2 and ensures the requirements of § 2-201.13 are followed if medical examinations of contract FOOD EMPLOYEES are provided at a contractor's cost by the MEDICAL AUTHORITY.

(5) Conducts, coordinates, and provides technical guidance, assistance, and education to reduce the potential of a foodborne illness occurrence.

(6) Reviews plans; blueprints; specifications; intended menus; anticipated volume of FOOD to be stored, prepared, sold, or served; and HACCP PLANS, when applicable, for all new construction, renovation, or modification of existing FOOD ESTABLISHMENTS, EQUIPMENT, and UTENSILS. USACHPPM TG-194 provides the facility design criteria.

(7) Conducts epidemiological investigations of suspected FOODBORNE DISEASE OUTBREAKS.

(8) Ensures that preventive medicine personnel conducting inspections of FOOD ESTABLISHMENTS and assisting FOOD ESTABLISHMENT personnel in matters of FOOD safety and sanitation are qualified as specified under §§ 2-102.20 and paragraph 8-6.b.

(9) Ensures that preventive medicine personnel have completed training as specified in § 2-504.10 and ¶ 2-501.11(B), or performs assigned tasks under direct supervision of a certified preventive medicine individual.

(10) Participates in integrated pest management (IPM) programs through pest surveillance of insects, rodents, and other pests in FOOD products and FOOD ESTABLISHMENTS, and provides results to pest management personnel.

(11) Provides guidance to FOOD ESTABLISHMENT personnel on nonchemical control measures to prevent or control pests; notifies pest management personnel when nonchemical techniques have failed to control the presence or infestations of insects and when supplementary chemical control measures may be needed.

(12) Coordinates joint evaluations, inspections, training programs, and epidemiological investigations with the local U.S. Army Veterinary Services personnel, and/or local, State, or Federal agencies, as applicable.

*f. Food program manager.*

(1) The installation-level Food Program Manager may be a Navy Food Management Team Officer, a Brigade or Corps Food Advisor, or a Theater Food Advisor.

(2) The installation food program manager—

(a) Ensures foodservice contracts include requirements that contractor PIC and FOOD EMPLOYEES, including contracted KP personnel, receive required sanitation training as specified under Part 2-5 of this publication;

(b) Assists the COR, in coordination with the MEDICAL AUTHORITY or designated representative, in developing contract foodservice sanitation and FOOD safety standards and evaluating contractor performance of foodservice sanitation and safety requirements;

(c) Provides the REGULATORY AUTHORITY with local distribution and dissemination instructions for inspection reports and evaluations of contract FOOD operations;

(d) Ensures that military personnel detailed as an additional duty to perform other than primary FOOD preparation duties, such as KP, receive adequate training to perform their duties: pot and pan washing and SANITIZING, vegetable preparation, cleaning and SANITIZING foodservice EQUIPMENT and FOOD CONTACT SURFACES, and basic housekeeping;

(e) Ensures that additional duty military KP supervisors, in addition to completing the training for military KP as specified in subparagraph *f.(2)(d)* of this section, receive at least 4 hours of training in basic FOOD safety and sanitation as specified in § 2-504.30 and that such training is documented as specified in § 2-505.11 prior to the detail assignment; and

(f) Provides the REGULATORY AUTHORITY with a list of military KP supervisors who have completed training as specified in subparagraph *f.(2)(e)* of this section.

*g. Food establishment manager.* The FOOD ESTABLISHMENT manager—

(1) Provides safe FOOD prepared under clean sanitary conditions and in compliance with all provisions of this publication;

(2) Shall be properly trained as specified in ¶ 2-102.11(B) and §2-102.20 on the principles of foodservice sanitation and safety and demonstrates knowledge of foodborne disease prevention, application of the HACCP principles, and the requirements of this publication as specified under § 2-102.11;

(3) Ensures that all assigned FOOD EMPLOYEES are trained as specified under Part 2-5 of this publication. *Training is a condition of employment for FOOD EMPLOYEES, and it is the FOOD ESTABLISHMENT's fundamental responsibility to plan, coordinate, and fund the requisite training to ensure compliance with this publication. The installation MEDICAL AUTHORITY provides guidance and approves training to be executed by the REGULATORY AUTHORITY when requested and operationally feasible but is not financially responsible for a FOOD ESTABLISHMENT's training needs.*

(4) Ensures that all FOOD EMPLOYEES comply with the provisions of this publication; and

(5) Maintains a copy of this publication at each FOOD ESTABLISHMENT. *VENDING MACHINE locations and MOBILE FOOD ESTABLISHMENTS are exempt from this requirement.*

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## CHAPTER 9

### FIELD AND DEPLOYMENT FOOD OPERATIONS

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#### 9-1. General provisions

##### *9-101 Introduction and objective*

##### **9-101.10 High-risk environments and highly susceptible populations<sup>†</sup>**

(A) *Personnel operating in a deployment setting, a tactical training environment, or operations afloat are categorized as a HIGHLY SUSCEPTIBLE POPULATION.*

(B) *Field feeding operations, operations afloat, and tactical training, especially in high-risk environments, can allow FOOD to become vehicles in the transmission of communicable diseases, thus compromising not only the health and effectiveness of service members but unit readiness as well. Effective FOOD sanitation practices and requirements are considered a must in any type of foodservice environment, but alternative practices may be necessary in field feeding operations. This chapter provides guidance and basic requirements for FIELD FOOD OPERATIONS and FIXED or semi-FIXED FOOD OPERATIONS constructed in a deployment setting in order to ensure FOOD safety and reduce the potential risk of foodborne illness.*

(C) Modifications to the guidance provided in this publication to meet unique circumstances associated with field operations shall—

- (1) Be coordinated between the PIC and the REGULATORY AUTHORITY;
- (2) Focus on real HAZARDS associated with FOOD and on the control procedures in place to minimize or eliminate associated HAZARDS;
- (3) Use a risk-based or HACCP PLAN to deviate from specific requirements if the HAZARDS associated with applicable FOOD are properly identified and if control mechanisms are in place to eliminate or minimize the HAZARDS; and
- (4) Ensure monitoring is conducted to identify when deviations are out of control and where HAZARDS may still exist.

(D) The MEDICAL AUTHORITY or designated representative may—

- (1) Impose additional requirements to protect against health HAZARDS related to the conduct of the FIELD FOODSERVICE; or
- (2) Waive or modify requirements when HAZARDS are minimized or non-existent.

*Waivers or modifications are conducted by applying composite risk management and should be documented using appropriate risk management worksheets or forms with the signature of the risk decision authority designated for the level of residual risk.*

##### *9-102 Standards and conformance*

##### **9-102.10 Food, equipment, and facilities, management<sup>†</sup>**

(A) Except where specified in the sections of this chapter or in the Theater Policy applicable in the deployed setting or contingency area of operations, FIELD FOODSERVICE and afloat

foodservice operations shall meet the standards specified under Chapters 2–10 of this publication.

(B) Non-U.S. controlled FOOD ESTABLISHMENTS:

(1) Examples include North Atlantic Treaty Organization (NATO) contracted and host nation-operated facilities. U.S. military and civilian personnel may be required to eat at these establishments when U.S. facilities are not available.

(2) The MEDICAL AUTHORITY should establish a partnership with its host nation or coalition force counterpart to ensure force health protection.

(3) The REGULATORY AUTHORITY should conduct joint inspections of FOOD ESTABLISHMENTS with its host nation or coalition force counterparts.

(4) The REGULATORY AUTHORITY communicates inspection findings and concerns to the MEDICAL AUTHORITY for action.

(5) A FOOD AND WATER RISK ASSESSMENT is conducted for local FOOD operations supporting deployed forces during short-term deployments, initial entry deployment, exercises, and other short-term operations conducted outside the U.S. or U.S. territories. The assessment, performed by preventive medicine and/or veterinary personnel, should be conducted prior to the intended use in order to identify, mitigate, and minimize RISK from intentional and unintentional contamination of FOOD.

(C) The following publications should be referenced as applicable—

(1) For FOOD operations governed by the U.S. military:

(a) Army Tactics Techniques and Procedures (ATTP) 4-41 provides guidance for Army Field Feeding and Class I Operations;

(b) FM 4-25.12 provides guidance for Unit Field Sanitation Teams.

(c) NAVMED P-5010-6, *Water Supply Afloat*.

(d) NAVMED P-5010-9, *Preventive Medicine for Ground Forces*.

(e) Pamphlet, *Food Service Equipment and Field Feeding Systems*, DOD Combat Feeding Directorate (CFD), Natick Soldier Research Development & Engineering Center, <http://nsrdec.natick.army.mil> and [http://nsrdec.natick.army.mil/media/print/FSE\\_3ED.pdf](http://nsrdec.natick.army.mil/media/print/FSE_3ED.pdf).

(2) For FOOD operations governed by Coalition forces, consult NATO Standardization Agreement (STANAG) 2550, *Food Safety and Defense for Deployed Operations*, STANAG 2982, *Essential Field Sanitary Requirements*, and NATO Allied Medical Publication (AMedP)-25, *Minimum Standards of Food Safety and Hygiene in Deployment*.

(3) For FOOD operations governed by other coalition partners, for example, a DFAC under contract through a country other than the United States, consult the CODEX Alimentarius (international standard for food) available at <http://www.codexalimentarius.org/Standards>. *These facilities are normally inspected by public health assets from the country in which the foodservice contract was awarded and are regulated under STANAG 2550 or the applicable CODEX Alimentarius.*

**9-102.11 Minimum operational requirements\* †**

At a minimum, FIELD FOODSERVICE operations shall—

(A) Ensure field-expedient handwashing facilities are provided at FOOD preparation and serving areas and at latrines as specified under § 9-202.13.<sup>N</sup>

(B) Provide a sanitation center or dishwashing line that is capable of cleaning and SANITIZING field feeding components, EQUIPMENT, and UTENSILS.<sup>N</sup>

(C) Provide a safe and adequate supply of DRINKING WATER through an APPROVED system.

(D) Collect, store, and dispose of solid waste in a manner to minimize insect and rodent attraction. *For example, bury, incinerate, return to the forward supply point, or dispose per local requirements.*<sup>N</sup>

(E) Collect, store, and dispose of liquid waste water. *Examples of field-expedient methods, such as soakage pits, trenches, and grease traps, are provided in FM 21-10.*<sup>N</sup>

(F) Protect FOOD during storage as specified under §§ 3-305.11 and 9-204.11.<sup>N</sup>

(G) Provide adequate mechanical refrigeration or ice chests to maintain proper FOOD temperature of perishable rations (A-type rations) as specified under § 9-502.11.<sup>N</sup>

(H) Use designated ration breakpoint areas for thawing frozen FOOD at SAFE TEMPERATURES, or provide adequate refrigeration support at the field feeding site.

(I) Transport FOOD to remote feeding sites in clean, covered vehicles that will not subject the FOOD to ADULTERATION or CONTAMINATION as specified under § 9-502.18.<sup>N</sup>

### **9-103 Medical screening**

#### **9-103.11 Health and medical screening\*<sup>†</sup>**

(A) Deployed military FOOD EMPLOYEES and foodservice EMPLOYEES aboard military Sealift Command vessels shall be evaluated IAW the applicable Command Medical Policy for the deployment area of operations and reportable symptoms and diseases specified under Part 2-2 of this publication. Military FOOD EMPLOYEES conducting FIELD FOOD OPERATIONS in a non-deployment setting shall comply with the provisions specified in Part 2-2 of this publication.

(B) DOD civilians, American expatriates/U.S. contracted personnel, host nation, and third country nationals employed in foodservice or DRINKING WATER processing/production for U.S. military forces shall be medically screened and cleared regarding the reportable symptoms and diseases as specified under Part 2-2 of this publication and IAW applicable Command Medical Policy for the deployment area of operations. *Policy for a theater of operations is generally developed by the Surgeon at the senior command level.* In the absence of a Theater policy, requirements for medical screening of personnel working in foodservice or DRINKING WATER processing/production shall be developed at the appropriate command level responsible for medical oversight in the area of operations or at the camp, forward operating base, or equivalent level.

(C) The REGULATORY AUTHORITY shall verify the medical clearance of DOD civilians, American expatriates/U.S. contracted personnel, host nation, and third country nationals serving as FOOD EMPLOYEES.

## **9-2. Design, construction, and installation**

### **9-201 Site selection**

#### **9-201.11 Location** †

*Establishing and selecting a site for a field kitchen requires careful consideration of traffic flow; location of sleeping areas, toilets, and handwashing facilities; drainage; and potential insect and rodent control issues.*

- (A) Unless operational requirements prohibit, FIELD FOOD OPERATIONS shall be—
- (1) At least 300 feet (100 yards) from latrines, waste storage, and disposal areas, taking into account the gradient and the predominant wind direction (e.g. uphill and upwind); and
  - (2) At least 90 feet (30 yards) from sleeping areas and bodies of water.
- (B) Special considerations for the sanitation center or mess kit laundry include the following:
- (1) Drainage from this operation shall be downhill from the food operation.
  - (2) Establish procedures to reduce potential insect and rodent harborage.

### **9-202 Physical Facilities**

#### **9-202.11 Field food operation, facilities** †

- (A) The design and color of field kitchen walls, floors, and ceilings shall be considered acceptable when maintained in a serviceable condition as required by supporting technical manuals and § 9-203.11.
- (B) Except as specified in ¶ (C) of this section, FIELD FOOD OPERATIONS conducted in a structure or shelter other than a field kitchen shall be—
- (1) In the best available structure; and
  - (2) Shall meet the requirements for TEMPORARY FOOD ESTABLISHMENTS as specified under Chapter 10 of this publication.
- (C) Except as specified in ¶ (D) of this section, contracted or military FIELD FOODSERVICE operating as a fixed facility in a deployment setting shall be continuously improved to comply with the provisions of Chapter 6, this publication, if—
- (1) Operated for more than 14 consecutive days, or
  - (2) The facility is routinely used for foodservice and is operated less than 14 consecutive days during multiple (intermittent) periods throughout the deployment. Intermittent-use FOOD ESTABLISHMENTS shall comply with the SEASONAL FOOD ESTABLISHMENT facility requirements as specified under Chapter 10 of this publication.
- (D) A military field kitchen operated in its original tactical configuration may be used for an unlimited amount of time, as prescribed by doctrine, without structural improvement.
- (E) A facility supplied with permanent utilities, such as water, electricity, and sewage, shall be treated as a FIXED FOOD ESTABLISHMENT and shall comply with the provisions of Chapter 6 of this publication.

**9-202.12 Toilets** †

Patron and FOOD EMPLOYEE toilets shall be located at least 300 feet (100 yards) downwind from the FIELD FOOD OPERATION, taking into account the gradient and the predominant wind direction.

**9-202.13 Handwashing facilities** †

At a minimum, field-expedient handwashing facilities shall be provided at the following locations:

- (A) Field latrines and toilet facilities;
- (B) Cleaning and sanitizing areas of the FIELD FOODSERVICE ESTABLISHMENT;
- (C) FOOD preparation and FOOD serving areas; and
- (D) The customer entrance to the serving line.

**9-203 Cleanability**

**9-203.11 Floors, walls, and ceilings** †

(A) Floor surfaces shall be kept as dry as possible for FOOD operations conducted under a tent or similar shelter and on dirt or another unpaved surface.

(B) Walls and ceilings shall be free of dirt, cobwebs, peeling paint, and other contaminants that can fall into FOOD or onto FOOD CONTACT SURFACES.

**9-204 Functionality**

**9-204.11 Wood pallets** †

Wood pallets are authorized for storage of food and supplies in FIELD FOOD OPERATIONS and operations afloat and shall be—

(A) Placed in areas where the ground is firm and the weight of the pallets and contents will not lead to the FOOD or supplies coming into direct contact with the ground or standing water; and

(B) Exchanged when new supplies are delivered.

(C) Covered, when used as a subfloor, with an impermeable and easily cleanable material to prevent accumulation of FOOD debris and liquid and pest harborage. *The use of pallets to create a subfloor should be of limited duration. Facilities (and flooring) should be improved over time as specified in ¶ 9-202.11(C).*

**9-204.12 Handwashing facilities** †

(A) Except as specified in ¶ (B) of this section, field-expedient handwashing facilities shall include soapy water, rinse water, paper towels, and a covered receptacle for paper waste.

(B) *The REGULATORY AUTHORITY may authorize waterless handwashing using an APPROVED hand SANITIZER as specified under § 2-301.16. FOOD EMPLOYEES shall wear single-use disposable gloves, as specified in § 3-304.15, when waterless handwashing is the only available means for EMPLOYEE handwashing. The REGULATORY AUTHORITY may impose*

*additional FOOD handling restrictions when use of an APPROVED hand SANITIZER is the only available means for EMPLOYEE handwashing.*

**9-204.13 Ventilation** †

(A) Ventilation mechanisms, such as mechanical or manual methods (e.g., ceiling vent ports), for military field kitchens shall be employed IAW the applicable equipment operator's technical manual.

(B) Ventilation for FIELD FOODSERVICE conducted in a trailer or permanent structure shall be improved as specified under ¶ 9-202.11(C) to control grease and humidity.

**9-204.14 Lighting** †

*Considering the tactical situation, adequate lighting shall be provided to allow proper FOOD storage, preparation, serving, cleaning, and SANITIZING of equipment and utensils. During tactical blackout conditions or periods when evening lighting is inadequate, the unit commander should consider serving FOODS which require minimal or no preparation (e.g. Meals-Ready-to-Eat, heat-and-eat FOODS, or other READY-TO-EAT FOODS).*

**9-3. Water**

**9-301 Source**

**9-301.11 Approved system\*** †

(A) Water used for FIELD FOODSERVICE shall be obtained from an APPROVED source that meets the requirements specified in TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP.

(B) Shipboard treated water shall conform to the provision specified in NAVMED P-5010-6.

(C) BOTTLED WATER shall be acquired from an approved source as specified in ¶ 3-201.11(B), and Army Regulation (AR) 40-657/NAVSUPINST 4355.4H/MCO P10110.31H.

(D) Source water for field PACKAGED WATER operations shall meet the requirements specified in TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP.

**9-302 Quantity**

**9-302.11 Capacity** †

The water source and system supplying FIELD FOODSERVICE operations shall be of sufficient capacity to meet all FOOD operation requirements.

**9-303 Quality**

**9-303.11 Drinking water quality, standards\* †**

(A) Water used for FIELD FOODSERVICE shall be POTABLE and shall meet the military field DRINKING WATER quality standards prescribed in TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP.

(B) DRINKING WATER for Naval operations afloat shall conform with BUMED INSTRUCTION 6240.10 SERIES, Standards for Potable Water, and NAVMED P-5010-6.

**9-303.12 Chlorine residual, requirement\* †**

(A) Except as specified in ¶ (B) of this section, POTABLE water used in FIELD FOODSERVICE shall be chlorinated and shall retain a free available chlorine residual IAW TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP or NAVMED P-5010-6, as appropriate.

(B) The chlorine residual requirement shall be specified by the MEDICAL AUTHORITY when conditions require a change to TB MED 577/NAVMED P5010-10/AFMAN 48-138\_IP. <sup>N</sup>

**9-303.13 Chlorine residual, monitoring\* †**

(A) Preventive medicine or personnel designated by the MEDICAL AUTHORITY shall test the chlorine residual during each sanitary inspection (or at least monthly). *The chlorine residual should be checked at the following locations: a supplied FOOD EQUIPMENT located farthest from the hose connection to the bulk water supply; the bulk water container; and the ice machine if provided.* <sup>N</sup>

(B) The FOOD operations manager shall—

(1) Ensure the chlorine residual of the bulk DRINKING WATER servicing the FOOD operation is tested at each bulk delivery or water trailer refill. <sup>N</sup>

(2) Test the chlorine residual at the outlet of the FOOD EQUIPMENT that is located at the point farthest from the hose connection to a bulk water source each time a hose is connected or reconnected between the FOOD EQUIPMENT and the water source.

(3) Take corrective actions to re-chlorinate any bulk water that falls below the minimum prescribed residual. <sup>N</sup>

(C) The chlorine residual of bulk water supplying FOOD operations shall be monitored daily. *Multiple testing may be required each day in hot climates where chlorine is likely to dissipate more rapidly. Testing conducted by preventive medicine personnel or the MEDICAL AUTHORITY's designated representative does not preclude testing by FOOD EMPLOYEES or unit field sanitation teams.* <sup>N</sup>

(D) Inspection and chlorine residual records shall be maintained at the FIELD FOODSERVICE ESTABLISHMENT. <sup>N</sup>

(E) UGR-As or A-type (perishable) rations may not be prepared when the minimum prescribed chlorine residual cannot be achieved or sustained. Alternate rations and enhancements which do not require water as an ingredient, such as MREs, UGR-H&S, and other rations, shall be served until the minimum prescribed chlorine residual is attained. BOTTLED or PACKAGED WATER shall be used for hot and cold beverage service when there is no chlorine residual in the supplied bulk POTABLE water. <sup>N</sup>

### **9-304 Plumbing System**

#### **9-304.10 Pressure** †

Bulk water that supplies FOOD operations does not have to be under pressure.

#### **9-304.11 Bulk water, storage container** †

(A) Water that supplies FOOD operations shall be obtained from water bladders and water trailers that meet the requirements outlined in TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP.

(B) Water trailers and bulk POTABLE water storage containers shall be inspected before, during, and after use IAW the equipment operator's technical manual, the criteria specified in TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP, and the applicable theater or command policy.

#### **9-304.12 Pipes and hoses, connections\*** †

(A) Hoses used to connect an APPROVED water source to FIELD FOODSERVICE operations conducted using a military kitchen trailer, mobile kitchen, or fixed facility shall—

- (1) Meet NSF/ANSI listed standards for POTABLE water;
- (2) Be kept in a clean and dry location when not in use; and
- (3) Be SANITIZED and tested as specified in subparagraph 9-303.13(B)(2) when connected to the water source.

(B) To prevent accidental CROSS-CONNECTION, a DRINKING WATER hose connection shall be of a different thread design and diameter than any waste line hose connection.

### **9-4. Maintenance**

#### **9-401 Premises**

##### **9-401.11 Cleaning, frequency and methods** †

Except as specified in ¶¶ (A) and (B) of this section, cleaning shall be conducted as specified under §§ 6-501.12 and 6-501.13.

(A) FIELD FOODSERVICE operations shall be kept as clean as possible; *consideration should be made for available facilities and EQUIPMENT and the anticipated length of stay for the operation.*

(B) Floors, walls, ceilings, customer eating areas, FOOD preparation, and storage areas shall be free of accumulated FOOD waste, trash, and standing water.

#### **9-402 Equipment and utensils**

##### **9-402.10 Good repair and operation** †

(A) EQUIPMENT and UTENSILS shall be maintained in a state of repair and condition as specified under Parts 4-1, 4-2, and 4-5 of this publication.

(B) FIELD FOODSERVICE EQUIPMENT procured using a commercial item description shall meet NSF International standards.

(C) Replacement components for field kitchens shall conform with applicable military specifications for field kitchens or shall be evaluated in both design and construction by:

(1) DOD Food Service Equipment and Field Feeding Systems, U.S. Army Soldier Systems Command, Natick Research, Development and Engineering Center, Natick, MA; or

(2) A food sanitation representative from one of the military Public Health organizations should be consulted.

### ***9-403 Pest control measures***

#### **9-403.10 Pest management<sup>†</sup>**

(A) The FOOD operations manager shall implement IPM principles within FOOD operations and adjacent areas.

(B) The FOOD ESTABLISHMENT PIC or designated EMPLOYEES shall conduct daily inspections of the FOOD operations area.

(C) The IPM actions beyond the unit or FOOD ESTABLISHMENT's capability shall be requested from the supporting medical command or preventive medicine unit.

#### **9-403.11 Animals and pest control<sup>†</sup>**

(A) For tactical FOOD operations, insect and rodent controls shall meet the requirements as specified under § 6-202.13.

(B) For FIELD FOODSERVICE, insect and rodent controls and exclusions shall meet the requirements of §§ 6-202.13, 6-202.15, and 6-202.16.

(C) Animal prohibitions shall conform as specified under § 2-403.11.

## **9-5. Food**

### ***9-501 Sources***

#### **9-501.11 Approved sources\*<sup>†</sup>**

Food shall be obtained from APPROVED SOURCES as specified under Subpart 3-201 of this publication.

### ***9-502 Preparation, storage, transport, and service***

#### **9-502.11 Frozen and refrigerated foods, management\*<sup>†</sup>**

(A) Frozen FOODS may not be THAWED or SLACKED at ambient temperature or in standing water.

(B) Frozen FOODS shall be—

(1) Stored at 0°F (-17.7°C);<sup>N</sup> and

(2) Thawed at a ration breakpoint and maintained at 41°F (5°C) or below; or

(3) Transported frozen to the remote feeding site and either prepared and cooked immediately from the frozen state or thawed in field refrigeration units.<sup>N</sup>

(C) Except as specified in Subparagraph (3) of this section, refrigerated PHF(TCS) FOOD—

(1) Shall be stored at 41°F (5°C) or below.

(2) Perishable FOODS shall not be used when adequate refrigeration or ice chests are not available to maintain product temperature as specified in Subparagraph (C)(1) of this section.

(3) *Unopened containers of UHT milk do not require refrigeration during storage and may be chilled immediately prior to offering for CONSUMER consumption. Chilled UHT milk that is unopened may be removed from refrigerated storage and subsequently re-chilled at a later time.*

#### **9-502.12 Cooking and hot holding, temperatures\*<sup>†</sup>**

(A) PHF(TCS) FOODS that require cooking or are intended to be eaten hot shall be cooked or heated to an internal product temperature of 165°F (74°C).

(B) Except as specified in ¶ 9-502.13(D), hot PHF(TCS) FOODS shall be held at 135°F (57°C) or above throughout the meal period.

#### **9-502.13 Insulated food containers\*<sup>†</sup>**

(A) Insulated food containers (IFCs) used for holding or transporting PHF(TCS) FOODS shall be—

(1) Cleaned and SANITIZED prior to use;

(2) Pre-chilled or preheated before filling with PHF(TCS) FOODS; and

(3) Labeled with the common name of the FOOD and the time and product temperature when the IFC was filled.<sup>N</sup>

(4) Hot and cold FOODS shall be placed in the IFC issued inserts; placement of FOOD in the IFC without use of inserts is prohibited.<sup>N</sup>

(B) Filling the IFCs for meal service shall be coordinated with the supported unit to minimize the holding time before transporting the FOOD to the remote feeding site.<sup>N</sup>

(C) When PHF(TCS) FOODS are initially placed in IFCs, the internal product temperature of hot PHF(TCS) FOODS shall be 135°F (57°C) or above, and that of cold PHF(TCS) FOODS shall be 41°F (5°C) or below.

(D) When using IFCs, “time only” as a Public Health Control (TPHC) is automatically applied. PHF(TCS) FOODS in IFCs shall be consumed within 4 hours from the time the IFC was filled as specified in Subparagraph (A)(3) of this section. Any PHF(TCS) FOODS not consumed within this time period shall be discarded. PHF(TCS) FOODS exceeding the 4-hour time limit for consumption may not be reheated.

#### **9-502.14 Leftover foods\*<sup>†</sup>**

(A) Except as specified in Subparagraph (B) of this section, unconsumed PHF(TCS) FOOD prepared for a specific meal period may not be retained as LEFTOVERS in FIELD FOODSERVICE operations.

(B) Sandwiches may be retained at the end of the current meal period for up to 4 hours and then served at the next scheduled meal, provided that:

- (1) Chilled sandwiches are maintained as specified in ¶ 9-502.11(C); or
- (2) Hot sandwiches are maintained as specified in ¶ 9-502.12(B).

**9-502.15 Condiments** †

Individual serving condiments shall be protected from contamination. Condiments may be dispensed from sanitary dispensers as specified in ¶ 3-306.12(A).

**9-502.16 Milk and milk products** †

Milk and milk products for drinking purposes shall be—

(A) Provided to the CONSUMER in an unopened, commercially filled individual PACKAGE not exceeding 16 fluid ounces or 1 pint (0.473 L) in capacity; or

(B) *Drawn for immediate consumption from a commercially filled container only when mechanically refrigerated bulk milk dispensers are functional and used; and*

(C) Except as specified in Subparagraph 9-502.11(C)(3), maintained at 41°F (5°C) or below during storage, display, and service.

**9-502.17 Raw fruits and vegetables\*** †

(A) Except as specified in ¶¶ (C) and (D) of this section, before being cut, combined with other ingredients, cooked, served, or offered for human consumption in READY-TO-EAT form, raw fruits and vegetables shall be thoroughly washed and subjected to a CHEMICAL WASH (disinfection) process as specified in § 3-302.15.

(B) *The alternate APPROVED non-chemical method for reducing microbial contamination requires submersing raw fruits and vegetables in 140°F (60°C) DRINKING WATER for 1 minute.*

(C) *Vegetables that are PACKAGED in a READY-TO-EAT form (i.e., bagged salad) are handled IAW manufacturers' specifications and may not require washing before being served.*

(D) In emergency feeding situations at locations where fresh fruits and vegetables are grown in areas of "Night Soil" (human SEWAGE) used as fertilizer, the MEDICAL AUTHORITY or designated representative may allow procurement and consumption. Vegetables of uncertain origin and those purchased from areas where inspections have not been conducted by veterinary personnel, as well as those suspected of being contaminated with pathogenic organisms—

(1) Shall be thoroughly washed in DRINKING WATER to remove all visible soil, and then CHEMICALLY WASHED to reduce the microbial contamination, followed by a rinse with clean DRINKING WATER. All leafy vegetables are completely taken apart to expose the entire FOOD surface for cleaning and disinfection.

(2) Disinfection is achieved chemically using chlorine bleach or non-chemically using hot water. Completely submerge raw fruits and vegetables in DRINKING WATER using one of the chemical or non-chemical treatment and time combinations listed in Table 9-1. *Chlorine solution at a concentration of 100 ppm is prepared by mixing 1 ounce of household liquid bleach (5 percent sodium hypochlorite) in 2 gallons of cool DRINKING WATER.*

**Table 9-1. Chemical wash criteria for FF&V of uncertain origin**

| FAC Concentration (ppm)   | Time       |
|---|------------|
| 50  | 30 minutes |
| 100   | 15 minutes |
| 200*  | 30 seconds |
| Hot, 140°F (60°C) Drinking Water  | 1 minute   |
| * Treatment with 200 ppm FAC must be followed by a second clear DRINKING WATER rinse. |            |

**9-502.18 Transporting food, vehicle and prohibition <sup>†</sup>**

(A) Except as specified under ¶ (B) of this section, vehicles used to transport FOOD to field feeding sites shall be clean, covered, and used exclusively for transporting FOOD.

(B) Multipurpose vehicles used to transport personnel, equipment, supplies, and other items:

(1) Prior to the transport of FOOD for each meal period, the cargo area of the vehicle shall be completely washed with soapy water and rinsed to remove dirt, debris, and fuel, oil, or chemical residues. The vehicle shall be allowed to air dry prior to transporting FOOD.

(2) FOOD containers, packages of SINGLE-USE items, and UTENSILS shall be placed on clean, dry pallets or other dunnage to prevent direct contact with the vehicle floor.

(3) FOOD may not be transported with bulk fuel or chemicals.

(4) Transport of FOOD with equipment and nonchemical supplies may be approved by the REGULATORY AUTHORITY if required by the tactical situation and there is little or no risk of FOOD CONTAMINATION or ADULTERATION.

**9-6. Personnel.**

**9-601 Personal hygiene**

**9-601.10 Customers <sup>†</sup>**

Personnel subsisting at FIELD FOOD OPERATIONS should be encouraged to wash their hands. Hand wash devices or hand sanitizers should be placed near the FOOD ESTABLISHMENT entrance as specified in ¶ 9-202.13(D).

**9-601.11 Camouflage paint and food employee uniforms <sup>†</sup>**

(A) Camouflage paint or other toxic skin coatings are:

(1) POISONOUS or TOXIC MATERIALS when consumed.

(2) Except as specified in ¶ (B) this section, prohibited on the hands, arms, or face of field FOOD EMPLOYEES if the FOOD EMPLOYEES are:

(a) Preparing FOOD;

(b) Washing or SANITIZING FOOD EQUIPMENT; or

(c) Performing KP duties.

(B) *Commanders may dictate that personnel maintain combat operational readiness in extreme tactical situations, which may include the wearing of camouflage paint or other coatings. At remote feeding sites, individuals serving FOOD or performing basic site cleanup, such as collecting trash, may wear camouflage paint or other skin coatings on the face, hands, and arms, but the hands shall be covered with disposable, SINGLE-USE gloves.*

(C) *Military uniforms worn by cooks and KP personnel shall be free from heavy soil and residues from handling fuel and other petroleum products. Cooks should wear a clean uniform every day and should minimize wearing tactical gear that may present a safety issue or may potentially contaminate FOOD during preparation or service. If conditions (determined by tactical commanders) require cooks and KP personnel to wear tactical gear and camouflage paint or other chemical coatings on the hands, forearms, and face, the food operation supervisor or senior leader should consider curtailing the use of A-type rations and replace them with individual or unitized group rations (heat-and-serve type rations) until conditions are more conducive for the management of hygienic controls.*

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## CHAPTER 10

### TEMPORARY, SEASONAL, AND VENDING FOOD OPERATIONS

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#### 10-1. Chapter scope

##### *10-101 Purpose*

##### **10-101.10 Provisions for temporary, seasonal, and vending food operations<sup>†</sup>**

The purpose of this chapter is to identify the special requirements and standards applicable to TEMPORARY, SEASONAL, and VENDING MACHINE FOOD ESTABLISHMENTS, and to provide a quick reference to the section(s) of this publication under which an exception to such a standard is authorized.

##### *10-102 Referencing other areas of this publication*

##### **10-102.10 Applying exceptions to the publication's provisions<sup>†</sup>**

(A) Except as stated in the sections of this chapter, TEMPORARY, SEASONAL, and VENDING MACHINE FOOD ESTABLISHMENTS shall employ and conform to the provisions outlined in chapters 2 through 8 of this publication.

(B) The FOOD ESTABLISHMENT PIC must review the chapters of this publication, as stated in ¶ (A) of this section, to ensure full compliance of TEMPORARY, SEASONAL, and VENDING MACHINE FOOD operations.

#### 10-2. Water, plumbing, and waste

##### *10-201 Water*

##### **10-201.11 Approved system\*<sup>†</sup>**

(A) DRINKING WATER shall be acquired from an APPROVED source as specified in ¶ 5-101.11.

(B) For TEMPORARY and SEASONAL FOOD operations—

(1) In addition to the pre-opening testing and evaluation requirements specified in subparagraph (4) of this section, safety of the supporting water supply shall be established during the initial approval process for the operation.

(2) The REGULATORY AUTHORITY may authorize the use of a nonpublic potable water supply. Approval for use of a nonpublic water supply shall be requested and obtained in writing, in advance of the FOOD operation's opening.<sup>N</sup>

(3) Potable water shall be delivered to the operation if the requested nonpublic water system is not available or is not APPROVED.<sup>N</sup>

(4) Except as specified in subparagraph (4)(a) of this section, the FOOD operation manager shall contact the supporting REGULATORY AUTHORITY at least 2 weeks prior to the start of the operation to test and evaluate the supporting PUBLIC or nonPUBLIC WATER SYSTEM.

(a) A PUBLIC WATER SYSTEM that is routinely tested as part of the installation's DRINKING WATER surveillance program does not require additional testing if the water will be drawn directly from the system and is not held in a bulk storage container at the FOOD ESTABLISHMENT. <sup>N</sup>

(b) Water testing shall include the chlorine residual and microbiological quality of the water. <sup>N</sup>

(c) The FOOD ESTABLISHMENT shall not begin FOOD PREPARATION or service until the results of these tests have been received and APPROVED by the REGULATORY AUTHORITY.

(C) Water distribution system components, including hoses and valves, shall meet NSF International standards for POTABLE water, or equivalent standards for components purchased OCONUS. <sup>N</sup>

**10-201.12 Capacity, exception** <sup>†</sup>

TEMPORARY, SEASONAL, and VENDING MACHINE FOOD ESTABLISHMENTS shall provide a water system of sufficient capacity as specified in § 5-103.11 but are exempted from the requirement of supplying both hot and cold running water as specified in ¶ 5-103.11(C).

**10-201.13 Pressure, exception** <sup>†</sup>

Water need not be under pressure when supplied as specified under ¶¶ 5-104.12(A) and (B) to a TEMPORARY or SEASONAL FOOD ESTABLISHMENT operating without a permanent water supply.

**10-201.14 Alternative water supply** <sup>†</sup>

An alternative water supply shall be made available as specified under § 5-104.12 for a TEMPORARY or SEASONAL FOOD ESTABLISHMENT without a permanent water supply.

**10-201.15 Potable water, not available** <sup>†</sup>

TEMPORARY, SEASONAL, and VENDING FOOD operations which do not have adequate POTABLE water shall be restricted to the sale of canned or PACKAGED FOOD, individual-serving canned sodas and juices, and hot beverages, such as coffee, tea, and hot chocolate, provided the water used to prepare the drinks (such as bottled water) is from an APPROVED SOURCE.

**10-202 Plumbing systems**

**10-202.11 Handwashing sink, exception** †

*An exception to ¶ 5-203.11(A), handwashing sink requirement, is authorized when FOOD exposure is limited and HANDWASHING SINKS are not conveniently available. If APPROVED, EMPLOYEES may use chemically treated towelettes for handwashing, and FOOD operations shall be limited as specified under ¶ 5-203.11(C).*

**10-202.12 Toilets and urinals**

When feasible, TEMPORARY and SEASONAL FOOD operations shall be provided with plumbed toilets and urinals as specified under § 5-203.12. If APPROVED by the REGULATORY AUTHORITY, portable toilets may be used. Use of portable toilets requires approved handwashing facilities for use by CONSUMERS and staff.

*10-203 Sewage and waste*

**10-203.11 Conveying sewage, exception** †

Sewage shall be conveyed through an APPROVED sanitary SEWAGE system as stated in § 5-402.13. An exception for use of a non-water-carriage SEWAGE disposal system (composting toilets, waste bladders, etc.) is authorized in TEMPORARY FOOD ESTABLISHMENTS when APPROVED by the REGULATORY AUTHORITY.

**10-3. Physical facilities**

*10-301 Design and construction*

**10-301.11 Indoor surface characteristics, exception** †

Materials for indoor floor, wall, and ceiling surfaces shall comply as specified under § 6-101.11. An exception is authorized for floors, as specified under ¶ 6-101.11(B), for TEMPORARY and SEASONAL FOOD ESTABLISHMENTS when APPROVED by the REGULATORY AUTHORITY as specified under § 10-301.12.

**10-301.12 Structural requirements** †

SEASONAL and TEMPORARY FOOD operations shall meet the same structural requirements as a fixed facility, specified under Part 6-2 of this publication, unless a waiver is requested from and APPROVED by the REGULATORY AUTHORITY using the criteria provided in Parts 8-2 and 8-3 of this publication.

**10-301.13 Wooden duckboards or pallets, exception** †

An exception to § 6-201.15 is authorized in TEMPORARY FOOD ESTABLISHMENTS for use of wooden duckboards or pallets which do not meet NSF International Standard 52 requirements.

**10-301.14 Exposed studs, joists, and rafters, exception** †

An exception to § 6-201.18 for TEMPORARY FOOD ESTABLISHMENTS is authorized for exposed studs, joists, and rafters in areas subject to moisture.

**10-301.15 Outer openings, protected, exception** †

(A) Except as specified in ¶ (B) of this section and under ¶¶ 6-202.15(D) and (E), outer openings to TEMPORARY, SEASONAL and VENDING MACHINE FOOD operations shall comply as specified under § 6-202.15.

(B) If a TEMPORARY FOOD ESTABLISHMENT is not provided with protected windows and doors, the openings shall be protected against the entry of insects and rodents as specified under ¶ 6-202.15(D).

**10-4. Facility and operating plans**

*10-401 Plan submission*

**10-401.11 Requirements and procedures** †

Except as specified in § 10-401.12, the plan requirements, submission, and approval procedures for TEMPORARY, SEASONAL, and VENDING MACHINE FOOD operations shall comply as specified under Part 8-2 of this publication.

**10-401.12 Time frames for submission** †

(A) Plans for TEMPORARY FOOD ESTABLISHMENTS shall be submitted a minimum of 14 days prior to the scheduled start date of the operation.

(B) Plans for all other types of FOOD ESTABLISHMENTS shall be submitted as specified in ¶ 8-201.11(A).

**10-5. Vending machine operations**

*10-501 Administrative requirements*

**10-501.11 Approval** †

(A) Authority to operate VENDING MACHINES dispensing PHF(TCS) FOODS or hot or cold cup BEVERAGES may be granted by the installation commander based on approval by the MEDICAL AUTHORITY or designated representative. The operator shall provide the REGULATORY AUTHORITY with a HACCP PLAN or SOP for all phases of the vending operation. The HACCP PLAN or SOP will detail the types of FOOD dispensed, including source, and any special processing, such as acidification.

(B) Medical approval may be obtained following satisfactory pre- and post-FOOD ESTABLISHMENT and EQUIPMENT installation inspections and HACCP PLAN or SOP review. The approval covers the VENDING MACHINE EQUIPMENT and its location; the

transport system; supply, storage, servicing, and SANITIZING facilities; and the commissary or other supporting FOOD ESTABLISHMENTS governed under the provisions of this publication.

(C) Approvals are not transferable.

#### **10-501.12 Identity** †

The operator shall conspicuously display the company name, complete mailing address, and service telephone number on a permanent label affixed to each VENDING MACHINE or in a conspicuous location adjacent to a bank of VENDING MACHINES.

#### **10-501.13 Operator procedures** †

In addition to complying with the provisions of this publication, the VENDING MACHINE operator shall—

(A) Maintain a list of all VENDING MACHINES and the route servicing schedule for all VENDING MACHINES operated within the jurisdiction of the MEDICAL AUTHORITY.

(B) Maintain a complete address of each VENDING MACHINE LOCATION and of all commissaries or other FOOD ESTABLISHMENTS that service these VENDING MACHINES.

(C) Provide the information in ¶¶ (A) and (B) of this section to the REGULATORY AUTHORITY and keep this information current.

(D) Obtain MEDICAL AUTHORITY or designated representative approval for each VENDING MACHINE LOCATION where PHF(TCS) FOODS and hot and cold cup BEVERAGE VENDING MACHINES will be placed in operation.

(E) Obtain REGULATORY AUTHORITY approval prior to any changes in operations, including changes to the HACCP PLAN or SOP, involving new types of VENDING MACHINES or the conversion of existing machines to dispense products other than those for which the machines were APPROVED.

### ***10-502 Vending equipment***

#### **10-502.10 Equipment conformance standards referenced in this publication** †

(A) The dispensing compartment of a VENDING MACHINE shall be equipped with a self-closing door or cover as specified under § 4-204.14.

(B) VENDING MACHINES, including water VENDING MACHINES, shall be NAMA- or NSF International- listed as specified in ¶ 4-205.11(B) or shall be certified by an equivalent agency if procured OCONUS.

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**APPENDIX A**

**REFERENCES**

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**Section I**

**Required Publications**

There are no entries for this section.

**Section II**

**Related Publications**

A related publication is a source of additional information. The user does not have to read it to understand this publication. Air Force publications are available at <http://www.e-publishing.af.mil> and <https://kx.afms.mil>. Except as noted below, Army regulations are available online from the U.S. Army Publishing Directorate (APD) Web site: <http://www.apd.army.mil>. Field manuals are available online from the General Dennis J. Reimer Training and Doctrine Digital Library Web site: <http://atiam.train.army.mil/portal/application> (Library Search). Technical bulletins, medical, are available online from the USAPHC Web site: <http://phc.amedd.army.mil/Pages/Library.aspx>. Technical manuals are available at <http://www.usace.army.mil/inet/usace-docs/armymtm/>. Codes of Federal Regulations are available online from the National Archives and Records Administration Web site: <http://www.gpoaccess.gov/cfr/index.html>. Standardization Agreements (NATO) (STANAG) and the Quadripartite Standardization Agreement (QSTAG) are available online at <http://assist.daps.dla.mil/>. USAPHC technical guides listed below are available online at <http://phc.amedd.army.mil/Pages/Library.aspx>. The National Fire Protection Association (NFPA) Standards listed are available from the NFPA, Batterymarch Park, Quincy, MA 02269.

**A-1. DOD and Joint/Multiservice Publications**

DoD Instruction 4150.07  
DoD Pest Management Program

AR 40-657/NAVSUP 4355.4H/MCO P10110.31H  
Veterinary/Medical Food Safety, Quality Assurance, and Laboratory Service

AFPMB TG 18  
Installation Pest Management Program Guide

AFPMB TG 20  
Pest Management Operations in Medical Treatment Facilities

AFPMB TG 27  
Stored Product Pest Monitoring Method

AFPMB TG 29  
Integrated Pest Management (IPM) in and Around Buildings

TB MED 577/NAVMED P-5010-10/AFMAN 48-138\_IP  
Sanitary Control and Surveillance of Field Water Supplies

UFC 4-010-01  
DoD Minimum Antiterrorism standards for Building

UFC 4-023-03  
Design of Building to Resist Progressive Collapse

**A-2. Air Force Publications**

AFI 48-116  
Food Safety Program

AFI 48-117  
Public Facility Sanitation

AFI 10-245  
Air Force Installation Vulnerability Assessment Program

AFI 10-246  
Air Force Food Vulnerability Assessment Program

**A-3. Army Publications**

AR 30-22  
The Army Food Program

AR 40-5  
Preventive Medicine

AR 420-1  
Army Facilities Management

**TB MED 530/NAVMED P-5010-1/AFMAN 48-147\_IP**

AR 608-10  
Child Development Services

DA PAM 30-22  
Operating Procedures for the Army Food Program

DA PAM 40-11  
Preventive Medicine

TB MED 576  
Sanitary Control and Surveillance of Water Supplies at Fixed Installations

ATTP 4-41 (formerly FM 10-23)  
Army Field Feeding and Class 1 Operations

FM 5-19  
Composite Risk Management

FM 21-10  
Field Hygiene and Sanitation

TM 4-41.11 (formerly FM 10-23-2)  
Dining Facility Operations

TM 4-41.12 (formerly FM 10-23-2)  
Food Program Operations

MIL HDBK 740  
Dishwashing Operations

MIL HDBK 3006C  
Guidelines for Auditing Food Establishments

USACHPPM TG No. 194  
Environmental Health Aspects of Food Service Facilities Design Review

U.S. Army Corps of Engineers, Technical Instructions 800-01  
Design Criteria

**A-4. Navy and Marine Corps Instructions/Publications**

BUMEDINST 6220.12  
Medical Event Reports

BUMEDINST 6240.10  
Standards for Potable Water

BUPERSINST 1710.13A  
Operations of Navy Messes Ashore and Package Stores

MCO P1700.27  
Morale, Welfare and Recreation (MWR) Policy Manual

MCO P5090.2  
Environmental Compliance and Protection Manual

MCO P10110.34  
Food Service and Subsistence Management Manual

MCO P10110.48  
Veterinary Surveillance Inspection of Subsistence

NAVFAC MO 119  
Building Maintenance, Galley Equipment

NAVFAC MO 322  
Inspection for Public Works and Public Utilities

NAVMED P-117  
Manual of the Medical Department

NAVMED P-5010  
Chapter 5, Water Supply Ashore

NAVMED P-5010  
Chapter 6, Water Supply Afloat

NAVMED P-5010  
Chapter 8, Navy Entomology and Pest Control

NAVSUP P-486  
Food Service Management, General Messes

NAVSUP 4355.4  
Veterinary/Medical Food Safety Quality Assurance and Laboratory Service

NAVSUPINST 4355.10  
Veterinary Surveillance Inspection of Subsistence

OPNAVINST 1700.9E  
Child and Youth Program

OPNAVINST 4060.4B  
Establishment of Auxiliary Resale Outlets (AROS)

OPNAVINST 4061.4 / MCO 4061.1  
Food Safety Training Program

OPNAVINST 5090.1  
Navy Environmental and Natural Resources Program Manual, Chapter 19, Environmental Compliance Afloat

SECNAVINST 3300.2  
Department of the Navy Antiterrorism/Force Protection (AT/FP) Program

**A-5. Other Publications**

9 CFR 301.2  
Definitions

9 CFR 317  
Labeling, Marking Devices, and Container

9 CFR 317 Subpart B  
Nutrition Labeling

9 CFR 319  
Definitions and standards of identity or composition

9 CFR 319 Subpart A  
General

9 CFR 352  
Exotic animals

9 CFR 362.1  
Voluntary Poultry Inspection Regulations, Definitions

9 CFR 381  
Subpart N Labeling and Containers

9 CFR 381.1  
Poultry Products Inspection Regulations Definitions, Poultry

9 CFR 381.125(b)  
Special handling label requirements

9 CFR 424.21  
Use of Food Ingredients and Sources of Radiation

9 CFR 590  
Inspection of Eggs and Egg Products (Egg Products Inspection Act)

9 CFR Subpart C Section 424.21(b)  
Food Ingredients and Sources of Radiation

21 CFR 101  
Food labeling

21 CFR 101.17(g)  
Food Labeling, Warning, Notice, and Safe Handling Statements

21 CFR 110  
Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food

21 CFR 113  
Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers

21 CFR 114  
Acidified foods

21 CFR Part 120  
HACCP Systems

21 CFR Part 120, Subpart B  
HACCP Systems, Pathogen Reduction

21 CFR Part 120.24  
Process Controls

21 CFR 129  
Processing and Bottling of Bottled Drinking Water

21 CFR 130  
Food Standards: General

21 CFR 131  
Milk and Cream

21 CFR 133  
Cheeses and Related Cheese Products

21 CFR 133.150  
Hard cheeses

21 CFR 133.169  
Pasteurized Process Cheese

21 CFR 133.187  
Semisoft Cheeses

21 CFR 135  
Frozen Desserts

21 CFR 136  
Bakery Products

21 CFR 137  
Cereal Flours and Related Products

21 CFR 139  
Macaroni and Noodle Products

21 CFR 145  
Canned Fruits

21 CFR 146  
Canned Fruit Juices

21 CFR 150  
Fruit Butters, Jellies, Preserves, and Related Products

21 CFR 152  
Fruit Pies

21 CFR 155  
Canned Vegetables

21 CFR 158  
Frozen Vegetables

21 CFR 160  
Eggs and Egg Products

21 CFR 161  
Fish and Shellfish

21 CFR 163  
Cacao Products

21 CFR 164  
Tree Nut and Peanut Products

21 CFR 165  
Beverages

21 CFR 166  
Margarine

21 CFR 168  
Sweeteners and Table Sirups [sic]

21 CFR 169  
Food Dressings and Flavorings

21 CFR 170  
Food Additives

21 CFR 170.39

Threshold of Regulation for Substances Used in Food-Contact Articles

21 CFR 171

Food Additive Petitions

21 CFR 172

Food Additives Permitted for Direct Addition to Food for Human Consumption

21 CFR 173

Secondary Direct Food Additives Permitted in Food for Human Consumption

21 CFR 173.310

Boiler Water Additives

21 CFR 173.315

Chemicals Used in Washing or To Assist In The Peeling Of Fruits And Vegetables

21 CFR 173.368

Ozone

21 CFR 174

Indirect Food Additives: General

21 CFR 175

Indirect Food Additives: Adhesives and Components of Coatings

21 CFR 176

Indirect Food Additives: Paper and Paperboard Components

21 CFR 177

Indirect Food Additives: Polymers

21 CFR 178

Indirect Food Additives: Adjuvant, Production Aids and Sanitizers

21 CFR 178.1010

Sanitizing Solutions

21 CFR 178.3570

Lubricants with Incidental Food Contact

21 CFR 178.3800

Preservatives for Wood

21 CFR 179

Irradiation in the Production, Processing and Handing of Food

21 CFR 180

Food Additives Permitted in Food or in Contact with Food on an Interim Basis Pending Additional Study

21 CFR 181

Prior-Sanctioned Food Ingredients

21 CFR 182

Substances Generally Recognized as Safe

21 CFR 184

Direct Food Substances Affirmed as Generally Recognized as Safe

21 CFR 186

Indirect Food Substances Affirmed as Generally Recognized as Safe

21 CFR 1030.10

Microwave ovens

21 CFR Subpart D

Specific Administrative Decisions Regarding Interstate Shipments

21 CFR Subpart D Section 1240.60(d)

Molluscan shellfish

40 CFR 141

National Primary Drinking Water Regulations

40 CFR 152 Subpart I

Classification of Pesticides

40 CFR 152.175

Pesticides classified for restricted use

40 CFR 180

Tolerances for pesticides chemicals in food, and exceptions

40 CFR 180.940

Tolerance Exemptions for Active and Inert Ingredients for Use in Antimicrobial Formulations (Food Contact Surface Sanitizing Solutions)

50 CFR 17

Endangered and threatened wildlife and plants

Mead, P.S., Slutsker, L., Dietz, V. McCraig, L.F., Bresee, J.S., Shapiro, C., Griffin, P.M., Tauxe, R.V., 1999. Food-related Illness and Death in the United States. *Emerg. Infect. Dis.* Vol. 5, No. 5. (Available at <http://www.cdc.gov/ncidod/EID/vol5no5/mead.htm>.)

NFPA Standard 13

Installation of Sprinkler Systems.

NFPA Standard 96

Ventilation Control and Fire Protection of Commercial Cooking Operations.

NSF International Standard 2

Food Equipment. (This and the NSF International standards listed below are available from NSF International, ATTN: Publications, PO Box 130140, Ann Arbor, MI 48113-0140.)

NSF International Standard 3

Commercial Spray-Type Dishwashing and Glasswashing Machines.

NSF International Standard 4

Commercial Cooking, Rethermalization and Powered Hot Food Holding and Transport Equipment.

NSF International Standard 7

Commercial Refrigerators and Storage Freezers.

NSF International Standard 8

Commercial Powered Food Preparation Equipment.

NSF International Standard 12

Automatic Ice Making Equipment.

NSF International Standard 18

Manual Food and Beverage Dispensing Equipment.

NSF International Standard 24

Plumbing System Components for Manufactured Homes and Recreational Vehicles.

NSF International Standard 25  
Vending Machines for Food and Beverages.

NSF International Standard 26  
Pot, Pan, and Utensil Commercial Spray-Type Washing Machines.

NSF International Standard 29  
Detergent and Chemical Feeders for Commercial Spray-Type Dishwashing Machines.

NSF International Standard 37  
Air Curtains for Entrances in Food and Food Service Establishments.

NSF International Standard 52  
Supplemental Flooring.

NSF International Standard 59  
Mobile Food Carts.

U.S. Food and Drug Administration. United States Public Health Service. Food Code, 2009.  
National Technical Information Service Publication PB2009112613.

### **Section III**

#### **Prescribed Forms**

The DD Forms listed below are available at  
<http://www.dtic.mil/whs/directives/infomgt/forms/dd/ddforms0001-0499.htm>

DD FORM 2972  
Food Facility Risk Assessment Survey

DD FORM 2973  
Food Operation Inspection Report

DD FORM 2974  
Tactical Kitchen Food Sanitation Inspection

**Section IV**  
**Referenced Forms**

DD FORM 2971  
Conditional Employee or Food Employee Reporting Agreement

DD FORM 2975  
Temporary Food Event Coordinator's Application

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**APPENDIX B**

**TECHNICAL SUPPORT**

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**DEPARTMENT OF DEFENSE VETERINARY SERVICES ACTIVITY**

The Defense Health Headquarters (DHHQ)  
Director, Department of Defense Veterinary Service Activity  
7700 Arlington Boulevard  
Falls Church, VA 22042  
DSN: (312) 761-3061/7757; COM (703) 681-3061/7757;  
FAX: (703) 681-3059

**AIR FORCE**

U.S. Air Force School of Aerospace Medicine Food Protection Program USAFSAM/PHR  
2510 5th Street  
WPAFB, OH 45433-7913  
DSN: (312) 798-3207; COM: (937) 938-3207  
E-mail: [foodprotection@wpafb.af.mil](mailto:foodprotection@wpafb.af.mil)

**ARMY**

U.S. Army Public Health Command  
After hours (24-hour toll free): 1-800-222-9698, or DSN: (314) 584-4375

Preventive Medicine

Army Institute of Public Health  
5158 Blackhawk Road  
ATTN: MCHB-IP-EWS (Environmental Health Sanitation and Hygiene Office)  
Aberdeen Proving Ground, MD 21010-5403  
DSN: (312) 584-3919/2475/5458; COM: (410) 436-3919/2475/5458  
E-mail: [usarmy.apg.medcom-phc.mbx.environmentalhealthsanitation@mail.mil](mailto:usarmy.apg.medcom-phc.mbx.environmentalhealthsanitation@mail.mil)

Veterinary (Food Safety)

Army Institute of Public Health  
5158 Blackhawk Road  
ATTN: MCHB-IP-V  
Aberdeen Proving Ground, MD 21010-5403  
DSN: (312) 584-3724; COM: (410) 417-3724

Food Analysis and Diagnostic Laboratory

PHCR-South  
ATTN: Food Analysis Laboratory  
2899 Schofield Road, Suite 2630  
Fort Sam Houston, TX 78234-7583  
COM: (210) 295-4708/4761

**U.S. ARMY QUARTERMASTER CENTER AND SCHOOL**

*Direct all questions regarding equipment, facilities, and tactical feeding to:*

Joint Culinary Center of Excellence  
ATTN: Facilities and Equipment Branch  
DSN: (312) 687-3354/3450; COM: (804) 734-3354 /3450  
[http://www.quartermaster.army.mil/jccoe/jccoe\\_main.html](http://www.quartermaster.army.mil/jccoe/jccoe_main.html)  
E-mail: [leejccoeweb@conus.army.mil](mailto:leejccoeweb@conus.army.mil)

**NAVY/MARINE CORPS**

Navy and Marine Corps Public Health Center  
620 John Paul Jones Circle, Suite 1100  
Portsmouth, VA 23708-2103  
DSN: (312) 377-0700; COM: (757) 953-0700  
<http://www.nmcphc.med.navy.mil/>

Navy Environmental and Preventive Medicine Unit Two (NEPMU2)  
1285 West D Street, Bldg. U238  
Norfolk, VA 23511-3394  
DSN: (312) 377-6600; COM: (757) 953-6600  
<http://www.med.navy.mil/sites/nepmu2>  
E-mail: [NEPMU2-FleetandFMFSupport@med.navy.mil](mailto:NEPMU2-FleetandFMFSupport@med.navy.mil)

Navy Environmental and Preventive Medicine Unit Five (NEPMU5)  
3235 Albacore Alley  
San Diego, CA 92136  
DSN: (312) 526-7070; COM: (619) 556-7070;  
<http://www.med.navy.mil/sites/nmcscd/nepmu5/Pages/index.htm>

**TB MED 530/NAVMED P-5010-1/AFMAN 48-147\_IP**

Navy Environmental and Preventive Medicine Unit Six (NEPMU6)  
385 South Ave, Bldg. 618  
JBPHH, HI 96860  
DSN: (315) 471-0237; COM: (808) 471-0237  
<http://www.med.navy.mil/sites/nmcsd/nepmu6/Pages/index.html>

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## APPENDIX C

**DEBITABLE PROVISIONS DURING FOOD ESTABLISHMENT INSPECTIONS**

The following tables are provided to assist FOOD inspection personnel by identifying the provisions in this publication that are suitable for debiting on FOOD ESTABLISHMENT inspection reports.

**Table C-1. Chapter 2 debitable provisions**

| <b>Provision Number</b> | <b>Contains Critical or Swing Items</b> | <b>Provision Number</b> | <b>Contains Critical or Swing Items</b> | <b>Provision Number</b> | <b>Contains Critical or Swing Items</b> |
|-------------------------|---|-------------------------|---|-------------------------|---|
| 2-101.11                | X                                       | 2-301.14                | X                                       | 2-403.11                |   |
| 2-102.11                | X                                       | 2-301.15                |   | 2-501.11 †              |   |
| 2-103.11                |   | 2-301.16                |   | 2-502.11 †              |   |
| 2-201.11                | X                                       | 2-302.11                |   | 2-503.11 †              |   |
| 2-201.12                | X                                       | 2.303.11                |   | 2-503.12 †              |   |
| 2-201.13                | X                                       | 2-304.11                |   | 2-503.13 †              |   |
| 2-301.11                | X                                       | 2-401.11                |   | 2-505.11 †              |   |
| 2-301.12                | X                                       | 2-401.12                |   |                         |   |
| 2-301.13                |   | 2-402.11                |   |                         |   |

Table C-2. Chapter 3 debit provisions

| Provision Number      | Contains Critical or Swing Items | Provision Number | Contains Critical or Swing Items | Provision Number       | Contains Critical or Swing Items |
|-----------------------|----------------------------------|------------------|----------------------------------|------------------------|----------------------------------|
| 3-101.11              | X                                | 3-302.13         | X                                | 3-401.14               | X                                |
| 3-201.11              | X                                | 3-302.14         | X                                | 3-402.11               | X                                |
| 3-201.12              | X                                | 3-302.15         |                                  | 3-402.12               |                                  |
| 3-201.13              | X                                | 3-303.11         | X                                | 3-403.11               | X                                |
| 3-201.14              | X                                | 3-303.12         |                                  | 3-404.11               |                                  |
| 3-201.15              | X                                | 3-304.11         | X                                | 3-501.11               |                                  |
| 3-201.16              | X                                | 3-304.12         |                                  | 3-501.12               |                                  |
| 3-201.17              | X                                | 3-304.13         |                                  | 3-501.13               |                                  |
| 3-201.18 <sup>†</sup> | X                                | 3-304.14         |                                  | 3-501.14               | X                                |
| 3-202.11              | X                                | 3-304.15         |                                  | 3-501.15               |                                  |
| 3-202.12              | X                                | 3-304.16         |                                  | 3-501.16               | X                                |
| 3-202.13              | X                                | 3-304.17         |                                  | 3-501.17               | X                                |
| 3-202.14              | X                                | 3-305.11         |                                  | 3-501.18               | X                                |
| 3-202.15              | X                                | 3-305.12         |                                  | 3-501.19               | X                                |
| 3-202.16              | X                                | 3-305.13         |                                  | 3-501.110 <sup>†</sup> | X                                |
| 3-202.17              |                                  | 3-305.14         |                                  | 3-502.11               | X                                |
| 3-202.18              | X                                | 3-306.11         |                                  | 3-502.12               | X                                |
| 3-202.19              |                                  | 3-306.12         |                                  | 3-503.11 <sup>†</sup>  |                                  |
| 3-202.110             | X                                | 3-306.13         | X                                | 3-601.11               |                                  |
| 3-203.11              |                                  | 3-306.14         | X                                | 3-601.12               |                                  |
| 3-203.12              | X                                | 3-306.15         |                                  | 3-602.11               |                                  |
| 3-301.11              | X                                | 3-307.11         |                                  | 3-602.12               |                                  |
| 3-301.12              | X                                | 3-401.11         | X                                | 3-603.11               | X                                |
| 3-302.11              | X                                | 3-401.12         | X                                | 3-701.11               | X                                |
| 3-302.12              |                                  | 3-401.13         |                                  | 3-801.11               | X                                |

Table C-3. Chapter 4 debitabe provisions

| Provision Number       | Contains Critical or Swing Items | Provision Number       | Contains Critical or Swing Items | Provision Number      | Contains Critical or Swing Items |
|------------------------|----------------------------------|------------------------|----------------------------------|-----------------------|----------------------------------|
| 4-101.11               | X                                | 4-204.114              |                                  | 4-501.112             |                                  |
| 4-101.12               |                                  | 4-204.115              |                                  | 4-501.113             |                                  |
| 4-101.13               |                                  | 4-204.116              |                                  | 4-501.114             | X                                |
| 4-101.14               | X                                | 4-204.117              |                                  | 4-501.115             |                                  |
| 4-101.15               | X                                | 4-204.118              |                                  | 4-501.116             |                                  |
| 4-101.16               |                                  | 4-204.119              |                                  | 4-502.11              |                                  |
| 4-101.17               |                                  | 4-204.120              |                                  | 4-502.12              | X                                |
| 4-101.18               |                                  | 4-204.121              |                                  | 4-502.13              |                                  |
| 4-101.19               |                                  | 4-204.122              |                                  | 4-502.14              |                                  |
| 4-101.110 <sup>†</sup> |                                  | 4-204.123              |                                  | 4-503.11 <sup>†</sup> |                                  |
| 4-101.111 <sup>†</sup> |                                  | 4-204.124 <sup>†</sup> |                                  | 4-503.12 <sup>†</sup> |                                  |
| 4-101.112 <sup>†</sup> |                                  | 4-205.11 <sup>†</sup>  |                                  | 4-601.11              | X                                |
| 4-101.113 <sup>†</sup> |                                  | 4-205.12 <sup>†</sup>  |                                  | 4-602.11              | X                                |
| 4-102.11               | X                                | 4-205.13 <sup>†</sup>  |                                  | 4-602.12              |                                  |
| 4-201.11               |                                  | 4-205.14 <sup>†</sup>  |                                  | 4-602.13              |                                  |
| 4-201.12               | X                                | 4-205.15 <sup>†</sup>  |                                  | 4-603.11              |                                  |
| 4-201.13 <sup>†</sup>  |                                  | 4-301.11               |                                  | 4-603.12              |                                  |
| 4-202.11               | X                                | 4-301.12               |                                  | 4-603.13              |                                  |
| 4-202.12               |                                  | 4-301.13               |                                  | 4-603.14              |                                  |
| 4-202.13               |                                  | 4-301.14               |                                  | 4-603.15              |                                  |
| 4-202.14               |                                  | 4-301.15               |                                  | 4-603.16              |                                  |
| 4-202.15               |                                  | 4-301.16 <sup>†</sup>  |                                  | 4-603.17              | X                                |
| 4-202.16               |                                  | 4-302.11               |                                  | 4-603.18 <sup>†</sup> |                                  |
| 4-202.17               |                                  | 4-302.12               |                                  | 4-702.11              | X                                |
| 4-202.18               |                                  | 4-302.13               |                                  | 4-703.11              | X                                |
| 4-203.11               |                                  | 4-302.14               |                                  | 4-801.11              |                                  |
| 4-203.12               |                                  | 4-401.11               |                                  | 4-802.11              |                                  |
| 4-203.13               |                                  | 4-401.12 <sup>†</sup>  |                                  | 4-803.11              |                                  |
| 4-204.11               |                                  | 4-402.11               |                                  | 4-803.12              |                                  |
| 4-204.12               |                                  | 4-402.12               |                                  | 4-803.13              |                                  |
| 4-204.13               | X                                | 4-501.11               |                                  | 4-901.11              |                                  |
| 4-204.14               |                                  | 4-501.12               |                                  | 4-901.12              |                                  |
| 4-204.15               |                                  | 4-501.13               |                                  | 4-902.11              |                                  |
| 4-204.16               |                                  | 4-501.14               |                                  | 4-902.12              |                                  |
| 4-204.17               |                                  | 4-501.15               |                                  | 4-903.11              |                                  |
| 4-204.18               |                                  | 4-501.16               |                                  | 4-903.12              |                                  |
| 4-204.19               |                                  | 4-501.17               |                                  | 4-904.11              |                                  |
| 4-204.110              |                                  | 4-501.18               |                                  | 4-904.12              |                                  |
| 4-204.111              | X                                | 4-501.19               |                                  | 4-904.13              |                                  |
| 4-204.112              |                                  | 4-501.110              |                                  | 4-904.14              |                                  |
| 4-204.113              |                                  | 4-501.111              |                                  |                       |                                  |

Table C-4. Chapter 5 debit provisions

| Provision Number      | Contains Critical or Swing Items | Provision Number      | Contains Critical or Swing Items | Provision Number | Contains Critical or Swing Items |
|-----------------------|----------------------------------|-----------------------|----------------------------------|------------------|----------------------------------|
| 5-101.11              | X                                | 5-204.12              |                                  | 5-402.12         |                                  |
| 5-101.12              | X                                | 5-204.13              |                                  | 5-402.13         | X                                |
| 5-101.13              | X                                | 5-204.14 <sup>†</sup> |                                  | 5-402.14         |                                  |
| 5-101.14 <sup>†</sup> |                                  | 5-205.11              |                                  | 5-402.15         |                                  |
| 5-102.11              | X                                | 5-205.12              | X                                | 5-403.11         | X                                |
| 5-102.12              | X                                | 5-205.13              |                                  | 5-403.12         |                                  |
| 5-102.13              |                                  | 5-205.14              | X                                | 5-501.11         |                                  |
| 5-102.14              |                                  | 5-205.15              | X                                | 5-501.12         |                                  |
| 5-103.11              |                                  | 5-205.16 <sup>†</sup> |                                  | 5-501.13         |                                  |
| 5-103.12              |                                  | 5-301.11              | X                                | 5-501.14         |                                  |
| 5-104.11              |                                  | 5-302.11              |                                  | 5-501.15         |                                  |
| 5-104.12              |                                  | 5-302.12              |                                  | 5-501.16         |                                  |
| 5-201.11              | X                                | 5-302.13              |                                  | 5-501.17         |                                  |
| 5-202.11              | X                                | 5-302.14              |                                  | 5-501.18         |                                  |
| 5-202.12              |                                  | 5-302.15              |                                  | 5-501.19         |                                  |
| 5-202.13              | X                                | 5-302.16              | X                                | 5-501.110        |                                  |
| 5-202.14              | X                                | 5-303.11              | X                                | 5-501.111        |                                  |
| 5-202.15              |                                  | 5-303.12              |                                  | 5-501.112        |                                  |
| 5-202.16 <sup>†</sup> |                                  | 5-303.13              |                                  | 5-501.113        |                                  |
| 5-203.11              |                                  | 5-304.11              | X                                | 5-501.114        |                                  |
| 5-203.12              |                                  | 5-304.12              |                                  | 5-501.115        |                                  |
| 5-203.13              |                                  | 5-304.13              |                                  | 5-501.116        |                                  |
| 5-203.14              | X                                | 5-304.14              | X                                | 5-502.11         |                                  |
| 5-203.15              |                                  | 5-401.11              |                                  | 5-502.12         |                                  |
| 5-204.11              |                                  | 5-402.11              | X                                | 5-503.11         |                                  |

**Table C-5. Chapter 6 debitabe provisions**

| Provision Number      | Contains Critical or Swing Items | Provision Number      | Contains Critical or Swing Items | Provision Number       | Contains Critical or Swing Items |
|-----------------------|----------------------------------|-----------------------|----------------------------------|------------------------|----------------------------------|
| 6-101.11              |                                  | 6-202.18              |                                  | 6-501.12               |                                  |
| 6-102.11              |                                  | 6-202.19              |                                  | 6-501.13               |                                  |
| 6-200.11 <sup>†</sup> |                                  | 6-202.110             |                                  | 6-501.14               |                                  |
| 6-201.11              |                                  | 6-202.111             | X                                | 6-501.15               |                                  |
| 6-201.12              |                                  | 6-202.112             |                                  | 6-501.16               |                                  |
| 6-201.13              |                                  | 6-301.11              |                                  | 6-501.17               |                                  |
| 6-201.14              |                                  | 6-301.12              |                                  | 6-501.18               |                                  |
| 6-201.15              |                                  | 6-301.13              |                                  | 6-501.19               |                                  |
| 6-201.16              |                                  | 6-301.14              |                                  | 6-501.110              |                                  |
| 6-201.17              |                                  | 6-302.11              |                                  | 6-501.111              |                                  |
| 6-201.18              |                                  | 6-303.11              |                                  | 6-501.112              |                                  |
| 6-202.11              |                                  | 6-304.11              |                                  | 6-501.113              |                                  |
| 6-202.12              |                                  | 6-304.12 <sup>†</sup> |                                  | 6-501.114              |                                  |
| 6-202.13              |                                  | 6-305.11              |                                  | 6-501.115              |                                  |
| 6-202.14              |                                  | 6-402.11              |                                  | 6-501.116 <sup>†</sup> |                                  |
| 6-202.15              |                                  | 6-403.11              |                                  | 6-502.11 <sup>†</sup>  |                                  |
| 6-202.16              |                                  | 6-404.11              |                                  |                        |                                  |
| 6-202.17              |                                  | 6-501.11              |                                  |                        |                                  |

**Table C-6. Chapter 7 debitabe provisions**

| Provision Number | Contains Critical or Swing Items | Provision Number | Contains Critical or Swing Items | Provision Number | Contains Critical or Swing Items |
|------------------|----------------------------------|------------------|----------------------------------|------------------|----------------------------------|
| 7-101.11         |                                  | 7-204.12         | X                                | 7-207.11         | X                                |
| 7-102.11         |                                  | 7-204.13         | X                                | 7-207.12         | X                                |
| 7-201.11         | X                                | 7-204.14         | X                                | 7-208.11         | X                                |
| 7-202.11         |                                  | 7-205.11         | X                                | 7-209.11         |                                  |
| 7-202.12         | X                                | 7-206.11         | X                                | 7-301.11         | X                                |
| 7-203.11         | X                                | 7-206.12         | X                                |                  |                                  |
| 7-204.11         | X                                | 7-206.13         | X                                |                  |                                  |

**Table C-7. Chapter 8 debitabe provisions**

| Provision Number | Contains Critical or Swing Items | <b>NOTE:</b> Chapter 8 provides guidance for compliance and enforcement. Although many provisions are not debitabe on food establishment inspection reports, provisions may be debitabe on Public Health Program evaluations conducted by a higher headquarters. |
|------------------|----------------------------------|--|
| 8-103.11         |                                  |  |
| 8-103.12         | X                                |  |
| 8-201.13         |                                  |  |
| 8-201.14         |                                  |  |

Table C-8. Chapter 9 debitible provisions

| Provision Number      | Contains Critical or Swing Items | COMMENT  | Provision Number      | Contains Critical or Swing Items | COMMENT               |
|-----------------------|----------------------------------|--|-----------------------|----------------------------------|-----------------------|
| 9-102.11 <sup>†</sup> | X                                |  | 9-303.13 <sup>†</sup> | X                                |                       |
| 9-103.11 <sup>†</sup> | X                                | Cite using §§ 2-201.11 & 2-201.12, as applicable | 9-304.11 <sup>†</sup> |                                  |                       |
| 9-201.11 <sup>†</sup> |                                  |  | 9-304.12 <sup>†</sup> | X                                |                       |
| 9-202.11 <sup>†</sup> |                                  |  | 9-401.11 <sup>†</sup> |                                  |                       |
| 9-202.12 <sup>†</sup> |                                  |  | 9-403.11 <sup>†</sup> |                                  |                       |
| 9-202.13 <sup>†</sup> |                                  |  | 9-501.11 <sup>†</sup> | X                                | Cite using § 3-201.11 |
| 9-203.11 <sup>†</sup> |                                  |  | 9-502.11 <sup>†</sup> | X                                |                       |
| 9-204.11 <sup>†</sup> |                                  |  | 9-502.12 <sup>†</sup> | X                                |                       |
| 9-204.12 <sup>†</sup> |                                  |  | 9-502.13 <sup>†</sup> | X                                |                       |
| 9-204.13 <sup>†</sup> |                                  |  | 9-502.14 <sup>†</sup> | X                                |                       |
| 9-204.14 <sup>†</sup> |                                  |  | 9-502.15 <sup>†</sup> |                                  |                       |
| 9-301.11 <sup>†</sup> | X                                |  | 9-502.16 <sup>†</sup> |                                  |                       |
| 9-302.11 <sup>†</sup> |                                  |  | 9-502.17 <sup>†</sup> | X                                |                       |
| 9-303.11 <sup>†</sup> | X                                |  | 9-502.18 <sup>†</sup> |                                  |                       |
| 9-303.12 <sup>†</sup> | X                                |  | 9-601.11 <sup>†</sup> |                                  |                       |

**Table C-9. Chapter 10 debitabe provisions**

| <b>Provision Number</b> | <b>Contains Critical or Swing Items</b> | <b>COMMENT</b>   | <b>Provision Number</b> | <b>Contains Critical or Swing Items</b> | <b>COMMENT</b>                                      |
|-------------------------|---|--|-------------------------|---|---|
| 10-201.11 <sup>†</sup>  | X                                       | Para (A) cited using § 5-101.11; all other use § 10-201.11 | 10-301.12 <sup>†</sup>  |   | Cite as applicable using criteria under Section 6-2 |
| 10-201.12 <sup>†</sup>  |   | Cite using § 5-103.11                                      | 10-301.13 <sup>†</sup>  |   | Cite using § 6-201.15                               |
| 10-201.13 <sup>†</sup>  |   | Cite using § 5-104.12                                      | 10-301.14 <sup>†</sup>  |   | Cite using § 6-201.18                               |
| 10-201.14 <sup>†</sup>  |   | Cite using § 5-104.12                                      | 10-301.15 <sup>†</sup>  |   | Cite using § 6-202.15                               |
| 10-201.15 <sup>†</sup>  |   |  | 10-401.11 <sup>†</sup>  |   |   |
| 10-202.11 <sup>†</sup>  |   | Cite using § 5-203.11                                      | 10-401.12 <sup>†</sup>  |   |   |
| 10-202.12 <sup>†</sup>  |   | Cite using § 5-203.12                                      | 10-501.11 <sup>†</sup>  |   |   |
| 10-203.11 <sup>†</sup>  |   | Cite using § 5-402.13                                      | 10-501.12 <sup>†</sup>  |   |   |
| 10-301.11 <sup>†</sup>  |   | Cite using § 6-101.11                                      | 10-501.13 <sup>†</sup>  |   |   |

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## APPENDIX D

### FOOD FACILITY RISK ASSESSMENT

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#### D-1. Purpose

Provide a model risk assessment process for determining minimum food sanitation inspection frequency of retail stores and food establishments.

#### D-2. Abstract

Risk assessment models provide a systematic approach to determine the frequency of inspections and other interventions for retail FOOD ESTABLISHMENTS and FOOD stores containing FOOD concessions or FOOD processing operations. The model risk assessment plan outlined in this appendix is based on inherent risks associated with foodservice operations and the knowledge and understanding of factors that cause foodborne illnesses. Implementation of this plan will improve the allocation of personnel and other resources and, when coupled with a risk-based inspection process, will optimize inspection effectiveness.

#### D-3. Applicability

Preventive medicine and veterinary services should conduct FOOD sanitation inspections at the recommended frequencies outlined in chapter 8, Table 8-1. Constraints due to manpower shortages, other mission priorities, or widely dispersed facilities within the area of responsibility may necessitate adjustment to prescribed frequencies. The *Food Facility Risk Assessment Survey* serves as a tool to help justify either a reduction or increase to prescribed inspection frequencies.

#### D-4. Method

The frequency of sanitation inspections may be determined based on the risk categorization of food establishments and retail stores, referred to in this appendix as food facilities. Risk categorization is determined by identifying activities and conditions associated with five risk factors and tabulating the corresponding weighted points using DD Form 2972, *Food Facility Risk Assessment Survey*.

a. Complete items 1-6 on DD Form 2972, *Food Facility Risk Assessment Survey*. In item 1, mark the *Food Service* block if the facility meets the definition of a FOOD ESTABLISHMENT; mark the block for *Retail Store* if the primary function of the facility involves the sale of packaged products, for example, the commissary and Express. Retail stores may operate food concessions within the store, such as a salad bar, breakfast sandwiches or other ready-to-eat foods heated onsite and held in hot holding, or other operations involving food preparation and service.

b. *Scoring the facility*. Food facilities are assigned one of four risk ratings – extremely high, high, moderate, and low – based on total points assessed for each of the risk factor groups. The five risk factors and scoring methods are—

(1) *Factor I, Food Properties.* FOOD and its components may allow FOOD to become a vehicle for, or a source of, foodborne illness. Item 8 on the form provides a list of FOODS and/or groups of FOODS with common characteristics.

(a) Factor I takes into consideration the properties associated with the FOOD, for example, time-temperature relationships affected by acidity or alkalinity (pH); water activity ( $a_w$ ), product ingredients, such as salts and preservatives; and common micro flora associated with the product or its environment.

(b) Identify all of the relevant activities/conditions present in the facility at the time of the survey and those activities/conditions that, although not present at the time of the survey, are routine practices within the food facility. Mark the *YES* block if the condition applies; mark the *NO* block if the condition does not apply.

(c) Item 8.n., *Retail Sales*, applies only to retail food stores.

(1) Mark *YES* in the box for line item 8.n.(1) and award 1 point for retail FOOD stores that only conduct the sale of commercially PACKAGED FOODS; this may include non-PHF(TCS) FOODS, such as hot beverages and bakery items (donuts, cake muffins, cookies) that are delivered pre-prepared to the facility. Other characteristics of the retail store applicable to this section are: bulk FOODS, such as potato or macaroni salads, are not opened and dispensed in smaller portions at the request of the customer; and EQUIPMENT is not available for customers to reheat or cook FOOD on the premises.

(2) For retail stores that conduct foodservice-related activities, mark *NO* in the box for line item 8.n.(1) and mark *YES* for all of the applicable foodservice categories described in items 8.n.(2) – (4) as follows:

*i. Sandwiches.* This category applies to retail stores that offer commercially packaged (sealed) chilled sandwiches and/or sandwiches wrapped in loose paper packaging or plastic wrap that are delivered to the facility and offered for service either hot or chilled.

*ii. Limited food preparation.* This category involves sales of FOOD items requiring limited preparation onsite. This includes baking pre-made or frozen cookies, cakes, or muffins, and heating fully cooked FOODS, such as hot dogs, burritos, pizza, chicken wings, and sandwiches. Also included in this category are bakery services operated within the retail store that do not prepare products by mixing raw ingredients. Deli operations are limited to dispensing commercially bulk-prepared FOODS, such as meats, cheeses, and salads, and do not cook or otherwise mix ingredients onsite.

*iii. Food concessions or expanded food preparation.* This category typically includes retail stores operating a salad/soup bar; sushi bar; a full service deli department that roasts meats, prepares fresh salads (e.g., tuna, macaroni, potato) and sandwiches onsite; rotisserie chicken operations, seafood department involving steaming/cooking, and/or bakery operations in which raw ingredients are mixed onsite.

(3) When scoring item 8.n., only 1 point may be assessed if item 8.n.(1) is selected; items 8.n.(2)-(4) may not be selected if 8.n.(1) is marked *YES*. Marking *YES* for applicable items in 8.n.(2)-(4) may result in a minimum of 6 points or maximum of 33 points assessed for retail sales.

(d) When evaluating FOOD ESTABLISHMENTS, mark *NO* for all of the conditions outlined under item 8.n.

(e) When evaluating retail stores, assess all conditions listed in Factor I except item 8.m. (operational rations preparation).

(f) Award the corresponding points associated with each *YES* response, and insert the total awarded points for Factor I in the space provided at the end of item 8. A maximum value of 44 points for FOOD ESTABLISHMENTS and 75 points for retail stores is possible for Factor I.

(2) *Factor II, Population Served.* Specific populations, such as the young, the aged, and the infirmed, are predisposed to illness caused by foodborne pathogens or toxins. Service members and civilians are also more susceptible when exposed to high operational tempo, increased physical and emotional stress, and sleep deprivation generally associated with initial entry training, field training exercises greater than 2 weeks, and deployment. Additionally, the larger the population served and the greater number of meals and volume prepared, the higher the risk of an outbreak of foodborne illness. Item 9 on the form characterizes the population served by identifying the number of meals or customers served and the typical facility patronage. It further distinguishes shipboard subsistence as higher risk due to increased population susceptibility (*associated with a high operational tempo*), the absence of subsistence options, and the potential impact to mission readiness.

(a) For FOOD ESTABLISHMENTS, identify the average number of meals or customers served per day. When there is a significant difference between the average weekday and weekend patronage, use the higher value. Only one item in section 9.a.(1) through (4) should be marked as *YES*. For retail stores, mark *YES* for item 9.a.(4), and award zero points.

(b) Item 9.b. applies to all food facilities; only one of the three subcategories should be marked as *YES*.

(1) *Shipboard.* Mark *YES* in item 9.b.(2) for all subsistence operations conducted aboard a nautical vessel when in port and deployed (at sea); the associated weighted point value includes the characterization of a highly susceptible population; therefore, item 9.b.(1) must not be marked *YES*.

(2) *Retail stores.* Mark *YES* in item 9.b.(3) for all retail food stores. Exceptions include retail stores operated in a medical treatment facility with inpatient service, stores operating in a combat or contingency deployment setting, and stores operating aboard a nautical vessel.

(c) Tabulate the awarded points for item 9, and insert the total value in the space provided at the end of item 9 on the form. A maximum value of 28 points is possible for Factor II.

(3) *Factor III, Food Operations.* Operational risks are those risks that exist due to processes or procedures that influence survivability of microorganisms. Examples include cooking, cooling, storage, and multiple handling steps; and environmental settings, such as remote feeding and TEMPORARY FOOD ESTABLISHMENTS, where diminished controls are likely to exist.

(a) Item 10 on the form identifies characteristics of food operations and food preparation activities. This section is assessed for both FOOD ESTABLISHMENTS and retail food stores.

(b) When item 10.h. (cook-chill; sous-vide) is marked *YES*, other associated processes outlined in item 10.a.-c. must also be marked *YES*. For example, a FOOD ESTABLISHMENT prepares large batches of beef stew using a cook-chill-reheat process. This process requires marking *YES* for item 10.h. (cook-chill) and awarding 2 points. The facility also prepares pasta, rice, potatoes, and other vegetables fresh for each meal and often retains leftovers for the next meal service. These activities require checking items 10.a. (cooking), 10.b. (cooling), and 10.c. (reheating), with corresponding point values of 6, 4, and 4, respectively. The total point value for Factor III in this example is 16.

(c) Award the corresponding points associated with each *YES* response, and insert the total point value in the space provided at the end of item 10 on the form. A maximum point value of 27 is possible for Factor III.

(4) *Factor IV, Facilities and Equipment.* To minimize foodborne illness risks, FOOD operations will possess adequate amounts of functional EQUIPMENT to support its operation.

(a) Factor IV assesses adequacy in the quantity of required EQUIPMENT on hand and operability of the EQUIPMENT on hand. Mark the *YES* block as appropriate for each item, such as when EQUIPMENT is missing, EQUIPMENT does not provide suitable capacity to support the operation, or EQUIPMENT is inoperable or poorly functioning.

(b) If multiple deficiencies exist under the same category, points are assessed one time, and a comment is entered in item 14, *Remarks*. For example, a facility with only one walk-in refrigerator is consistently found over packed with boxes of meat and produce being stored on the floor. Additionally, one of three reach-in refrigerators consistently operates at an ambient temperature of 45°F. Two deficiencies exist under line item 11.b.: inadequate number of refrigeration units on hand, and existing refrigeration units are not operating at the proper cold storage temperature. Although two deficiencies exist under the same item number, only 2 points are awarded for item 11.b.

(c) Item 11 is evaluated for both FOOD ESTABLISHMENTS and retail food stores.

(d) Award the corresponding points associated with each *YES* response, and insert the total point value in the space provided at the end of item 11 on the form. A maximum point value of 13 is possible for Factor IV.

(5) *Factor V, Inspection and Employee History.* The inspection history is based on CRITICAL violations noted on the previous inspections and may include the current inspection if conducted in conjunction with the annual facility risk assessment. Conduct a review of 10-12 of the most recent official inspections (routine and follow-up) that were conducted by the REGULATORY AUTHORITY.

(a) Two points are awarded if the food facility received two or more “unsatisfactory” or “non-compliant” inspection ratings within the previous 10-12 inspections. *Note: The assessment period may extend beyond 12 months in order to review a sufficient number of inspections.*

(b) Four points are awarded if inspection reports indicate the PIC was not present or was unable to demonstrate knowledge of the public health requirements outlined in the Tri-Service Food Code. (Inspection reports need not implicate the same PIC in order to apply this deficiency.)

(c) Award the corresponding points associated with each *YES* response, and insert the total point value in the space provided at the end of the item 12 on the form. A maximum point value of 6 is possible for Factor V.

c. *Total score.* Calculate the *Total Score* by adding the total points awarded for Factors I through V (items 8 through 12), and insert the score in item 13 on the form. The maximum points possible for food operations/FOOD ESTABLISHMENTS is 118; the maximum point possible for retail stores is 121.

d. *Risk category.* The total score is used to determine the risk category of the food facility. Compare the *Total Score* to the *Risk Category* points located in item 7 of the form; mark the box for the corresponding risk category. Circle the recommended minimum inspection frequency designated for the risk category.

e. *Signing the form.*

(1) The person conducting the facility risk assessment completes item 15 on the form by printing his/her full name, rank, and duty position (15a.), phone (15b), assessment date (15c), official email address (15d), and assigned duty organization (15e). The duty organization is the name of the medical treatment facility, preventive medicine, or veterinary unit.

(2) *The Food Facility Risk Assessment Survey* form is not complete until it has been reviewed and signed (item 16) by a public health supervisor or leader with regulatory oversight of the food facility. This is typically the officer in charge of the Preventive Medicine Department, Environmental Health Section, or Veterinary Service Activity for food inspection. Review authority may be delegated to a senior noncommissioned officer or warrant officer responsible for managing the food sanitation inspection program at the installation or region level, as appropriate.

#### **D-5. Factors Influencing the Rating**

a. The types of FOODS and associated operations within a food facility and populations served typically remain constant. Prescribed inspection intervals outlined in chapter 8, Table 8-1, are based on risks associated with the expected activities for the various types of food facilities. Expectations include specific FOODS dispensed, number and type of population(s) served, and related operational support or food processing activities. The following are examples that identify basic assumptions applied to each risk category, which were used to determine the inspection frequencies noted in Table 8-1. The assumptions were based on operations without Code violations/deficiencies:

(1) *Extremely high risk—shipboard.* Stuffed foods and leftovers are allowed; total meals/customers served daily are greater than or equal to 900.

(2) *High risk—dining facility.* Comprehensive food operation; may serve raw/undercooked foods and game animals (commercial); not a field food prep operation;

occasionally supports remote/field feeding; serves a medium-sized population with 300-899 meals daily; not serving HCP.

(3) *High risk—retail food store with advanced foodservice activities.* Facility contains a food concession (sushi bar) or expanded deli operations as specified in paragraph D-4.b.(2)iii; facility does not serve pre-cooked foods or supply self-serve hot/chilled sandwiches.

(4) *Moderate risk—basic retail food store.* Facility operates as a “traditional” grocery or convenience store (commissary or shoppette) with limited foodservice operations as defined in paragraph D-4.b.(2)ii.

(5) *Moderate risk—fast food operations.* Primarily frozen, pre-cooked, or bulk commercially prepared foods are prepared/served; no raw/undercooked or stuffed foods are served; no game animals; soups/stews/sauces not prepared onsite from raw ingredients; no whole ready-to-eat fruits and vegetables; time as a public health control is practiced; variance is not present; serves 300-899 customers daily; HCP not serviced.

(6) *Low risk—vending machine operation; small food concession.* Operation contains vending only with no onsite food preparation; small food concessions are limited to serving non-PHF's or dispensing commercially prepared ready-to-eat foods that are individually packaged.

(7) *Unrated—temporary and seasonal operations.* The inspection frequency for temporary and seasonal operations varies due to the limited timeframe in which they operate. Typically, a preopening or preoperational inspection is conducted, and periodic inspections occur thereafter.

b. Food facilities operating under the assumptions noted in paragraph a. of this section and under optimum conditions will likely fall into their prescribed risk category if assessed using the *Food Facility Risk Assessment Survey* form.

(1) Using DD Form 2972, *Food Facility Risk Assessment Survey*, may justify reduction in a prescribed inspection frequency. Influencing factors include facilities operating with fewer Food Properties (item 8), servicing a smaller population (item 9), and/or supporting less diverse Food Operations (item 10).

(2) Factors that may justify increasing a facility's inspection frequency include foods obtained from non-approved sources (item 8.a.), an increase in the size or a change in the type of population served (item 9), and deficiencies noted in item 11, Facilities and Equipment, and item 12, Inspection and Employee History.

## D-6. Implementation

a. FOOD facility risk assessment surveys are conducted by environmental health, preventive medicine, veterinary services, and other designated public health personnel with direct regulatory oversight of food operations in the area of responsibility. Surveys are intended to be conducted once during a 12-month period and are reviewed/updated annually. A new survey should be conducted whenever there is a major change within the evaluated food facility, such as when the menu is diversified or reduced, a change in patronage size or type occurs, or major facility/equipment renovations occur.

b. Collaboration between veterinary and preventive medicine services supporting a common area of operations is recommended for overall food sanitation program continuity and efficiency.

c. Survey information is recorded on DD Form 2972, *Food Facility Risk Assessment Survey*. The supervisor or program manager, as specified in paragraph D-4.e.(2), of the person completing the form will review the assessment for accuracy and completeness of the form. When all data is accurate and complete, the supervisor approves and completes the form by signing in item 16.f.

d. The REGULATORY AUTHORITY will reassess the facility risk score and risk category annually to evaluate changes that affect the facility's risk rating. This review should include verification of the menu and operations and recalculation of the risk score. The risk assessment procedure and resulting risk category should be discussed with the FOOD facility's PIC. An electronic database may be used at the local level to allow ease of retrieval and referral of applicable data. The REGULATORY AUTHORITY should also consider outside factors that may influence inspection schedules (for example, PIC and personnel turnover).

e. The original risk assessment form shall be maintained on file by the appropriate inspection office for 3 years.

f. A copy of the completed facility risk assessment shall be provided to the FOOD facility's PIC and shall be maintained on file at the evaluated FOOD facility.

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## APPENDIX E

### INSTRUCTIONS FOR MARKING FOOD SANITATION INSPECTION FORMS

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#### Section I. GENERAL ADMINISTRATION

##### E-1. Purpose

Appendix E is intended for use during inspections to ensure that observations of the Tri-Service Food Code provisions are not overlooked during the inspection and are accurately recorded when either the *Food Operation Inspection Report* or the *Tactical Kitchen Food Sanitation Inspection* form is used.

##### E-2. Organization of the form

a. Administrative information is contained at the top portion on each page of the inspection form.

b. Page one of the form provides a summarized list of this publication's provisions that are grouped into related subject areas. These are listed as items 1 to 51 under block 12, *Compliance Status*.

(1) Asterisks immediately following item numbers indicate that all of the provisions included in the group are CRITICAL violations.

(2) Item numbers that are not distinguished by an asterisk are generally NONCRITICAL violations. Within these groupings, however, there may be one or more provisions that are CRITICAL deficiencies. CRITICAL deficiencies noted within this group are identified by bold font followed by an asterisk.

c. Page two of the form provides blank spaces for the inspector to document temperature measurements taken from multiple equipment locations or food items and to further describe the observations and corrective actions related to the violations that were marked on page one.

d. A quick reference guide is provided at the bottom of page two to assist the inspector when assigning the inspection rating.

e. The bottom of page two provides spaces for the inspector and food operation PERSON IN CHARGE to sign and date the form upon conclusion of the inspection and brief-back to the PIC.

f. A continuation page is provided to document additional remarks and temperature measurements.

g. An instruction page is provided as a quick reference for inspectors when marking the form and to identify the provisions to assess for each item number.

##### E-3. Administrative information

a. *Facility name*. Provide the "usual/common" name of the FOOD ESTABLISHMENT at the top of pages one and two of the form and on all associated continuation pages. For food operations located in retail store settings (e.g., post exchange food court, shoppette, commissary)

or hospitals, provide the food concession name or description if different from the “usual/common” name.

*b. Facility address.*

(1) For inspections conducted in a retail store setting or hospital, include the name of the facility or building descriptor (e.g., commissary, shoppette, hospital) where the food operation is located.

(2) Provide the street address of the actual business location and include the city, state, and zip code.

(3) *Installation.* Provide the name of the installation or naval vessel in which the food operation is located.

*c. Date.* Provide the date of the inspection, using an alpha-numeric format with a 4-digit year as follows: yyyy/mm/dd (2012/10/30) or dd-mmm-yyyy (30 OCT 2012). Include the date on page two and all associated continuation pages.

*d. Inspection type.* Identify the reason for the inspection—routine, complaint, follow-up (reinspection), preoperational, other—by marking an “X” in the box corresponding to the inspection type. If “other” is marked, specify the type/reason for the inspection in the space provided. Also mark the inspection type at the top of page two and all associated continuation pages.

*e. Inspector.* Provide the first and last name of the person conducting the inspection. For military personnel, include the individual’s rank.

*f. Inspector phone.* Provide the official commercial contact telephone number, with area code, of the inspector or REGULATORY AUTHORITY office. For OCONUS locations, use the guidance specified in paragraph *e.* of this section.

*g. Inspector e-mail.* Provide the official (unit/organization) electronic mailing address of the inspector.

*h. Inspector unit/organization.* Identify the military unit or organization to which the inspector is assigned or attached at the time of the inspection.

*i. Start time.* Annotate the actual time the inspection begins.

*j. End time.* Annotate the actual time the inspection officially ends.

*k. Various timeframes.* Mark an “X” in the box when the inspection process occurs intermittently at various time periods throughout the day to capture different aspects of the operation. For example, the inspection is initiated (time in) in the early morning during receiving operations. After 45 minutes of assessment, the inspector departs the facility and returns mid-morning to observe food preparation and service activities for the lunch meal. The inspector then chooses to return to the facility during clean-up operations following the last meal served for the day. Following this period of observation, the inspection is completed (time out).

*l. Person in charge (PIC).* Provide the first and last name of the FOOD ESTABLISHMENT manager or PIC.

*m. PIC phone.* Provide the PIC’s official (business) commercial contact telephone number, with area code, at the establishment’s location. For OCONUS operations, specify the type of number used (e.g., DSN, SVOIP (mobile)), or include the country code if a commercial (landline) phone number is provided.

*n. PIC official e-mail.* Provide the official business electronic mailing address of the manager or PIC identified in the previous block.

*o. Number and type of violations.* At the conclusion of the inspection, report the total number of inspection items containing CRITICAL and NONCRITICAL violations as follows:

(1) *Critical.* Count the number of inspection items containing a CRITICAL violation by counting the number of boxes checked in items 1-51 that contain an asterisk; include non-asterisked items containing CRITICAL provisions (bold font) that were circled within the item grouping. If multiple CRITICAL violations were noted in a single item grouping, score the CRITICAL violation only once for that group. For example, if two violations occurred in item 15, one for provision 3-302.11\* and one for 3-304.11\*, each would be circled, but only 1 point would be added to the total number of CRITICAL items when scoring the inspection report. Place the total count in the space provided under *Number and Type of Violations*.

(2) *Noncritical.* Count the number of inspection items containing NONCRITICAL violations by counting the number of boxes checked in items 1-51 that do not contain an asterisk and did not contain a CRITICAL violation circled within the provision grouping. If multiple violations were noted in a single item grouping, score the NONCRITICAL violation only once for that group. Place the total count in the space provided under *Number and Type of Violations*.

(3) Item numbers with “N/A” (not applicable) or “N/O” (not observed) marked are not included in the totals.

*p. Inspection rating.* At the conclusion of the inspection, score the food operation’s level of compliance to Code provisions using the criteria outlined in chapter 8, Table 8-3 (also located at the bottom of page 2 of the form.)

(1) Deviation from the prescribed scoring criteria is not authorized.

(2) Inspections are rated as fully compliant, substantially compliant, partially compliant, or non-compliant.

(3) For inspections rated as non-compliant, provide the calendar date on which a follow-up inspection will be conducted. Follow-up inspections should be conducted within 5 calendar days as specified in ¶ 8-403.30(B).

*q. Continuation pages.* Starting at the top of page two and including subsequent pages used to document findings or remarks, identify the page number and total number of pages associated with the inspection.

*r. Signing and dating the form.*

(1) Signature by the PIC represents acknowledgement that the he or she has been briefed on all of the violations noted on the form, the corrective actions and associated timeframe for their completion, the final inspection rating, and, for inspections rated as non-compliant, the date on which a follow-up inspection will be conducted.

(a) The PIC must sign the form upon receiving the brief-back by the inspector. The PIC’s signature on the form does not constitute agreement or disagreement with the inspector’s findings.

(b) The PIC provides the date on which he/she was briefed and signed the form.

(2) The inspector signs and dates the form upon completion of the inspection. This signature provides a formal indication that an inspection was completed on the specified date.

#### E-4. Marking the form

*a. Abbreviations used for compliance status.*

(1) “N/A” means that the item (*all contents of the provision grouping*) is not applicable to the FOOD ESTABLISHMENT or FOOD operation.

(2) “N/O” means that the item was not observed; the inspector did not evaluate this aspect of the operation.

(3) “COS” means that violations within the item/provision grouping were corrected onsite.

(4) “R” means a repeat violation occurred from the previous inspection within the provision grouping.

*b. Compliance.*

(1) All routine and preoperational inspections are comprehensive. Regulators must assess each item listed on the inspection form.

(2) For provision groupings that are either not applicable or were not assessed at the time of the inspection, circle the appropriate designator: “N/A” or “N/O.” If at least one provision within the group applies to the operation, “N/A” may not be circled. Select “N/O” if none of the applicable provisions within the group were evaluated.

(3) Do not place a mark in the item number check box if the assessed provisions within the grouping were fully compliant.

*c. Deficiencies.*

(1) Mark an “X” in the box immediately following the item number to indicate that a deficiency/violation occurred within the specified provision grouping.

(a) Paragraph E-5 of this appendix identifies the provisions or portion of applicable provisions intended to be assessed under each item number.

(b) Regulators must review cited provisions to ensure proper marking of the inspection form.

(c) Compliance status should be determined as a result of observations that establish a pattern of noncompliance.

(d) When a CRITICAL violation occurs within an item number not marked by an asterisk, the applicable CRITICAL provision number must be marked or circled within the item grouping description.

(2) Further indicate the status of the violation by marking an “X” in the corresponding box for each non-compliant item number to indicate “COS” and/or “R.”

(a) Marking “COS” indicates that all violations cited under that particular item number have been corrected and verified before completing the inspection. The actual corrective action taken for each violation should be documented in the *Remarks* section of the inspection report. For example, Item #3, *Hand wash facilities*, is marked “out of compliance” because the establishment does not have soap and paper towels at the handwashing sink. The PIC partially corrects the problem by putting soap at the sink but does not replace the paper towels or provide any other effective means for drying hands. The corrective action taken for the soap is documented in the narrative on the form, but “COS” is **not** marked for Item #3 because all violations under that item were not corrected.

(b) Marking “**R**” indicates that the same violation under a particular item number was cited on the last inspection report. Using the same scenario from above, if the provision of soap and paper towels is not in violation on the subsequent inspection but employees are not washing their hands in the correct sink (which is also cited under Item #3), “**R**” would **not** be marked because the latter is a new violation which was not cited on the previous inspection report.

(3) Marking the check box for item number 51 indicates a violation occurred for a provision that is not otherwise specified in the provision groupings for items 1–50. If marked, identify the specific provision number from the publication, and provide a brief description of the violation in the *Remarks* section of the form. Include the violation, as appropriate, when tallying the total number of CRITICAL and NONCRITICAL violations.

(4) An unmarked item indicates all assessed elements within the provision grouping are compliant.

*d. Findings.*

(1) *Temperature observations.* Temperature measurements taken from food items and equipment are recorded in the spaces provided under *Temperature Observations* on page 2 of the form. Fifteen spaces are provided for recording equipment ambient operating temperatures and the internal product temperature of foods at various points throughout the food operation: cold storage, cooking, hot holding, and serving.

(a) For food items, record the common name of the food as well as the condition, process, or location of the food at the time of monitoring, for example, “meatloaf; main serving line;” “leftover chili, refer #1.”

(b) When measuring equipment holding temperatures, specify the equipment type, and provide the location if not otherwise distinguished, for example, “hot hold cabinet #2;” “main serving line;” “reach-in short order refer.”

(c) Temperatures in compliance and out of compliance should be documented on the inspection form.

(d) Record the temperature measurement indicated on the inspector’s thermometer. Specify the measurement scale used—Fahrenheit (°F) or Celsius (°C)—by circling the appropriate unit of measure on the form.

(e) If there is insufficient space for the number of temperatures taken, record the additional temperatures in the *Remarks* section of the inspection report.

(2) *Observations and corrective actions.* Use the *Remarks* section to document observations, corrective actions, and additional information relevant to the inspection. Provide a detailed and concise summary of the deficiencies observed and marked as violations on page 1, and include the actions taken to correct the noted violations at the time of the inspection.

*e. Imminent health hazard (IHH).* If an IHH is identified during the inspection, mark an “**X**” in the box located on line 1 of the *Remarks* section, and provide a detailed description of the finding and actions taken to remediate the situation.

### **E-5. Documenting conformance and violations**

Specific guidance for marking violations on the *Food Operation Inspection Report* form and the *Tactical Kitchen Food Sanitation Inspection* form are provided in Sections II and III, respectively.

## **Section II. FOOD OPERATION INSPECTION REPORT**

### **E-6. Applicability**

The *Food Operation Inspection Report* is the standard form used to record formal inspections of food operations and concessions, to include TEMPORARY, SEASONAL, mobile, vending, and special events, in garrison, shipboard, and deployment settings. The exception for using this form is during inspections of tactical food operations managed solely by military units and personnel.

### **E-7. Guidance for debiting specific item numbers on the form**

#### *a. Supervision and training.*

**Item \*.** *Person in charge (PIC) is present; demonstrates knowledge.* A CRITICAL violation occurs when a qualified PIC is not on premises when the inspection begins or the PIC does not have proof of a valid (and unexpired) food safety certification on file. Do not mark this item “N/A” or “N/O.” Mark this item “non-compliant” if any **one** of the following items is found:

A. A designated PIC is not present as required in 2-101.11(A) and (B).

B. The designated PIC does not have a food safety certificate from an ACCREDITED PROGRAM as specified in 2-102.20 or the certificate has expired. Expiration dates vary between 3 and 5 years, depending on the certifying source.

C. A critical violation regarding failure to demonstrate knowledge may also be awarded based on observations combined with questioning. Two conditions in Section 2-102.11 [paragraphs (A) and (C)] are used in combination to assess the PIC’s ability to demonstrate knowledge even when a valid food safety certificate is on file. Paragraph (A) is a non-critical violation and paragraph (C) is a *swing* violation. When multiple critical violations are observed during an inspection, the inspector should ask the PIC to discuss or demonstrate proper procedures relevant to the critical violations. Questions should be open-ended to evaluate the PIC’s understanding of the associated health effects that may result from the violations. Questions can be asked during the initial interview, menu review, or throughout the inspection as appropriate. The inspector should ask a sufficient number of questions to allow the inspector to make an informed decision concerning the PIC’s knowledge of this publication’s requirements and of general public health principles as they apply to the operation. The dialogue should be extensive enough to reveal whether or not the PIC’s knowledge will enable him/her to follow sound food safety practices and to produce foods that are safe, wholesome, unadulterated, and accurately represented. The PIC’s inability to correctly respond to the inspector’s questions coupled with one or more critical violations is indicative of failure to demonstrate knowledge.

**Applicable publication section:**

2-101.11\* Assignment

2-102.11\* Demonstration

**Item 2.** *PIC and employees: duties; training.* Do not mark this item “N/A” or “N/O.” This item is fully compliant when the following criteria are met:

A. Duties of the PIC. Compliance is based on the inspector’s interaction with and observation of the PIC and food employee. The inspector needs to determine the systems or controls the PIC has put into practice regarding oversight and/or routine monitoring of the duties listed in § 2-103.11. This is accomplished by 1) discussion with the PIC, and 2) verifying through observation that the systems or controls are actually being implemented. This concept is commonly referred to as Active Managerial Control. Item 2 must be marked “out of compliance” when there is a pattern of non-compliance and obvious failure by the PIC to ensure employees are complying with the duties listed in § 2-103.11; multiple critical violations found during the inspection is an indication of the PIC’s failure to perform his duties. Since marking this item “out of compliance” requires judgment, it is important that this item not be marked for an isolated incident, but rather for an overall evaluation of the PIC’s ability to ensure compliance with the duties described in § 2-103.11.

B. Training. Compliance is demonstrated by—

1. Presenting evidence (a record per 2-505.11) such as a curriculum/outline and attendance rosters documenting that each employee has completed a training program which includes all the information required in ¶ 2-501.11(A) to include employee illness reporting responsibilities as specified in ¶ 2-201.11(A); or

2. A certificate of training or food manager certification by an ACCREDITED PROGRAM as specified in 2-102-20; and

3. A record indicating refresher training and/or certification renewal is current as specified in ¶ 2-501.11(C), 2-502.11, and 2-503.12.

C. A CRITICAL violation may exist if employees disclose they were never trained or counseled regarding their requirement to report or disclose health information such as reportable illnesses and infections as specified in paragraph 2-201.11(A) **and** there is no record of training or counseling for employee health disclosure requirements. Satisfactory compliance may be documented by (1) a signed acknowledgement by the employee, such as DD Form 2971, *Conditional Employee or Food Employee Reporting Agreement*, or other similar state or local form containing the same information; **or** (2) presenting evidence such as a curriculum and attendance rosters documenting that each employee has completed a training program which includes reporting responsibilities. A violation involving an ill employee who should have been restricted or excluded, has an infected wound/skin condition, or has discharges from the eye, nose, or mouth, is debited using *Item #5*.

**Applicable publication sections:**

2-103.11(A)-(M) Person in charge—duties

2-201.11(A)\* Responsibility of person in charge—food employee reporting requirements

2-501.11 Training requirements

- 2-502.11 (Supervisor) requirements and renewal
- 2-503.12 Bartenders, hostesses, wait staff, and counter staff
- 2-503.13 Temporary employees
- 2-505.11 Documentation, retention and presentation

*b. Health and hygiene.*

**Item 3.** *Hand wash facilities: supplied, accessible, and used.* Do not mark this item “N/A” or “N/O.” Compliance is based on observations to determine that handwashing sinks are properly equipped and conveniently located for food employee use. This item must be marked “non-compliant” when any of the following conditions exists: the facility is not stocked with soap, hand drying provisions, or equipped with the required signage; the handwashing sink is not located to be available to food employees who are working in food preparation, food dispensing and warewashing areas; the sink is blocked by portable equipment or stacked full of soiled utensils or other items; a handwashing sink is unavailable for regular employee use.

**Applicable publication sections:**

- 5-202.12 Handwashing sinks, installation
- 5-203.11 Handwashing sinks—numbers and capacities
- 5-204.11 Handwashing sinks—location and placement
- 5-205.11 Using a handwashing sink—operation and maintenance
- 6-301.11 Handwashing cleanser, availability
- 6-301.12 Hand drying provision
- 6-301.13 Handwashing aids and devices, use restrictions
- 6-301.14 Handwashing signage

**Item 4.** *Hands clean; properly washed.* Some of the provisions contained within this grouping are CRITICAL. Do not mark this item “N/A.” This item may be marked “N/O” for operations only in the rare case when there are no food workers present at the time of inspection. This item is fully compliant only when employees are observed using proper handwashing techniques at appropriate times and places. If there are no food workers present, but the PIC accompanies the inspector on the inspection and touches food, clean equipment, or utensils without washing his/her hands, this item is marked non-compliant. Non-compliance also occurs when employees are observed using a food preparation sinks or other non-approved sinks for handwashing. To further demonstrate and emphasize compliance to this publication, inspectors should wash their hands before beginning the walk-through portion of the inspection.

**Applicable publication sections:**

- 2-301.11\* Clean condition—hands and arms
- 2-301.12\* Cleaning procedure
- 2-301.14\* When to wash
- 2-301.15 Where to wash
- 2-301.16 Hand antiseptics

**Item 5. Ill employee reporting, restriction and exclusion.** Four of the five provisions assessed within this item grouping are reported as CRITICAL. Do not mark this item “N/A” or “N/O.” If non-compliance is based solely on violation of Section 2-401.12 (Discharges from the Eyes, Nose, and Mouth), score the item as NONCRITICAL. A CRITICAL violation involving discharges from the eyes, nose or mouth occurs when the inspector observes the employee not washing his or her hands after coughing, sneezing, or wiping their nose. When this occurs, mark the critical violation under *Item # 4*, citing paragraph 2-301.14(C), When to wash. The following criteria are assessed when determining overall compliance for *Item #5*:

A. Direct observations of food employees. There must be no ill employees, employees experiencing symptoms requiring reporting, or any reason for the PIC to exclude or restrict an employee observed at the time of the inspection. Compliance must be based on first-hand observations or information and cannot be based solely on responses from the PIC to questions regarding hypothetical situations or the PIC’s knowledge of this publication. When an ill employee or food employee with an infected wound is found working, the violation is marked using this item grouping and the applicable provision and paragraph that was violated is cited. This item should be marked “non-compliant” when—

1. The inspector observes a working employee with specific reportable symptoms (subparagraph 2-201.11 (A)(1)); or
2. The inspector becomes aware that an employee has reported information about his or her health and activities as it relates to diseases that are transmissible through food, and the PIC has not acted to restrict or exclude an employee as required by this publication (§ 2-201.12) & (§2-201.13); or
3. The inspector becomes aware that the PIC has not notified the Regulatory Authority that an employee is jaundiced or has been diagnosed with an illness due to a pathogen as specified under subparagraphs 2-201.11 (A)(2)(a)-(e) of the publication.
4. There are food employees working in the food establishment that have been diagnosed with Norovirus, hepatitis A virus, shigellosis, *E.coli* O157:H7, or other EHEC, or typhoid fever; has active symptoms of vomiting and/or diarrhea; or is working with food, food contact equipment, utensils, or single-service articles with an open, uncovered infected wound or pustule, or with a sore throat with a fever, or has discharges from the eyes, nose, or mouth. Additionally, in food establishments exclusively serving a highly susceptible population, there are to be no food employees with an active sore throat with a fever working in the food establishment.

B. Employees have a responsibility to report illness and the PIC must exclude workers as appropriate. Failure to report by employees and failure to exclude or restrict ill or infected employees is debited under this item grouping, but requires further investigation for possible violations involving training and duties of the PIC (see *Item #2*, paragraph C). Employee reporting responsibilities should be included in the initial employee training or briefing conducted by the PIC regarding employee duties and responsibilities. When an ill employee or employee with an infected wound is found working at the facility and the employee states he or she was never informed of their reporting responsibilities, the inspector must assess whether training/counseling was provided and must record any violations regarding the absence of

training under *Item #2*, specifically citing paragraphs 2-103.11(M) for duties of the PIC and 2-505.11(A) for lack of training documentation.

**Applicable publication sections:**

2-201.11\*(A), (B), (C), & (E) Responsibility of person in charge, food employees, and conditional employees

2-201.11\* (D) and (F) Responsibility of person in charge, food employees, and conditional employees—responsibility of the PIC to exclude or restrict

2-201.12\* Exclusions & restrictions

2-201.13\* Removal, adjustment, or retention of exclusions & restrictions

2-401.12 Discharges from the eyes, nose, and mouth

**Item 6. Bare hand/arm contact with food.** The provisions assessed within this item grouping are generally reported as CRITICAL, with the exception of paragraph 3-301.11(C), which is designated as a SWING item. This item may be marked “N/A” for establishments that provide only packaged or bulk food items that are not ready-to-eat. This item may be marked “N/O” for establishments that prepare ready-to-eat foods only, but no food preparation was performed at the time of inspection. This *Item Number* is also used to assess minimizing bare hand and arm contact with food that is not in a ready-to-eat form, such as meat being processed for retail sales. Compliance for this item occurs when employees are observed using suitable utensils or gloves to prevent bare hand contact with ready-to-eat foods or are observed properly following a pre-approved alternative procedure to “no bare hand contact.” *Item #6* should be marked “non-compliant” if one person is observed touching ready-to-eat food with his/her bare hands in the absence of a prior approval and written procedures for bare hand contact. Refer to subparagraph 3-301.11(D)(1)-(7) for a listing of conditions that must be met in order to receive prior approval by the Regulatory Authority. Bare hand contact by food employees serving a highly susceptible population is prohibited, and no alternative procedure to “no bare hand contact” is allowed with such a population. The *swing* violation for food that is not in ready-to-eat form under paragraph 3-301.11(C) is rated critical when the employee processing the food has unprotected cuts/wounds on exposed hands or arms. The *swing* violation may be assessed as non-critical if an employee processing or preparing food had exposed arms due to improper wear of the work coat (i.e., sleeves were pushed up to the elbows), but there were no cuts or other open wounds on the hands or forearms. When the *swing* provision is assessed as NONCRITICAL and no other CRITICAL violation occur within the item grouping, the inspector must line through the asterisk that immediately follows the item group number on the inspection checklist and must count the item grouping as NONCRITICAL when the inspection is scored.

**Applicable publication sections:**

3-301.11\* Preventing contamination from hands

3-801.11\*(D) Pasteurized foods, prohibited re-service, and prohibited foods

**Item 7. Personal cleanliness: clothing, hair restraint, jewelry.** This item may not be marked “N/A” or “N/O.” Observation of facility personnel for clean outer clothing, effective hair restraints, prohibited jewelry, and the condition or protection of fingernails must be made.

**Applicable publication sections:**

- 2-302.11 Maintenance—fingernails
- 2-303.11 Prohibition—jewelry
- 2-304.11 Clean condition—outer clothing
- 2-402.11 Effectiveness—hair restraints

**Item 8.** *Eating, drinking, tobacco use in food prep and service areas; proper tasting procedures.* Do not mark this item “N/A.” This item may be marked “N/O” only in the rare case when there are no food workers present at the time of inspection. Compliance is based on direct observations or discussions of the appropriate hygienic practices of food employees. Provision compliance occurs when food employees are observed drinking from a closed beverage container subsequently stored on a non-food-contact surface and separated from exposed food, clean equipment, and unwrapped single-service and single-use articles. This item should be marked “non-compliant” when food employees are observed improperly tasting food, eating, drinking, or smoking, or there is supporting evidence of these activities taking place in non-designated areas of the establishment. An open container of liquid in the kitchen preparation area does not necessarily constitute marking this item “non-compliant.” Further discussion with a food employee or the PIC may be needed to determine if the liquid, if labeled, is used as an ingredient in food or may be an employee beverage that is consumed in another designated area. If the liquid is an open beverage that is consumed in a designated area, it must still be stored in a manner to prevent the contamination of food, equipment, utensils, linens and single-service/single-use articles.

**Applicable publication sections:**

- 2-401.11 Eating, drinking, or using tobacco
- 3-301.12 Preventing contamination when tasting

*c. Food source, identification, condition.*

**Item 9\*.** *Food and water from approved sources.* All violations contained within this item grouping are reported as CRITICAL. Do not mark this item “N/A” or “N/O.” This item includes ice. Compliance determination is based on direct observations of food products, food labels and packaging, water analyses, and discussion with the PIC or other food employees. A review of supplier names, shipment invoices, buyer specification plans, molluscan shellfish tags, proof of regulatory permit/licensure of a food source, etc. can be used to document approved food sources. This item should be marked “non-compliant” when an approved food source cannot be determined.

**Applicable publication sections:**

- 3-201.11\* Compliance with food law
- 3-201.12\* Food in a hermetically sealed container
- 3-201.13\* Fluid milk and milk products
- 3-201.14\* Fish
- 3-201.15\* Molluscan shellfish

- 3-201.16\* Wild mushrooms
- 3-201.17\* Game animals
- 3-202.13\* Eggs
- 3-202.14\* Eggs and milk products, pasteurized
- 3-202.16\* Ice
- 3-202.110\* Juice treated—commercially processed
- 5-101.13\* Bottled and packaged drinking water

**Item 10\*.** *Food in good condition, safe and unadulterated; receipt temperatures.* All violations contained within this item grouping are reported as CRITICAL. Do not mark this item “N/A” or “N/O.” Compliance is based on—

A. Condition and packaging. Observe the integrity of product packaging, wholesomeness, and signs of adulteration. This item is considered “compliant” when a dent in a canned food has not compromised the hermetic seal; cuts made in outer cardboard packaging during opening of the case do not enter the inner product packaging; the true appearance, color, or quality of a food is not misrepresented; and food is honestly presented. This item must be marked “non-compliant” when the integrity of food packaging has been compromised or the true appearance, color, or quality of a food has been intentionally altered.

B. Receiving temperature. Obtain actual food temperature measurements of PHF(TCS) foods being received. Compliance is achieved when food is received and found to be at proper temperatures during the inspection (i.e., a catered meal for a child care center arrives during the inspection, and the regulatory authority verifies the receiving temperature). This item should be marked “non-compliant” if food is received and accepted, but an actual food temperature measurement of a PHF(TCS) food by the regulatory authority at the time of delivery exceeds the temperature specifications for receiving as prescribed by this publication.

**Applicable publication sections:**

- 3-101.11\* Safe, unadulterated and honestly presented
- 3-202.11\* Temperature
- 3-202.15\* Package integrity

**Item 11.** *Required records available: shellstock tags, parasite destruction.* Some of the provisions contained within this grouping are CRITICAL. This item may be marked “N/A” when shellstock are not used in the establishment, and the only fish sold as raw, raw-marinated, or undercooked is the tuna species or aquacultured fish listed in this publication as exempted from freezing. This item may be marked “N/O” when shellstock or raw, raw-marinated, and undercooked fish are sold periodically in the establishment, but are not being sold at the time of inspection, and prior compliance through tags, invoices, or purchase records cannot be verified. Compliance determination is based on direct observations of fish in storage, shellstock tags, and/or records of freezing of fish for parasite destruction. This item is “compliant” if the PIC provides a statement from supplier(s) identifying that fish sold as raw, raw-marinated, or undercooked is frozen by the supplier for parasite destruction; or there are freeze records maintained by the FOOD ESTABLISHMENT when fish are frozen for parasite destruction on

the premises. This item should be marked “non-compliant” if there are no shellstock tags available, when the shellstock tags are incomplete, when there is evidence of commingling of shellstock, or when no records of freezing of fish for parasite destruction are available. Fish exempt from freezing requirements are listed in paragraph 3-402.11(B).

**Applicable publication sections:**

- 3-202.18\* Shellstock identification
- 3-203.12\* Shellstock, maintaining identification
- 3-402.11\* Parasite Destruction
- 3-402.12 Records, creation, & retention

**Item 12.** *Food properly labeled; original container; major food allergens.* Do not mark this item “N/A.” This item may be marked “N/O” if there were no bulk foods removed from their original packaging present in the facility at the time of the inspection and food packaging is not conducted at the establishment. Packaged foods are required to conform to specific labeling laws. Foods packaged within the food establishment, such as cook-chill products and bulk foods (meals-to-go) available for CONSUMER self-dispensing (3-602.11(C)), must also conform to the appropriate labeling laws, with considerations given to accuracy of the labels as well as to their not being misleading. In addition, all major food allergens, if present, must be accurately declared on the package. Working containers and bulk foods removed from their original packaging require some level of assessment as to how recognizable the food is without labeling it by its common name. Labels for working containers should provide a date indicating when the product was opened; date marking and retention for these products as specified in 3-501.17 are assessed using *Item 14*. Molluscan shellfish and vended PHF(TCS) foods must be assessed based on their specific packaging and labeling requirements.

**Applicable publication sections:**

- 3-202.17 Shucked shellfish, packaging and identification
- 3-203.11 Molluscan shellfish, original container
- 3-302.12 Food storage containers identified with common name of food
- 3-305.13 Vended potentially hazardous food (time/temperature control for safety food), original container
- 3-601.11 Standards of identity
- 3-601.12 Honestly presented
- 3-602.11 Food labels
- 3-602.12 Other forms of information

**Item 13\*.** *Leftover PHFs properly labeled, stored, handled.* Deficiencies noted within this item represent a CRITICAL violation. This item may be marked “N/A” if the food facility has an established policy that prohibits the retention of LEFTOVER foods. This item may be marked “N/O” if the establishment does practice the retention of LEFTOVERS, but there were no LEFTOVER foods present in the facility at the time of the inspection. Non-compliance occurs when labels are missing or do not contain the item name and the date and time the item was removed from service; LEFTOVERS are retained beyond the maximum retention period;

prohibited items are retained; improper reheating temperature; freezing LEFTOVERS; subsequent retention of a LEFTOVER or foods containing a previously LEFTOVER item; or serving LEFTOVERS to a highly susceptible population.

**Applicable publication sections:**

3-501.110\*(C)—(G) Leftovers

**Item 14\*.** *Proper date marking and disposition.* All violations contained within this item grouping are reported as CRITICAL. This item may be marked “N/A” when no ready-to-eat, PHF(TCS) food is prepared on-premise and held; no commercial containers of ready-to-eat, PHF(TCS) food are opened and held over 24 hours in the establishment; and no uncooked or partially cooked frozen PHF(TCS) food is thawed under refrigeration by the establishment. This item may be marked “N/O” when the establishment does handle foods requiring date marking, but there are no foods requiring date marking in the facility at the time of inspection. Compliance for date marking is generally found when there is a system in place for date marking all foods that are required to be date marked and such a system is verified through observation. If date marking applies to the establishment, the PIC should be asked to describe the methods used to identify product shelf-life or “consume-by” dating. The regulatory authority must be aware of food products that are listed as exempt from date marking (3-501.17(G) and (H)). Compliance for food disposition occurs when foods are all within date marked time limits or food is observed being discarded within date marked time limits. Non-compliance occurs when date marked food exceeds the time limit or date marking is not done.

**Applicable publication sections:**

3-501.17\* Potentially hazardous food (time/temperature control for safety food), date marking and retention

3-501.18\* Ready-to-eat and frozen, potentially hazardous food (time/temperature control for safety food), disposition

*d. Contamination protection and prevention.*

**Item 15.** *Food separated and protected.* Some of the provisions contained within this grouping are CRITICAL. This item may be marked “N/A” when there are no raw animal foods used in the facility and only prepackaged foods are sold. This item is marked “N/O” when raw animal foods are used or served seasonally and the inspector is unable to determine compliance. Compliance is based on direct observations of food storage and food handling practices. This item should be marked “non-compliant” when ready-to-eat foods are subject to potential contamination by raw animal foods; raw animal foods are observed not separated by type based on minimum cook temperatures by spacing or placing them in separate containers; food is not packaged or covered during storage (unless in the process of cooling); food is in contact with soiled equipment and utensils; or single-use gloves are used for more than one task.

**Applicable publication sections:**

3-302.11\* Packaged and unpackaged food-separation, packaging, and segregation

3-304.11\* Food contact with equipment and utensils

3-304.15(A) Gloves, use limitation

3-306.13(A)\* Consumer self-service operations

**Item 16.** *Fresh fruits and vegetables properly washed.* This item may be marked “N/A” if fresh fruits and vegetables (FF&V) are not prepared by the food establishment and the service of FF&V, when practiced, is limited to commercially packaged items portioned for individual sale (e.g., salads and fruit bowls). This item may not be marked “N/O.” Chemicals are allowed for washing fruits and vegetables, as is washing them in water. Raw fruits and vegetables are to be washed prior to their preparation or being offered as RTE. Discussion with the PIC and food employees will help determine the establishment’s practice. This item is marked “non-compliant” when unauthorized chemicals are used to wash or disinfect FF&V, or RTE FF&V are not washed properly.

**Applicable publication sections:**

3-302.15 Washing fruits and vegetables

7-204.12\* Chemicals for washing, treatment, storage and processing fruits and vegetables, criteria

**Item 17\*.** *Food-contact surfaces cleaned and sanitized.* The primary provisions assessed within this item grouping are CRITICAL, but may require further assessment by examining related (NONCRITICAL) provisions. Violation of a NONCRITICAL provision associated with this item generally results in non-compliance with the CRITICAL provision. 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. This item may not be marked “N/O.” Compliance is based on direct observations of food contact surfaces of equipment and utensils; observing cleaning and sanitizing procedures; discussion of cleaning and sanitizing procedures and frequency with the PIC or other food employees; and actual measurements/readings of chemical sanitizer concentration and/or hot water sanitizing temperature using test strips, heat-sensitive tapes, and calibrated thermometers, as appropriate. Compliance is achieved when manual and/or mechanical methods of cleaning and sanitizing are effective and are performed at the prescribed frequency. There should be an overall assessment of the food-contact surfaces of equipment and utensils in clean storage and in use to determine compliance. For example, this item is not marked “out of compliance” based on one visibly soiled utensil, such as a plate or knife. This item must be marked “non-compliant” when manual and/or mechanical methods of cleaning and sanitizing food-contact surfaces of equipment and utensils are ineffective or if one multiuse piece of equipment such as a slicer or can opener is visibly soiled and being used at the time of the inspection. The inspector must assess whether such food residue is the result of current or prior use. A violation involving Sections 4-501.111, 4-501.112, or 4-501.113 must be documented by also citing either 4-702.11 or 4-703.11, as appropriate, which results in scoring the violation as CRITICAL. A violation of 4-501.115 involving improper use of a detergent-sanitizer may also result in failure to properly sanitize equipment/utensils and should be further debited by citing the critical violation [4-702.11]. When a single violation is found only involving Section 4-602.12 for improper sanitizing of cooking surfaces and baking equipment, this item is scored as

NONCRITICAL and care must be taken to line through the asterisk preceding the *Item Number* on the inspection checklist. Compliance regarding proper use of warewashing equipment and procedures is assessed using *Item #40*.

**Applicable publication sections:**

- 4-501.111 Manual warewashing equipment, hot water sanitization temperatures
- 4-501.112 Mechanical warewashing equipment, hot water sanitization temperatures
- 4-501.113 Mechanical warewashing equipment, sanitization pressure
- 4-501.114\* Manual and mechanical warewashing equipment, chemical sanitization—temperature, pH, concentration, and hardness
- 4-501.115 Manual warewashing equipment, chemical sanitization using detergent-sanitizers
- 4-601.11(A)\* Equipment, food-contact surfaces, nonfood-contact surfaces, and utensils
- 4-602.11\* Equipment, food-contact surfaces, and utensils—frequency
- 4-602.12 Cooking and baking equipment
- 4-702.11\* Before use after cleaning
- 4-703.11\* Hot water and chemical methods

**Item 18\*.** *Proper disposition of returned, previously served, reconditioned, and unsafe food.*

All violations contained within this item grouping are reported as CRITICAL. Do not mark this item “N/A” or “N/O.” This item is marked “non-compliant” if food is found to be unsafe, adulterated, not honestly presented, from an unapproved source, or if ready-to-eat food is contaminated by employees and is not discarded or reconditioned according to an approved procedure, or if previously-served unwrapped, unprotected food is observed being re-served.

**Applicable publication sections:**

- 3-306.14\* Returned food and re-service of food
- 3-701.11\* Discarding or reconditioning unsafe, adulterated, or contaminated food

**Item 19.** *Contamination prevented during food preparation, storage and display.* Some of the provisions contained within this grouping are CRITICAL. Do not mark this item “N/A” or “N/O.” The observation and understanding of the flow of food items from the point of receipt to the point of sale, service, or distribution is necessary to determine whether a violation exists. Food is subject to direct and indirect sources of contamination in the establishment. Sources may be related to the working environment, packaging, adequacy of storage facilities, and exposure of food on display to contamination (i.e., salad bars). Contamination from ice is assessed using *Item #21*.

**Applicable publication sections:**

- 3-304.11\* Food contact with equipment and utensils
- 3-304.13 Linens and napkins, use limitations
- 3-305.11 Food storage—preventing contamination from the premises
- 3-305.12 Food storage, prohibited areas
- 3-305.14 Food preparation
- 3-306.11 Food display—preventing contamination by consumers
- 3-306.12 Condiments, protection

- 3-306.13\*(B) and (C) Consumer self-service operations
- 3-307.11 Miscellaneous sources of contamination
- 6-404.11 Segregation and location—distressed merchandise

**Item 20\*.** *Food additives: approved and proper use.* All violations contained within this item grouping are reported as CRITICAL. This item may be marked “N/A” if the food establishment does **not** use any additives or sulfites on the premises. Do not mark this item “N/O.”

Compliance is based on direct observations of food ingredients in storage and listed as product ingredients, supplemented by discussion with the PIC. This item is compliant if approved food and color additives are onsite and used properly or if sulfites are on the premises but are not applied to fresh fruits/vegetables for raw consumption. Approved food additives are listed and have threshold limits IAW the CFRs; this item does not apply to food additives that are considered Generally Recognized as Safe (GRAS), such as salt, pepper, etc. Item 20 is marked “non-compliant” if unapproved additives are found on the premises or if approved additives are improperly used, such as sulfites being applied to fresh fruits or vegetables.

**Applicable publication sections:**

- 3-202.12\* Additives
- 3-302.14\* Protection from unapproved additives

**Item 21.** *Protection from iced used as coolant; food contact with water/ice.* Some of the provisions contained within this grouping are CRITICAL. Do not mark this item “N/A” or “N/O.” Non-compliance occurs when ice previously used as a coolant is subsequently added to food, such as a beverage, or used during cooling processes; or when packaged and unpackaged food as specified in 3-303.12 is in direct contact with ice or water.

**Applicable publication sections:**

- 3-303.11\* Ice used as exterior coolant, prohibited as ingredient
- 3-303.12 Storage or display of food in contact with water or ice

**Item 22.** *Gloves used properly.* This item may be marked “N/A” when only commercially-packaged, ready-to-eat foods are served at the food establishment. This item may be marked “N/O” in the rare case when there is no food preparation or service occurring at the time of the inspection. The observation of food preparation activities and glove use by food employees is necessary. There should be a discussion with the PIC on how gloves are used, if applicable, in food preparation activities. If misused, gloves may serve as a source of cross-contamination.

**Applicable publication sections:**

- 3-304.15(B)-(D) Gloves, use limitations

**Item 23.** *Wiping cloths; properly used and stored.* This item may be marked “N/A” when only commercially packaged ready-to-eat foods are served at the food establishment. Do not mark this item “N/O.” Wiping cloths are to be used for a designated purpose and properly used. When stored in solution, the solutions should be reasonably clean and maintained at the proper sanitizer concentration (4-501.114). Solutions exceeding the recommended sanitizer

concentrations are assessed using *Item 25, Toxic substances properly identified, stored, and used.* Sponges, if present, are not to be used in contact with clean/sanitized food contact surfaces.

**Applicable publication sections:**

- 3-304.14 Wiping cloths, use limitation
- 4-101.16 Sponges use limitation
- 4-901.12 Wiping cloths, air drying location

**Item 24.** *Insects, rodents, animals: not present.* Do not mark this item “N/A” or “N/O.” An assessment is made through observation and discussion with the PIC for measures taken to control the presence of pests in the food establishment, including elimination of entry points and harborage areas and the removal of pests and their evidence. Insect trapping devices must not be located over food preparation or serving areas, stored clean utensils, or other food contact surfaces.

**Applicable publication sections:**

- 2-403.11 Handling prohibition—animals
- 6-202.13 Insect control devices, design and installation
- 6-202.15 Outer openings, protected
- 6-202.16 Exterior walls and roofs, protective barrier
- 6-501.111 Controlling pests
- 6-501.112 Removing dead or trapped birds, insects, rodents, and other pests
- 6-501.115 Prohibiting animals

**Item 25.** *Toxic substances properly identified, stored, and used.* Some of the provisions contained within this grouping are CRITICAL. Do not mark this item “N/A” or “N/O.” Compliance is based on direct observations of container labeling, storage, reconstitution, and application of the following: bulk and working containers of cleaning agents and sanitizers; personal care items; first aid supplies; medicines; pesticides; and potential toxic and poisonous substances. Compliance is achieved when bulk and working containers of cleaning agents and sanitizers are labeled; sanitizing solutions do not exceed the maximum concentrations; personal care items, first aid supplies, medicines, and chemicals are stored separate from and not above food, equipment, utensils, linens, and single-service and single-use articles; and restricted-use pesticides are applied only by or under the supervision of a certified applicator. This item should be marked “non-compliant” if a cleaning agent or sanitizer is not properly identified and stored; if a sanitizing solution has a higher concentration than prescribed; and if medicines and first aid kits are improperly labeled and stored.

**Applicable publication sections:**

- 7-101.11 Identifying information, prominence—original containers
- 7-102.11 Common name—working containers
- 7-201.11\* Separation—storage
- 7-202.11 Restriction—presence and use
- 7-202.12\* Conditions of use
- 7-203.11\* Poisonous or toxic material containers—container prohibitions

- 7-204.11\* Sanitizers, criteria—chemicals
- 7-204.12\* Chemicals for washing, treatment, storage and processing fruits and vegetables, criteria
- 7-204.13\* Boiler water additives, criteria
- 7-204.14\* Drying agents, criteria
- 7-205.11\* Incidental food contact, criteria—lubricants
- 7-206.11\* Restricted use pesticides, criteria
- 7-206.12\* Rodent bait stations
- 7-206.13\* Tracking powders, pest control and monitoring
- 7-207.11\* Restriction and storage—medicines
- 7-207.12\* Refrigerated medicines, storage
- 7-208.11\* Storage—first aid supplies
- 7-209.11 Storage—other personal care items
- 7-301.11\* Separation—storage and display, stock, and retail sale

*e. Temperature Control.*

**Item 26.** *Approved thawing and slacking methods for frozen PHFs.* This item may be marked “N/A” if PHF(TCS) foods are not thawed or slacked; frozen foods used at the facility are cooked from a frozen state. This item may be marked “N/O” if food is sometimes thawed, but thawing was not observed during the inspection. Observing and then gaining an understanding of the establishment’s thawing method(s) will help in determining whether a violation of the approved thawing methods found under 3-501.13 exists, as well as the level of risk imposed. Keep in mind that various food products, especially those destined for deep-fat frying, are often slacked (not thawed) prior to cooking.

**Applicable publication sections:**

- 3-501.12 Potentially hazardous food (time/temperature control for safety food), slacking
- 3-501.13 Thawing

**Item 27\*.** *Proper cooking and reheating time and temperatures.* All violations contained within this item grouping are reported as CRITICAL. This item may be marked “N/A” if the food establishment only serves prepackaged ready-to-eat foods. This item may be marked “N/O” when the inspector is unable to determine the cooking temperature of any food. The inspection should be arranged at an optimum time for measuring at least one cooked item. **NOTE:** *The cooking temperatures of foods must be measured to determine compliance or non-compliance. Do not rely upon discussions with managers or cooks to make a compliance determination. The temperature of raw animal foods in each species cooked during the inspection should be taken. For instance, if the facility fries chicken, scrambles eggs, bakes fish, grills hamburgers, and slow-roasts prime rib during the inspection, the cook temperatures of all of the products should be measured and recorded. Temperatures, both in compliance and out of compliance, should be recorded in the “Temperature Observations” section of the inspection report. The time of inspections should be varied so that cooking can be observed.* Use a calibrated food temperature

measuring device to check food items prior to their placement in hot holding. Item 27 item should be marked “non-compliant” if the food items checked do not meet the temperature requirements for cooking and if the employee doing the cooking attempts to serve the product without returning it to the cooking process. Reheated food items are non-compliant if the food is not reheated to the required temperatures or reheated within 2 hours prior to hot holding. Improper reheating of LEFTOVERS is assessed in *Item 13*. If a food is cooked below the required temperature but the facility has an approved Consumer Advisory or an approved variance within the HACCP plan for that food item, the item is considered to be compliant; record the temperature and document the reason it is IN compliance.

**Applicable publication sections:**

- 3-401.11\* Raw animal foods-cooking
- 3-401.12\* Microwave cooking
- 3-403.11\* Reheating for hot holding

**Item 28.** *Fruits and vegetables properly cooked for hot holding.* This item may be marked “N/A” if vegetables and fruits are not cooked for hot holding in the establishment. This item may be marked “N/O” when plant foods are cooked for hot holding but are not available for observation during the inspection. In determining compliance, observation must occur, and an actual cooking temperature must be obtained.

**Applicable publication section:**

- 3-401.13 Plant food cooking for hot holding

**Item 29\*.** *Proper cooling time and temperatures.* The provision assessed within this item is CRITICAL. This item may be marked “N/A” when the establishment does not receive raw eggs, shellstock, or milk; prepares no PHF(TCS) food from ambient temperature ingredients that require cooling; and does not cool cooked PHF(TCS) food. This item may be marked “N/O” when the establishment does cool PHF(TCS) food, but proper cooling per the prescribed temperature and time parameters cannot be determined during the length of the inspection.

**NOTE:** *The requirement for cooling cooked PHF(TCS) food is that the food must be cooled from 135°F to 41°F or less in 6 hours, 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, it then has 4.5 hours in which to cool the chili from 70°F to 41°F or less. There are two critical limits that must be met with cooling. Discussions with the PIC along with observations should be used to determine compliance. For instance, during discussion, the PIC states that a food product was cooled overnight in the walk-in cooler. The product is checked, and its temperature is 50°F. Eight hours have elapsed from closing to opening. This item should be marked “non-compliant” because the product did not cool from 135°F to 70°F within 2 hours and from 135°F to 41°F or less within a total of 6 hours. Temperatures that are in compliance and out of compliance should be recorded in the “Temperature Observations” section of the inspection report. Because the entire cooling process is difficult to observe during an inspection, a determination of whether foods are currently being cooled should be made at the onset of the inspection. If cooling is taking place, temperature measurements should be made to determine*

*whether proper cooling is possible with the procedures being used.* Compliance for this provision should be based on actual temperatures of PHF(TCS) foods in the cooling process. The basis for determining compliance can also be supported through discussion and/or record review which would provide the inspector with reliable data of the “start time” for cooling from 135°F.

**Applicable publication sections:**

3-501.14\* Cooling

**Item 30.** *Proper cooling methods; adequate equipment for temperature control.* This item may be marked “N/A” when the establishment does not receive raw eggs, shellstock, or milk; prepares no PHF(TCS) food from ambient temperature ingredients that require cooling; and does not cool cooked PHF(TCS) food. Do not mark this item “N/O.” A determination must first be made that cooling food is part of the processing step. To assess whether or not the methods used facilitate the cooling criteria specified under 3-501.14, a discussion with the PIC should support actual observations of the cooling methods in use. There should be enough equipment with sufficient capacity used for the cooling, heating, and hot/cold holding/storage of foods requiring temperature control, as specified in Chapter 3, to meet the demands of the operation. Observations must support the determination of compliance status.

**Applicable publication sections:**

3-501.15 Cooling methods

4-301.11 Cooling, heating, and holding capacities—equipment

**Item 31\*.** *Proper hot holding temperature.* The provision assessed within this item is CRITICAL. This item may be marked “N/A” if the establishment does not hot-hold food or if it uses Time as a Public Health Control (TPHC. This item may be marked “N/O” when the establishment does hot-hold foods, but no foods are being held hot during the time of the inspection. Inspections should be conducted during a time when hot holding temperatures can be taken. **NOTE:** *Temperatures in compliance and out of compliance should be recorded in the “Temperature Observations” section of the inspection report.* Compliance for this item is based on actual food temperature measurements taken using a calibrated food temperature measuring device. Unless TPHC is used for the PHF(TCS) food found out of compliance, this item is marked “non-compliant.” Evaluation of TPHC is assessed under *Item 34.*

**Applicable publication sections:**

3-501.16\*(A)(1) Potentially hazardous food (time/temperature control for safety food), hot and cold holding

**Item 32\*.** *Proper cold holding temperature.* This item may be marked “N/A” when the establishment does not cold-hold food. This item may not be marked “N/O.” **NOTE:** *Temperatures in or out of compliance should be recorded in the “Temperature Observations” section of the inspection report.* Compliance is based on actual temperature measurements of food or on a combined assessment of the equipment’s ambient temperature and the internal temperature of food held in the equipment, taken using a calibrated food temperature measuring

device. Discussions should be made with the PIC to determine if a food is in the process of cooling, TPHC is used, or there is an approved method to render a food so that it is not PHF(TCS) food. This item should be marked “non-compliant” if one PHF(TCS) food is found to be out of temperature, with supportive evidence, unless TPHC is used for that PHF(TCS) food. Frozen food is solid to the touch.

**Applicable publication sections:**

3-501.11 Frozen food

3-501.16\*(A)(2) and (B) Potentially hazardous food (time/temperature control for safety food), hot and cold holding

**Item 33\*.** *Consumer advisory provided for raw or undercooked food.* The provision assessed within this item is CRITICAL. This item may be marked “N/A” when a food establishment does not serve a ready-to-eat food that necessitates an advisory, i.e., an animal food that is raw, undercooked, or not otherwise processed to eliminate pathogens. Do not mark this item “N/O.” Assessment of this item is based on a thorough review with the PIC of the posted, written, and special/daily menus to determine if untreated shell eggs, meats, fish, or poultry is used as an ingredient or is ordered as a raw, raw-marinated, partially cooked, or undercooked food. The advisory also applies to shellstock offered for sale from a retail service case. This item is compliant if the establishment provides an advisory that meets the intent of this publication for both the disclosure and reminder components. This item should be marked “non-compliant” when raw or undercooked foods are served or sold and there is no CONSUMER advisory; the food item is not disclosed; or there is no reminder statement. The CONSUMER advisory does not exempt the requirement for freezing for parasite control, nor should it be used for foods that have only gone through the initial heating and cooling stages of a non-continuous cooking process.

**Applicable publication sections:**

3-603.11\* Consumption of animal foods that are raw, undercooked, or not otherwise processed to eliminate pathogens

**Item 34.** *Time as a public health control; variance procedures.* Some of the provisions contained within this grouping are CRITICAL. This item may be marked “N/A” when the establishment does not use “time only” as the public health control; the establishment is not required by the regulatory authority to have a variance or HACCP plan; juice is not packaged; or reduced oxygen packaging is not done on the premises. Do not mark this item “N/O.” This item is assessed by direct observations, record review, a discussion with the PIC to determine if there are specialized food processes (i.e., smoking food, curing food, reduced oxygen packaging, using food additives to render a food so that it is not PHF(TCS) food, cook chill, sous vide, etc.), and the review of any standing operating procedures to determine if the intent of this publication for use of TPHC is met and proper HACCP documentation is achieved. **NOTE:** *When a food establishment wants to deviate from a requirement in this publication, utilizing Specialized Processing Methods as specified in 3-502.11, such as Smoking Food for Preservation or curing*

*food, a variance must first be obtained from the regulatory authority. A HACCP plan may also be required as listed in 8-201.13(A) as part of the variance request.*

A. Time Only as a Public Health Control. This provision only applies if it is the actual intention or conscious decision by the PIC to store PHF(TCS) food out of temperature control using TPHC. This item is compliant for TPHC if there is a written procedure at the food establishment that identifies the types of food products that will be held using time only, describes the procedure for how TPHC will be implemented, and, if applicable, delineates how food items, previously cooked and cooled before time is used, are properly cooled; and properly marked food items do not exceed the 4-hour limit at any temperature or the 6-hour limit at 70°F or less. This item should be marked “non-compliant” when the PIC implies the use of TPHC but does not have an approved written procedure; an effective mechanism for indicating the point in time when the food is removed from temperature control and the point in time that represents the food’s mandatory use or discard time. TPHC is used for foods not identified in the approved plan or when the approved TPHC procedures are not being followed. When TPHC is employed without an approved plan, violations are debited under *Items #31 or #32*, as appropriate, for cold or hot holding.

B. Variance or HACCP. This item is compliant for a variance when observations of food operations and review of available records indicate compliance is being met with regards to specialized food processes. This item should be marked “non-compliant” if the inspection reveals specialized food processes that are not approved by the regulatory authority are performed, or specialized food processes are not conducted IAW the approved variance.

**Applicable publication sections:**

- 3-404.11 Treating juice
- 3-501.19\* Time as a public health control
- 3-502.11\* Variance requirement
- 3-502.12\* Reduced oxygen packaging, criteria
- 4-204.110(B) Molluscan shellfish tanks
- 8-103.11 Documentation of proposed variance and justification
- 8-103.12\* Conformance with approved procedures
- 8-201.13 When a HACCP Plan is required
- 8-201.14 Contents of a HACCP Plan

*f. Utensils and equipment.*

**Item 35. Thermometers provided and accurate.** This item may be marked “N/A” if the establishment only dispenses non-PHF(TCS) foods. Do not mark this item “N/O.” Thermometers provide a means for assessing active managerial control of PHF(TCS) food temperatures. Determine compliance by observing the in-use storage location and verifying the scaling of the temperature measuring devices in the range of use to measure food, water, or ambient air temperatures. Food thermometers must be calibrated at a frequency to ensure accuracy. Food thermometers should be accessible for use by employees and have a probe size appropriate to the food item.

**Applicable publication sections:**

- 4-203.11 Temperature measuring devices, food—accuracy
- 4-203.12 Temperature measuring devices, ambient air and water—accuracy
- 4-204-112 Temperature measuring devices—functionality
- 4-302.12 Food temperature measuring devices
- 4-502.11(B) Good repair and calibration

**Item 36.** *In-use utensils properly stored between uses.* This item may be marked “N/A” if the establishment only dispenses commercially prepackaged foods. Do not mark this item “N/O.” Based on the type of operation, there are a number of methods available for storage of in-use utensils during pauses in food preparation or dispensing, such as in the food, clean and protected, or under running water to prevent bacterial growth. If utensils are stored in a container of water, the water temperature must be at least 135°F. In-use utensils may not be stored in chemical sanitizer or ice between uses. Ice scoops may be stored with their handles up in an ice bin/tray but not in an ice machine.

**Applicable publication sections:**

- 3-304.12 In-use utensils, between-use storage

**Item 37.** *Food and non-food-contact surfaces: cleanable, properly installed and used.* Some of the provisions contained within this grouping are CRITICAL. Do not mark this item “N/A” or “N/O.” Equipment and utensils must be properly designed and constructed and in good repair. Proper installation and location of equipment in the food establishment are important factors to consider for ease of cleaning and for preventing accumulations of debris and attractants for insects and rodents. The components in a vending machine must be properly designed to facilitate cleaning and protect food products (e.g., equipped with automatic shutoff, etc.) from potential contamination. Equipment such as calibrated food thermometers must be properly used and in proper adjustment..

**Applicable publication sections:**

- 3-304.16 Using clean tableware for second portions and refills
- 3-304.17 Refilling returnables
- 4-101.11\* Characteristics—materials for construction and repair
- 4-101.12 Cast iron, use limitations
- 4-101.13 Lead, use limitation
- 4-101.14\* Copper use limitation
- 4-101.15\* Galvanized metal, use limitation
- 4-101.17 Wood, use limitation
- 4-101.18 Nonstick coatings, use limitation
- 4-101.19 Nonfood-contact surfaces
- 4-102.11\* Characteristics—single-service and single-use
- 4-201.11 Equipment and utensils—durability and strength
- 4-201.12\* Food temperature measuring devices
- 4-202.11\* Food-contact surfaces—cleanability

- 4-202.12 CIP equipment
- 4-202.13 “V” threads, use limitation
- 4-202.14 Hot oil filtering equipment
- 4-202.15 Can openers
- 4-202.16 Nonfood-contact surfaces
- 4-202.17 Kick plates, removable
- 4-204.12 Equipment openings, closures and deflectors
- 4-204.13\* Dispensing equipment, protection of equipment and food
- 4-204.14 Vending machine vending stage closure
- 4-204.15 Bearings and gear boxes, leakproof
- 4-204.16 Beverage tubing, separation
- 4-204.17 Ice units, separation of drains
- 4-204.18 Condenser unit, separation
- 4-204.19 Can openers on vending machines
- 4-204.110(A) Molluscan shellfish tanks
- 4-204.111\* Vending machines, automatic shutoff
- 4-204.121 Vending machines, liquid waste products
- 4-204.122 Case lot handling apparatuses, moveability
- 4-204.123 Vending machine doors and openings
- 4-302.11 Utensils, consumer self-service
- 4-401.11 Equipment, clothes washers, dryers and storage cabinets, contamination prevention—location
- 4-402.11 Fixed equipment, spacing or sealing—installation
- 4-402.12 Fixed equipment, elevation or sealing
- 4-501.11 Good repair and proper adjustment—equipment
- 4-501.12 Cutting surfaces
- 4-501.13 Microwave ovens
- 4-502.11(A) and (C) Good repair and calibration—utensils and temperature and pressure measuring devices
- 4-603.11 Dry cleaning—methods
- 4-603.17\* Returnables, cleaning for refilling
- 4-902.11 Food-contact surfaces—lubricating and reassembling
- 4-902.12 Equipment—lubricating and reassembling

**Item 38.** *Utensils, equipment and linens properly dried, stored, handled.* This item may be marked “N/A” if the establishment only dispenses commercially packaged ready-to-eat PHF(TCS) or nonPHF(TCS) foods and only utilizes single-use/single-service articles. Do not mark this item “N/O.” An assessment is made of the overall storage practices and handling of clean equipment, utensils, and tableware located in the various areas within an establishment, to include the basement, wait station and dining room. Equipment must be air-dried prior to storage, and linens must be properly cleaned and stored.

**Applicable publication sections:**

- 4-801.11 Clean linens
- 4-802.11 Specifications—laundering frequency
- 4-803.11 Storage of soiled linens
- 4-803.12 Mechanical washing
- 4-901.11 Equipment and utensils, air-drying required
- 4-903.11(A), (B) and (D) Equipment, utensils, linens and single-service and single-use articles—storing
- 4-903.12 Prohibitions
- 4-904.11 Kitchenware and tableware—preventing contamination
- 4-904.12 Soiled and clean tableware
- 4-904.13 Preset tableware

**Item 39.** *Single-use/single-service items: properly stored and used.* Some of the provisions contained within this grouping are CRITICAL. Do not mark this item “N/A” or “N/O.” Single-use/single-service items are not designed to be cleaned and re-used; therefore, they must be properly stored and protected to prevent possible contamination. Food establishments without facilities for cleaning and sanitizing kitchenware and tableware shall provide only single-use and single-service articles.

**Applicable publication sections:**

- 4-502.12\* Single-service and single-use articles, required use
- 4-502.13 Single-service and single-use articles—use limitations
- 4-502.14 Shells, use limitations
- 4-903.11(A) and (C) Equipment, utensils, linens and single-service and single-use articles—storing
- 4-903.12 Prohibitions
- 4-904.11 Kitchenware and tableware—preventing contamination

**Item 40.** *Warewashing equipment: use; maintained; test kits.* This item may be marked “N/A” if the establishment only dispenses commercially packaged ready-to-eat PHF(TCS) or non-PHF(TCS) foods and if only single-use/single-service articles are provided to customers eating on the premises. Do not mark this item “N/O.” Adequate warewashing facilities must be available and used for the cleaning and sanitization of food contact surfaces, including the availability of means to monitor the facilities’ use and the effectiveness of sanitization. Observations of manual and mechanical warewashing methods are made to assess the procedure for cleaning and sanitizing equipment and utensils. Compliance with the criteria for proper sanitizing is assessed in *Item 17*.

**Applicable publication sections:**

- 4-203.13 Pressure measuring devices, mechanical warewashing equipment
- 4-204.113 Warewashing machine, data plate operation specifications
- 4-204.114 Warewashing machines, internal baffles
- 4-204.115 Warewashing machines, temperature measuring devices
- 4-204.116 Manual warewashing equipment, heaters and baskets

- 4-204.117 Warewashing machines, automatic dispensing of detergents and sanitizers
- 4-204.118 Warewashing machines, flow pressure device
- 4-204.119 Warewashing sinks and drainboards, self-draining
- 4-204.120 Equipment compartments, drainage
- 4-301.12 Manual warewashing, sink compartment requirements
- 4-301.13 Drainboards
- 4-302.13 Temperature measuring devices, manual warewashing
- 4-302.14 Sanitizing solutions, testing devices
- 4-501.14 Warewashing equipment, cleaning frequency
- 4-501.15 Warewashing machines, manufacturers' operating instructions
- 4-501.16 Warewashing sinks, use limitation
- 4-501.17 Warewashing equipment, cleaning agents
- 4-501.18 Warewashing equipment, clean solutions
- 4-501.19 Manual warewashing equipment, wash solution temperature
- 4-501.110 Mechanical warewashing equipment, wash solution temperature
- 4-501.116 Warewashing equipment, determining chemical sanitizer concentration
- 4-603.12 Precleaning
- 4-603.13 Loading of soiled items, warewashing machines
- 4-603.14 Wet cleaning
- 4-603.15 Washing, procedures for alternative manual warewashing equipment
- 4-603.16 Rinsing procedures

**Item 41.** *Non-food-contact surfaces clean.* Do not mark this item “N/A” or “N/O.”

Observations should be made to determine if the frequency of cleaning is adequate to prevent soil accumulations on non-food-contact surfaces.

**Applicable publication sections:**

- 4-601.11(B) and (C) Equipment, food-contact surfaces, non-food-contact surfaces, and utensils
- 4-602.13 Non-food-contact surfaces

*g. Physical facilities.*

**Item 42.** *Hot and cold water available; adequate capacity and pressure.* Do not mark this item “N/A” or “N/O.” Regardless of the supply system, the distribution of water to the facility must be protected and operated according to law. Adequate pressure is to be maintained at all fixtures during peak demand; system capacity provides hot water at times of peak hot water demand.

**Applicable publication sections:**

- 5-103.11 Capacity—quantity and availability
- 5-103.12 Pressure
- 5-104.11 System—distribution, delivery, and retention

**Item 43\*.** *Plumbing cross-connections; backflow devices.* Some of the provisions contained within this grouping are CRITICAL. This item may be marked “N/A” for temporary and mobile

food establishments when there is no connection to a plumbing system (for drinking water or non-drinking water) or mobile water tank. Do not mark this item “N/O.” A cross contamination survey of the complete plumbing system is generally conducted during preoperational inspections. An assessment of the layout of the establishment and the water distribution system is made to determine if there are any points at which the potable water supply is subject to contamination or is in disrepair. The inspector examines equipment, devices, and drainage lines connected to the potable water supply to determine whether a violation exists.

**Applicable publication sections:**

- 5-101.12\* System flushing and disinfection
- 5-201.11\* Approved materials
- 5-202.11\* Approved system and cleanable fixtures
- 5-202.13\* Backflow prevention, air gap
- 5-202.14\* Backflow prevention device, design standard
- 5-202.15 Conditioning device, design
- 5-203.13 Service sink
- 5-203.14\* Backflow prevention device, when required
- 5-203.15 Backflow prevention device. carbonator
- 5-204.12 Backflow prevention device, location
- 5-204.13 Conditioning device, location
- 5-205.12\* Prohibiting a cross connection
- 5-205.13 Scheduling inspection and service for a water system device
- 5-205.14\* Water reservoir of fogging devices, cleaning
- 5-205.15\* System maintained in good repair
- 5-301.11\* Approved-materials, mobile water tank and mobile food establishment water tank
- 5-302.11 Enclosed system, sloped to drain
- 5-302.12 Inspection and cleaning port, protected and secured
- 5-302.13 “V” type threads, use limitation
- 5-302.14 Tank vent, protected
- 5-302.15 Inlet and outlet, sloped to drain
- 5-302.16\* Hose, construction and identification
- 5-303.11\* Filter, compressed air
- 5-303.12 Protective cover or device
- 5-303.13 Mobile food establishment tank inlet
- 5-304.11\* System flushing and sanitization-operation and maintenance
- 5-304.12 Using a pump and hoses, backflow prevention
- 5-304.13 Protecting inlet, outlet and hose fitting
- 5-304.14 Tank, pump and hoses, dedication

**Item 44.** *Sewage and waste water properly disposed; grease traps.* Some of the provisions contained within this grouping are CRITICAL. Do not mark this item “N/A” or “N/O.” There are two types of systems: the public sewage treatment plant and an individual sewage disposal system. Observations of the facility’s overall sewage and wastewater system are necessary to

determine if a violation exists. Indications that a system is not functioning properly may include the presence of sewage backing up into the establishment or outdoors on the ground. Condensate drippage and other non-sewage wastes must be drained to a system in accordance to LAW, and backflow prevention, if required, must be installed between the sewage system and drain of equipment holding food or utensils. Mobile wastewater holding tanks must also be assessed for capacity and maintenance.

**Applicable publication sections:**

- 5-401.11 Capacity and drainage
- 5-402.11\* Backflow prevention
- 5-402.12 Grease trap
- 5-402.13\* Conveying sewage
- 5-402.14 Removing mobile food establishment wastes
- 5-402.15 Flushing a waste retention tank
- 5-403.11\* Approved sewage disposal system
- 5-403.12 Other liquid wastes and rainwater

**Item 45.** *Garbage/refuse: proper disposal; facilities maintained; covered receptacles.* Do not mark this item “N/A” or “N/O.” The assessment of the refuse collection and disposal areas for proper receptacles and maintenance is necessary to determine whether a violation exists. Since refuse areas may attract and harbor insects and pests, as well as create a public health nuisance, particular attention must be paid to the maintenance of the refuse facilities and area. Garbage, waste, and grease receptacles should be covered/closed when not in active use.

**Applicable publication sections:**

- 5-501.11 Outdoor storage surface
- 5-501.12 Outdoor enclosure
- 5-501.13 Receptacles
- 5-501.14 Receptacles in vending machines
- 5-501.15 Outside receptacles
- 5-501.16 Storage areas, rooms and receptacles, capacity and availability
- 5-501.18 Cleaning implements and supplies
- 5-501.19 Storage areas, redeeming machines, receptacles and waste handling units, location
- 5-501.110 Storage refuse, recyclables and returnables
- 5-501.111 Area, enclosures and receptacles, good repair
- 5-501.112 Outside storage prohibitions
- 5-501.113 Covering receptacles
- 5-501.114 Using drain plugs
- 5-501.115 Maintaining refuse areas and enclosures
- 5-501.116 Cleaning receptacles
- 5-502.11 Frequency—removal
- 5-502.12 Receptacles or vehicles
- 5-503.11 Community or individual facility
- 6-202.110 Outdoor refuse areas, curbed and graded to drain

**Item 46.** *Restrooms: properly installed, maintained, cleaned.* Do not mark this item “N/A” or “N/O.” A toilet facility should be assessed to determine if: it is not an attractant to insects; the number of fixtures are adequate; toilet tissue and a covered trash receptacle are provided; fixtures and facilities are being kept clean; and the door self-closes to prevent recontamination of hands.

**Applicable publication sections:**

- 5-203.12 Toilets and urinals
- 5-501.17 Toilet room receptacle, covered
- 6-202.14 Toilet rooms, enclosed
- 6-302.11 Toilet tissue, availability
- 6-402.11 Conveniently located
- 6-501.18 Cleaning of plumbing fixtures
- 6-501.19 Closing toilet room doors

**Item 47.** *Physical facilities: installed, maintained, and cleaned.* Do not mark this item “N/A” or “N/O.” Observations are made of the overall conditions or practices related to the physical facility (e.g., materials used in construction of floors/walls/ceilings, good repair, and maintained). It is important to make an overall assessment of the physical facility conditions to determine the level of compliance and the potential impact to public health if compliance is not met. Examples of non-compliance include, but are not limited to, broken floor tiles, missing grout between floor tiles, torn/missing window screens, absorbent acoustic tiles located on ceiling in kitchen, unserviceable lighting fixtures and sinks, and excessive dust on decorative items and wall fixtures in dining room. Also included within Item 47 are the storage of maintenance tools, use of laundry facilities, disposal of mop water, storage of personal belongings, and separation of food operations from living/sleeping quarters.

**Applicable publication sections:**

- 4-301.15 Clothes washers and dryers
- 4-401.11(C) Equipment, clothes washers and dryers, and storage cabinets, contamination prevention
- 4-803.13 Use of laundry facilities
- 6-101.11 Surface characteristics—indoor areas
- 6-102.11 Surface characteristics—outdoor areas
- 6-201.11 Floors, walls and ceilings—cleanability
- 6-201.12 Floors, walls, and ceilings, utility lines
- 6-201.13 Floor and wall junctures, coved, and enclosed or sealed
- 6-201.14 Floor carpeting, restrictions and installation
- 6-201.15 Floor covering, mats and duckboards
- 6-201.16 Wall and ceiling coverings and coatings
- 6-201.17 Walls and ceilings, attachments
- 6-201.18 Walls and ceilings, studs, joists, and rafters
- 6-202.17 Outdoor food vending areas, overhead protection
- 6-202.18 Outdoor servicing areas, overhead protection

- 6-202.19 Outdoor walking and driving surfaces, graded to drain
- 6-202.111\* Private homes and living or sleeping quarters, use prohibition
- 6-202.112 Living or sleeping quarters, separation
- 6-305.11 Designation—dressing areas and lockers
- 6-403.11 Designated areas—employee accommodations for eating/drinking/smoking
- 6-501.11 Repairing—premises, structures, attachments, and fixtures—methods
- 6-501.12 Cleaning, frequency and restrictions
- 6-501.13 Cleaning floors, dustless methods
- 6-501.15 Cleaning maintenance tools, preventing contamination
- 6-501.16 Drying mops
- 6-501.17 Absorbent materials on floors, use limitation
- 6-501.110 Using dressing rooms and lockers
- 6-501.113 Storing maintenance tools
- 6-501.114 Maintaining premises, unnecessary items and litter

**Item 48.** *Lighting: adequate; proper fixtures.* Do not mark this item “N/A” or “N/O.” Observations should be made to ensure that facility and equipment illumination are at an adequate light intensity to safely conduct food operations and to easily observe soiled conditions. Initial assessment should be conducted using a light meter during preopening inspections and when new fixtures are installed. The observation of missing or blown light bulbs may be cited as a facility repair issue under *Item Number 47*. The inspector must use professional judgment when marking this item. Mark a violation in both *Item Numbers 47* and *48* when the area in question is very dimly light, causing a potential safety hazards, and there is indication that the lighting fixture is unserviceable, for example, replaced bulbs do not work or are frequently blown. Proper shielding of light bulbs is also assessed in food preparation, service, and storage areas.

**Applicable publication sections:**

- 6-202.11 Light bulbs, protective shielding
- 6-303.11 Intensity—lighting

**Item 49.** *Ventilation and hoods: adequate, maintained.* This item may be marked “N/A” if the establishment only dispenses commercially packaged ready-to-eat foods. Do not mark this item “N/O.” Observations should be made to ensure that the ventilation is adequately preventing an accumulation of condensation, grease, or other soil from potentially contaminating food and the surrounding environment.

**Applicable publication sections:**

- 4-202.18 Ventilation hood systems, filters
- 4-204.11 Ventilation hood systems, drip prevention
- 4-301.14 Ventilation hood systems, adequacy
- 6-202.12 Heating, ventilation, air conditioning system vents
- 6-304.11 Mechanical—ventilation
- 6-501.14 Cleaning ventilation systems, nuisance and discharge prohibition

**Item 50.** *Ice machines properly maintained and operated.* This item may be marked “N/A” if the establishment does not have an ice machine on the premises. Do not mark this item “N/O.” Location of ice machines should not present a risk for ice contamination. Patrons of the food establishment should not have access to ice machines supporting food operations. Proper maintenance of ice machines is assessed through observation of mold and other residues inside of the ice bin and condensation coils. Filter changes should be conducted IAW manufacturers’ specifications and properly documented as specified in paragraph 4-503.11(D). Potential cross-contamination associated with the location of condensation drainage lines or water supply lines should be addressed using *Item 43*.

**Applicable publication sections:**

- 4-401.12 Ice machines
- 4-503.11 Ice machines—maintenance
- 4-503.12 Operation, restrictions

**Item 51.** *Other findings.* This item is used to distinguish deficiencies not otherwise addressed in *Items 1-50* on the inspection report. Before checking this item, review the Applicable Publication Sections that are listed for *Items 1-50*. Violations noted under *Item 51* should be identified by provision number and described with detailed observations in the *Remarks* section of the inspection form. Appendix C provides a list of debitable provisions. Multiple deficiencies documented using *Item 51* should only be counted as one deficiency when tallying the CRITICAL and NONCRITICAL *Number and Type of Violations* for page 1 of the report. Examples of other findings include, but are not limited to:

- A new food establishment is found operating prior to submitting an application to operate or prior to completion of a preoperational inspection. Referenced provisions: 8-301.11, Prerequisite for operation; 8-302.11, Submission; and 8-302.12, Form of submission.
- A food establishment does not have weekly documented self-evaluations on file. Referenced provision: 8-402.12, Self-evaluations.
- The food establishment is in violation of a local requirement directed by the medical authority and published in an official policy letter or other regulatory document signed by the medical or command authority for the installation or specified jurisdiction. Referenced provisions: When a local policy is provided containing requirements that are not otherwise specified in the TSFC and a violation of such policy is found during inspection, debit the violation by citing the most appropriate TSFC provision number which addresses the underlying principle.

### Section III. TACTICAL KITCHEN FOOD SANITATION INSPECTION

**E-8. Applicability.** The *Tactical Kitchen Food Sanitation Inspection* form is used for inspecting military tactical feeding operations executed by military personnel utilizing field feeding equipment and systems. This form shall not be used for inspections of contracted or Force Provider food service facilities unless the operation is in the process of transitioning from a military-operated to a contract-operated facility.

**E-9. Administrative Information.** The *Tactical Kitchen Food Sanitation Inspection* form is organized and scored similarly to the *Food Operation Inspection Report*, with the following exceptions:

a. *Military unit.* Provide the unit name by identifying the numbered unit operating the tactical food operation. Include the company/troop and battalion/regiment designators (for example, C/225<sup>th</sup> INF BN). Include the unit name on page 2 and all associated continuation pages of the inspection report.

b. *Geographic location of operation.*

(1) Do NOT provide the military grid coordinate of the unit on this inspection report.

(2) Provide the name of the training site, camp, forward operating base, patrol base, or installation in which the operation is located at the time of the inspection. Include the state (CONUS) or country (OCONUS).

c. *Setting.* Mark the applicable box if the food operation is supporting a field training event or is deployed in support of contingency, combat, or humanitarian operations.

#### **E-10. Marking the form**

a. *Compliance.*

(1) All items listed on the form must be evaluated for compliance during the inspection.

(2) Do not place a mark in the item number check box if all of the assessed provisions within the grouping were fully compliant.

b. *Deficiencies.*

(1) Mark an “X” in the box immediately following the item number to indicate a deficiency/violation occurred within the specified provision grouping.

(a) Paragraph E-11 identifies the provisions or portion of an applicable provision that is intended to be assessed under each item number.

(b) Regulators must review cited provisions to ensure proper marking of the inspection form.

(c) Compliance status should be determined as a result of observations that establish a pattern of non-compliance.

(d) When a CRITICAL violation occurs within an item number not marked by an asterisk, the applicable CRITICAL provision must be circled on the form.

(2) Further indicate the status of the violation by marking an “X” in the corresponding box for each non-compliant item number to indicate COS. Marking COS indicates that all violations cited under that particular item number were corrected and verified before the

inspection was concluded. The actual corrective action taken for each violation should be documented in the *Remarks* section of the inspection report.

(3) Marking a check box for *Items 47-49* indicates a violation occurred for a provision that is not otherwise specified in the provision groupings for *Items 1-46*. If marked, identify the specific provision number from this publication and provide a brief description of the violation in the *Remarks* section of the form. Include the violation, as appropriate, when tallying the total number of CRITICAL and NONCRITICAL violations.

(4) An unmarked item indicates all assessed elements within the provision grouping were compliant.

*c. Findings.* Temperature measurements, observations, and corrective actions are documented on page 2 of the form as specified in paragraph E-4.d. of this appendix.

### **E-11. Guidance for debiting specific item numbers on the form**

#### *a. Facilities.*

**Item 1.** *Location/site selection: proximity to latrines, waste disposal; drainage.* Adherence to minimum prescribed distances may not be achieved under certain operational settings. Additionally, optimum application of prescribed distances may not fully preclude pest infestations (i.e., flies and mosquitoes) associated with large bodies of water or waste storage or disposal areas. In either case, inspection personnel should mark the item non-compliant and provide strategies for reducing associated risks.

**Applicable publication section:**

9-201.11 Location

**Item 2.** *Non-standard military structures/facilities conform to Temporary Food Establishment requirements.* Force Provider and other contracted food service operations or concessions are assessed using the criteria established for temporary food establishments. Food facilities in a deployment setting should show a programmed plan for improvement as the supported camp or operational base matures. Inspectors should look to see if work orders have been submitted and document the status (i.e., pending approval; approval date) of these projects when evaluating this item.

**Applicable publication section:**

9-202.11(B) and (C) Field food operation, facilities

**Item 3.** *Floors, walls, ceiling: clean, serviceable, no standing water.* Food operations in austere environments are subject to excessive dust and standing water. Administrative controls coupled by an active cleaning and maintenance program will facilitate compliance with this item. Inspectors should ask to see the manager's cleaning schedule and maintenance support logs to help further identify factors contributing to deficiencies.

**Applicable publication sections:**

9-202.11 Field food operation, facilities

9-203.11 Floors, wall, and ceilings

**Item 4.** *Hand wash facilities: supplied, accessible, and used; approved hand sanitizer.*

Compliance is based on observations which determine whether handwashing sinks are properly equipped and conveniently located for food employee use. This item must be marked “non-compliant” when any of the following conditions exists: potable water or disinfected non-potable water is not supplied for handwashing; the facility is not stocked with soap, hand drying provisions, or equipped with the required signage; the handwashing sink/station is not located to be available to food employees who are working in food preparation, food dispensing, and warewashing areas; the handwashing sink is blocked by equipment or other items; a handwashing sink is unavailable for regular employee use.

**Applicable publication sections:**

9-102.11(A) Minimum operational requirements (handwashing facilities)

9-202.13 Handwashing facilities (physical facilities)

9-204.12 Handwashing facilities (functionality)

**Further supported by:**

2-301.16 Hand antiseptics

5-205.11 Using a handwashing sink—operation and maintenance

6-301.11 Handwashing cleanser, availability

6-301.12 Hand drying provision

6-301.14 Handwashing signage

**Item 5.** *Toilets: location.* Portable and field-improvised toilet facilities are typically not under the operational control of supported food facility managers; however, an assessment of the toilets’ location proximate to the food operation must be conducted and documented when determined to be a contributing factor for unsanitary conditions such as pest infestations (flies, rodents) or facility contamination from poorly controlled raw sewage.

**Applicable publication section:**

9-202.12 Toilets

**Item 6.** *Warewashing facility: 3-compartment sink system; drainboard; proper use and maintained; test kits.* Adequate warewashing facilities must be available and used for the cleaning and sanitization of food contact surfaces, including the availability of means to monitor the facilities’ use and the effectiveness of sanitization. Observations of manual and mechanical warewashing methods are made to assess the procedure for cleaning and sanitizing equipment and utensils. Compliance with the criteria for proper sanitizing is assessed in *Item 28*.

**Applicable publication section:**

9-102.11(B) Minimum operational requirements (sanitation center/dishwashing line)

**Further supported by:**

4-204.119 Warewashing sinks and drainboards, self-draining

4-301.12 Manual warewashing, sink compartment requirements

4-301.13 Drainboards

- 4-302.13 Temperature measuring devices, manual warewashing
- 4-302.14 Sanitizing solutions, testing devices
- 4-501.14 Warewashing equipment, cleaning frequency
- 4-501.16 Warewashing sinks, use limitation
- 4-501.17 Warewashing equipment, cleaning agents
- 4-501.18 Warewashing equipment, clean solutions
- 4-501.19 Manual warewashing equipment, wash solution temperature
- 4-501.116 Warewashing equipment, determining chemical sanitizer concentration
- 4-603.15 Washing, procedures for alternative manual warewashing equipment
- 4-603.16 Rinsing procedures

**Item 7.** *Ventilation maintained according to governing military publications; grease and humidity control when operating in an alternate trailer, building, or structure.* Ventilation for tactical kitchens (such as the Mobile Kitchen Trailer or Containerized Kitchen) is governed by supporting technical and field manuals and should be assessed accordingly. Inspectors who are unfamiliar with the requirements should request to see a copy of the applicable manual(s). Food operations conducted in semi-permanent or fixed structures must provide mechanical exhaust ventilation to control both humidity and grease-laden vapors as required for temporary food establishments.

**Applicable publication section:**

9-204.13 Ventilation

**Item 8.** *Lighting: adequate for tactical situation or alternate facilities used.* In the absence of a light meter to assess the actual intensity of lighting as prescribed under 6-303.11 for food preparation areas, inspectors should utilize their best judgment regarding lighting adequacy. Lighting is considered inadequate when temperature measurements and settings on equipment and thermometers are difficult to see or when soiled conditions are not easily observed. Proper shielding of light bulbs is also assessed in all food preparation, service, and storage areas. When lighting fixtures are inoperable, debit the violation using *Item #3* and cite paragraphs 9-202.11(A) or (C), as appropriate.

**Applicable Publication Section:**

9-204.14 Lighting

**Further supported by:**

6-202.11 Light bulbs, protective shielding

6-303.11 Intensity—lighting

**Item 9.** *Sewage, grease, and waste water properly disposed.* Assess onsite plumbing, bulk storage containers, and waste (liquid and solid) holding areas supporting the food operation or located in close proximity to the food operation.

**Applicable publication sections:**

9-102.10(C) *Food, equipment, and facilities, management (supporting publications) [provides general guidance; not debitable]*

9-102.11(E) Minimum operational requirements (liquid waste)

**Item 10.** *Garbage/refuse proper disposal; facilities maintained; covered receptacles.* The assessment of the refuse collection and disposal areas for proper receptacles and maintenance is necessary to determine whether a violation exists. Since refuse areas may attract and harbor insects and pests, as well as create a public health nuisance, particular attention must be paid to the maintenance of the refuse facilities and area. Garbage, waste, and grease receptacles should be covered/closed when not in active use. Assess waste receptacles directly supporting the food operation and solid waste storage/holding areas located immediately adjacent to the food operation. Report deficiencies regarding location of waste disposal collection areas using *Item 1.*

**Applicable publication sections:**

9-102.10(C) *Food, equipment, and facilities, management (supporting publications) [provides general guidance; not debitable]*

9-102.11(D) Minimum operational requirements (solid waste)

**Further supported by:**

5-501.113 Covering receptacles

5-501.115 Maintaining refuse areas and enclosures

5-501.116 Cleaning receptacles

**Item 11.** *Wood pallet use: clean; exchanged; serviceable; subfloor—easily cleanable and prevents pest harborage.* Deficiencies are noted when pallets used as a subfloor are not covered with an impermeable and easily cleanable material; there is evidence of food debris and standing water; and pallets used to store food off the ground are broken (cannot support the load) and are not exchanged when new supplies arrive. Pallets that are heavily soiled, wet, or show evidence of mold are also deficient.

**Applicable publication section:**

9-204.11 Wood pallets

**Item 12.** *Pest control measures and devices: proper use prevents food contact surface contamination.* Insect trapping devices must not be located over food preparation or serving areas, stored clean utensils, or other food contact surfaces.

**Applicable publication section:**

9-403.10 *Pest management (provides general guidance; not debitable)*

9-403.11(A) and (B) Animal and pest control

**Further supported by**

6-202.13 Insect control devices, design and installation

6-202.15 Outer openings, protected

6-202.16 Exterior walls and roofs, protective barrier

6-501.111 Controlling pests

**Item 13.** *Insects, rodents, animals: not present.* An assessment is made through observation and discussion with the PIC for measures taken to control the presence of pests in food

preparation, storage, service, and dining areas. Examine potential entry points around the perimeter of food operation structures (tents) and the initiatives to eliminate harborage areas. Assessment includes observing evidence of pests such as droppings, gnawed food packages, or directly observing their presence. Feral cats and dogs or evidence of feeding these animals should not be present; military working dogs should not be present in food operation facilities, to include food service or dining areas.

**Applicable publication section:**

9-201.11 Location (site selection)

9-403.10 *Pest management (provides general guidance; not debitable)*

9-403.11 Animal and pest control

**Further supported by:**

2-403.11 Handling prohibition—animals

6-501.112 Removing dead or trapped birds, insects, rodents, and other pests

6-501.115 Prohibiting animals

**Item 14.** *Toxic substances properly identified, stored, and used.* Some of the provisions contained within this grouping are CRITICAL. Compliance is based on direct observations of container labeling, storage, reconstitution, and application of bulk and working containers of cleaning agents and sanitizers; petroleum, oil, and lubricants (POL); personal care items; first aid supplies; pesticides; and other potential toxic or poisonous substances. Compliance is achieved when bulk and working containers of cleaning agents, sanitizers and other chemicals are labeled; sanitizing solutions do not exceed the maximum concentrations; personal care items, first aid supplies, medicines, and chemicals are stored separate from and not above food, equipment, utensils, and single-service and single-use articles; and restricted-use pesticides are applied only by or under the supervision of a certified applicator. This item should be marked “non-compliant” if a cleaning agent or sanitizer is not properly identified and stored; if a sanitizing solution has a higher concentration than prescribed; or if medicines and first aid kits are improperly labeled and stored.

**Applicable publication sections:**

7-101.11 Identifying information, prominence—original containers

7-102.11 Common name—working containers

7-201.11\* Separation—storage

7.202.11 Restriction—presence and use

7-202.12\* Conditions of use

7-203.11\* Poisonous or toxic material containers—container prohibitions

7-204.11\* Sanitizers, criteria—chemicals

7-204.12\* Chemicals for washing, treatment, storage and processing fruits and vegetables, criteria

7-204.14\* Drying agents, criteria

7-205.11\* Incidental food contact, criteria—lubricants

7-206.11\* Restricted use pesticides, criteria

7-206.12\* Rodent bait stations

- 7-206.13\* Tracking powders, pest control and monitoring
- 7-207.11\* Restriction and storage—medicines
- 7-207.12\* Refrigerated medicines, storage
- 7-208.11\* Storage—first aid supplies
- 7-209.11 Storage—other personal care items
- 7-301.11\* Separation—storage and display, stock and retail sale

*b. Food.*

**Item 15\*.** *Food and bottled water from approved sources.* All violations contained within this item grouping are reported as CRITICAL. This item includes ice. Compliance determination is based on direct observations of food products, food labels and packaging, water analyses, and discussion with the PIC or other food employees. For food items not from the military operational ration system, review the supplier names and shipment invoices to document approved food sources; consultation with supporting veterinary services may be required. This item should be marked “non-compliant” when an approved food source cannot be determined.

**Applicable publication sections:**

- 9-102.11(C) Minimum operational requirements (drinking water)
- 9-301.11\* Approved system (water)
- 9-501.11\* Approved sources (food)

**Further supported by:**

- 3-201.11\* Compliance with food law
- 3-201.12\* Food in a hermetically sealed container
- 3-201.13\* Fluid milk and milk products
- 3-201.14\* Fish
- 3-201.15\* Molluscan shellfish
- 3-201.16\* Wild mushrooms
- 3-201.17\* Game animals
- 3-202.13\* Eggs
- 3-202.14\* Eggs and milk products, pasteurized
- 3-202.16\* Ice
- 3-202.110\* Juice treated—commercially processed
- 5-101.13\* Bottled and packaged drinking water

**Item 16\*.** *Food in good condition, safe and unadulterated; receipt temperatures.* All violations contained within this item grouping are reported as CRITICAL. Compliance is based on—

A. Condition and packaging. Observe the integrity of product packaging, wholesomeness, and signs of adulteration. This item is considered “compliant” when a dent in a canned food has not compromised the hermetic seal; cuts made in outer cardboard packaging during opening of the case do not enter the inner product packaging; the true appearance, color, or quality of a food is not misrepresented; and food is honestly presented. This item must be

marked “non-compliant” when the integrity of food packaging has been compromised or the true appearance, color, or quality of a food has been intentionally altered.

B. Receiving temperature. Obtain actual food temperature measurements of PHF(TCS) foods being received. Compliance is achieved when food is received and found to be at proper temperatures during the inspection (i.e., rations are received during the inspection, and the regulatory authority verifies the receiving temperatures). This item should be marked “non-compliant” if food is received and accepted, but an actual food temperature measurement of a PHF(TCS) food by the regulatory authority at the time of delivery exceeds the temperature specifications for receiving as prescribed by this publication.

**Applicable publication sections:**

3-101.11\* Safe, unadulterated and honestly presented

3-202.11\* Temperature

3-202.15\* Package integrity

**Item 17.** *Proper cold holding temperature and refrigeration/cold storage facilities.*

*Temperatures in or out of compliance should be recorded in the “Temperature Observations” section of the inspection report.* Compliance is based on actual temperature measurements of food or a combined assessment of the equipment’s ambient temperature and the internal temperature of food held in the equipment; a calibrated food temperature measuring device is used. Discussions should be made with the PIC to determine if a food is in the process of cooling, if TPHC is used, or if an approved method to render a food so that it is not PHF(TCS) food is used. This item should be marked “non-compliant” if one PHF(TCS) food is found out of temperature, with supportive evidence, unless TPHC is used for that PHF(TCS) food. Frozen food is solid to the touch.

**Applicable publication sections:**

9-102.11(G) Minimum operational requirements (mechanical refrigeration)

9-502.11(B) & (C)\* Frozen and refrigerated foods, management

9-502.16 (C) Milk and milk products (storage and display)

**Further supported by:**

3-501.16\*(A)(2) and (B) Potentially hazardous food (time/temperature control for safety food), hot and cold holding

**Item 18\*.** *Proper thawing and slacking for frozen PHFs.* All violations contained within this item grouping are reported as CRITICAL due to the highly susceptible population being served. Observing and then gaining an understanding of the establishment’s thawing method(s) will help to determine whether a violation of the approved thawing methods found under 3-501.13 exists, as well as the level of risk imposed. Keep in mind that various food products, especially those destined for deep-fat frying, are often slacked (not thawed) prior to cooking.

**Applicable publication sections:**

9-102.11(H)\* Minimum operational requirements (thawing)

9-502.11\*(A) & (B) Frozen and refrigerated foods, management.

**Further supported by:**

- 3-501.12 Potentially hazardous food (time/temperature control for safety food), slacking
- 3-501.13 Thawing

**Item 19\*.** *Proper cooking temperature.* All violations contained within this item grouping are reported as CRITICAL. The inspection should be arranged at an optimum time for measuring at least one cooked item. **NOTE:** *The cooking temperatures of foods must be measured to determine compliance or non-compliance. Do not rely upon discussions with managers or cooks to make a compliance determination. Temperatures, both in compliance and out of compliance, should be recorded in the "Temperature Observations" section of the inspection report. The time of inspections should be varied so that cooking can be observed.* Prior to being placed in hot holding, food items are checked with a calibrated food temperature measuring device. This item should be marked "non-compliant" if the items checked do not meet the temperature requirements for cooking and the employee doing the cooking attempts to serve the product without returning it to the cooking process. Fully cooked foods which are intended to be served hot, such as operational tray rations and canned or frozen vegetables, must be reheated to 165°F before being placed in insulated food containers or on the serving line. Food items are non-compliant if the food is not reheated to the required temperatures or within 2 hours prior to hot holding.

**Applicable publication section:**

9-502.12\*(A) Cooking and hot holding, temperatures

**Item 20\*.** *Proper hot holding temperature and/or use of Time as a public health control.* All of the provisions assessed within this item are CRITICAL. Inspections should be conducted during a time when hot holding temperatures can be taken. **NOTE:** *Temperatures in compliance and out of compliance should be recorded in the "Temperature Observations" section of the inspection report.* Compliance for this item is based on actual food temperature measurements taken with a calibrated food temperature measuring device. Unless TPHC is used for the PHF(TCS) food found to be out of compliance, this item is marked "non-compliant." Time as a Public Health Control is automatically applied to all PHF(TCS) foods serviced from insulated food containers; containers must be labeled with the date and time filled, and the food must be consumed or discarded within 4 hours to retain its compliance.

**Applicable publication sections:**

9-502.12\*(B) Cooking and hot holding, temperatures

9-502.13\*(D) Insulated food containers (time only as a public health control)

**Item 21.** *Fresh fruits and vegetables: washed and disinfected; night soil/sewage fertilizer used.* Some of the provisions assessed within this item are CRITICAL. Approved disinfecting solutions per 3-302.15 and 7-204.12 must be used for washing fruits and vegetables. Raw fruits and vegetables are to be washed with potable water and disinfected prior to their preparation or their being offered as RTE. Discussion with the PIC and food employees will help determine the food operations standard of practice. This item is non-compliant when unauthorized chemicals are used to wash or disinfect FF&V, or when RTE FF&V are not washed properly. This item is

also rated “non-compliant” when concentrations of approved disinfection solutions exceed the maximum prescribed strength, and FF&Vs are not subsequently rinsed with clear, potable water following disinfection.

**Applicable publication sections:**

9-502.17\* Raw fruits and vegetables

9-502.17\*(D) Raw fruits and vegetables (sewage used as fertilizer)

**Further supported by:**

3-302.15 Washing fruits and vegetables

7-204.12 Chemicals for washing, treatment, storage and processing fruits and vegetables, criteria

**Item 22.** *Food separated and protected: storage, prep, transport.* Some of the provisions contained within this grouping are CRITICAL. Compliance is based on direct observations of food storage and food handling practices. This item should be marked “non-compliant” when RTE foods are subject to potential contamination by raw animal foods; raw animal foods are observed not separated by type based on minimum cook temperatures by spacing or placing in separate containers; food is not packaged or covered during storage (unless in the process of cooling); food is in contact with soiled equipment and utensils; or when the dunnage (i.e., wood pallets) used to store food is damaged and does not prevent food/containers from coming into contact with the floor/ground. When possible, observations should be made to assess transport of food to ensure vehicles are clean, covered, and do not present a risk of contamination from toxic chemicals transported with food.

**Applicable publication sections:**

9-102.11 (F) & (I) Minimum operational requirements (food protection; food transport)

9-204.11(A) Wood pallets (food storage)

9-502.18 Transporting food, vehicle and prohibition

**Further supported by:**

3-302.11\* Packaged and unpackaged food—separation, packaging, and segregation

3-304.11\* Food contact with equipment and utensils

3-304.15(A) Gloves, use limitation

3-305.11(A) Food storage

3-305.14 Food preparation

3-307.11 Miscellaneous sources of contamination

**Item 23\*.** *Prohibition for serving raw/undercooked PHF(TCS) food to highly susceptible populations.* The provision assessed within this item is CRITICAL. Raw or undercooked PHF(TCS) foods may not be served from a tactical kitchen or to populations meeting the definition of a HIGHLY SUSCEPTIBLE POPULATION.

**Applicable publication section:**

9-101.10 *High-risk environments and highly susceptible populations (general information; this item is not debitable)*

3-801.11\* Pasteurized foods, prohibited re-service, and prohibited food (food establishments serving a highly susceptible population)

**Item 24.** *Insulated food containers: proper use; labeled.* Insulated food containers must be serviceable, as indicated by adequate seals and latches, the presence and use of inserts, and the absence of holes or cracks. When IFCs are being prepared for use, observations should be made to evaluate pre-warming or pre-chilling of inserts and to measure the temperature of the foods when they are placed in the containers. Inspectors should also examine container labels to ensure the product name is provided along with the date and time the food was placed in the IFC. For IFCs being distributed to other locations, the receiving unit's name and the quantity of servings provided in the IFC should also be included on the label. Improper time and temperature management of foods placed in IFCs are debited using *Item 20*.

**Applicable publication section:**

9-502.13(A), (B), (C) Insulated food containers

**Item 25\*.** *Leftover PHF prohibition; retention of sandwiches limited to 1 meal period.* All of the provisions contained within this grouping are CRITICAL. Condiments and unopened individual containers of UHT milk are exempt from the leftover prohibition. Service of leftovers to populations meeting the definition of a HIGHLY SUSCEPTIBLE POPULATION is prohibited. Sandwiches may only be retained for the next meal period scheduled during the current day's operation. If sandwiches were prepared for the dinner meal, their retention is authorized in support of the "midnight" meal, but the sandwiches should not be retained beyond that period. Sandwiches prepared for the "midnight" meal may be retained for the next day's breakfast but must be discarded if not consumed during that meal. Sandwiches retained for an additional meal must be held at prescribed temperatures and must be monitored throughout the retention period to ensure compliance.

**Applicable publication sections:**

9-502.11\*(C) Frozen and refrigerated foods, management (authorized UHT milk re-service)

9-502.14\* Leftover foods

**Item 26.** *Protection from ice used as coolant; food contact with water/ice.* Some of the provisions contained within this grouping are CRITICAL. Non-compliance occurs when ice previously used as a coolant is subsequently added to food, such as a beverage, or is re-used during cooling processes; or when packaged and unpackaged foods as specified in 3-303.12 are in direct contact with ice or water.

**Applicable publication sections:**

3-303.11\* Ice used as exterior coolant, prohibited as ingredient

3-303.12 Storage or display of food in contact with water or ice

*c. Utensils and equipment.*

**Item 27.** *Thermometers provided and accurate.* Thermometers provide a means of assessing active managerial control of PHF(TCS) food temperatures. Determine compliance by observing the in-use storage location and verifying the scaling of the temperature measuring devices in the range of use to measure food, water, or ambient air temperatures. Food thermometers must be calibrated at a frequency to ensure accuracy. Food thermometers should be accessible for use by employees and should have a probe that is sized appropriately to the food item.

**Applicable publication sections:**

- 4-203.11 Temperature measuring devices, food-accuracy
- 4-203.12 Temperature measuring devices, ambient air and water—accuracy
- 4-204-112 Temperature measuring devices—functionality
- 4-302.12 Food temperature measuring devices
- 4-502.11(B) Good repair and calibration

**Item 28\*.** *Food-contact surfaces cleaned and sanitized.* The primary provisions assessed within this item grouping are CRITICAL, but may require further assessment by examining related (NONCRITICAL) provisions. Violation of a NONCRITICAL provision associated with this item generally results in non-compliance with the CRITICAL provision. Compliance is based on direct observations of food contact surfaces of equipment and utensils; observations of cleaning and sanitizing procedures; discussion of cleaning and sanitizing procedures and their frequency with the PIC or other food employees; and actual measurements/readings of chemical sanitizer concentration and/or hot water sanitizing temperature using test strips and calibrated thermometers, as appropriate. Compliance is achieved when manual methods of cleaning and sanitizing are effective and performed at the prescribed frequency. There should be an overall assessment of the food-contact surfaces of equipment and utensils, both in clean storage and in use, to determine compliance. For example, this item is not marked “out of compliance” based on one visibly soiled utensil, such as a plate or knife. This item must be marked “non-compliant” when the available methods of cleaning and sanitizing food-contact surfaces of equipment and utensils are ineffective, or if one multiuse piece of equipment such as a slicer or can opener is visibly soiled and being used at the time of the inspection; the inspector must assess whether the food residue is the result of current or prior use. A violation involving Sections 4-501.111, 4-501.112, or 4-501.113 must be documented by also citing either 4-702.11 or 4-703.11, as appropriate, which results in scoring the violation as CRITICAL. A violation of 4-501.115 involving improper use of a detergent-sanitizer may also result in failure to properly sanitize equipment/utensils and should be further debited by citing the critical violation [4-702.11]. When a single violation is found only involving Section 4-602.12 for improper sanitizing of cooking surfaces and baking equipment, this item is scored as NONCRITICAL and care must be taken to line through the asterisk preceding the *Item Number* on the inspection checklist. Compliance regarding proper use of warewashing equipment and procedures is assessed in *Item 6*.

**Applicable publication sections:**

- 4-501.111 Manual warewashing equipment, hot water sanitization temperatures
- 4-501.112 Mechanical warewashing equipment, hot water sanitization temperatures

- 4-501.113 Mechanical warewashing equipment, sanitization pressure
- 4-501.114\* Manual and mechanical warewashing equipment, chemical sanitization—temperature, pH, concentration and hardness
- 4-501.115 Manual warewashing equipment, chemical sanitization using detergent-sanitizers
- 4-601.11(A)\* Equipment, food-contact surfaces, nonfood-contact surfaces, and utensils
- 4-602.11\* Equipment food-contact surfaces and utensils—frequency
- 4-602.12 Cooking and baking equipment
- 4-702.11\* Before use after cleaning
- 4-703.11\* Hot water and chemical methods

**Item 29.** *Utensils and equipment properly dried, stored, handled.* An assessment is made of the overall storage practices and handling of clean equipment and utensils, including tableware located in the dining room area. Equipment must be air-dried prior to storage.

**Applicable publication sections:**

- 3-304.16 Using clean tableware for second portions and refills
- 3-304.17 Refilling returnables
- 4-603.17\* Returnables, cleaning for refilling
- 4-901.11 Equipment and utensils, air-drying required
- 4-903.11(A), (B) and (D) Equipment, utensils, linens, and single-service and single-use articles—storing
- 4-903.12 Prohibitions
- 4-904.11 Kitchenware and tableware—preventing contamination
- 4-904.12 Soiled and clean tableware

**Item 30.** *Equipment and utensils: good repair/operational; authorized materials.* Some of the provisions contained within this grouping are CRITICAL. Equipment and utensils must be properly designed and constructed, and in good repair. Proper installation and location of equipment in the food establishment are important factors to consider for ease of cleaning in order to prevent the accumulation of debris and attractants for insects and rodents. Equipment such as calibrated food thermometers must be properly used and in proper adjustment.

**Applicable publication sections:**

- 9-102.10 *Food, equipment, and facilities, management (general information; this item is not debitable)*
- 9-402.10 *Good repair and operation (equipment and utensils) [general information; this item is not debitable]*

**Further supported by:**

- 4-101.11\* Characteristics—materials for construction and repair
- 4-101.12 Cast iron, use limitations
- 4-101.13 Lead, use limitation
- 4-101.14\* Copper use limitation
- 4-101.15\* Galvanized metal, use limitation
- 4-101.17 Wood, use limitation

- 4-101.18 Nonstick coatings, use limitation
- 4-101.19 Non-food-contact surfaces
- 4-102.11\* Characteristics—single-service and single-use
- 4-201.11 Equipment and utensils—durability and strength
- 4-201.12\* Food temperature measuring devices
- 4-202.11\* Food-contact surfaces—cleanability
- 4-202.12 CIP equipment
- 4-202.13 “V” threads, use limitation
- 4-202.14 Hot oil filtering equipment
- 4-202.15 Can openers
- 4-202.16 Non-food-contact surfaces
- 4-202.17 Kickplates, removable
- 4-204.12 Equipment openings, closures and deflectors
- 4-204.13\* Dispensing equipment, protection of equipment and food
- 4-204.15 Bearings and gear boxes, leakproof
- 4-204.16 Beverage tubing, separation
- 4-204.17 Ice units, separation of drains
- 4-204.18 Condenser unit, separation
- 4-204.122 Case lot handling apparatuses, moveability
- 4-302.11 Utensils, consumer self-service
- 4-501.11 Good repair and proper adjustment—equipment
- 4-501.12 Cutting surfaces
- 4-501.13 Microwave ovens
- 4-502.11(A) and (C) Good repair and calibration—utensils and temperature and pressure measuring devices
- 4-603.11 Dry cleaning—methods
- 4-902.11 Food-contact surfaces—lubricating and reassembling
- 4-902.12 Equipment—lubricating and reassembling

**Item 31.** *Non-food-contact surfaces clean.* Observations should be made to determine if the frequency of cleaning is adequate to prevent soil accumulations on non-food-contact surfaces.

**Applicable publication sections:**

9-401.11 Cleaning, frequency and methods

**Further supported by:**

4-601.11(B) and (C) Equipment, food-contact surfaces, non-food-contact surfaces, and utensils

4-602.13 Nonfood contact surfaces

**Item 32.** *Single-use/single-service items: properly stored and used.* Some of the provisions contained within this grouping are CRITICAL. Single-use/single-service items are not designed to be cleaned and re-used; therefore, they must be properly stored and protected to prevent their possible contamination. Food establishments without facilities for cleaning and sanitizing kitchenware and tableware shall provide only single-use and single-service articles.

**Applicable publication sections:**

- 4-502.12\* Single-service and single-use articles, required use
- 4-502.13 Single-service and single-use articles—use limitations
- 4-903.11(A) and (C) Equipment, utensils, linens and single-service and single-use articles—storing
- 4-903.12 Prohibitions
- 4-904.11 Kitchenware and tableware—preventing contamination

**Item 33.** *Wiping cloths; properly used and stored; sponge prohibition.* Wiping cloths are to be used for a designated purpose and properly used. When stored in solution, the solutions should be reasonably clean and maintained at the proper sanitizer concentration (4-501.114). Solutions exceeding the recommended sanitizer concentrations are assessed using *Item 14, Toxic substances properly identified, stored, and used.* Sponges, if present, are not to be used in contact with clean/sanitized food-contact surfaces.

**Applicable publication sections:**

- 3-304.14 Wiping cloths, use limitation
- 4-101.16 Sponges, use limitation
- 4-901.12 Wiping cloths, air-drying location

*d. Water.*

**Item 34\*.** *Potable water: supplied and used; approved source; quality.* All violations contained within this item grouping are reported as CRITICAL. Compliance determination is based on water supplied from an approved potable source and on water analyses results.

**Applicable publication sections:**

- 9-301.11\* Approved system
- 9-303.11\* Drinking water quality, standards

**Further supported by:**

- 5-101.13\* Bottled and packaged drinking water

**Item 35.** *Plumbing and bulk storage: approved system or storage container; no cross-connections; inspected/maintained.* Some of the provisions contained within this grouping are CRITICAL. For fixed plumbing systems, a determination must be made regarding the source/approval of the installed system, including the equipment and devices connected to the potable water supply. For non-plumbed or partially plumbed systems, an assessment of the storage tanks and connecting hoses is required. Further assess the layout of the establishment and the water distribution system to determine if there are any points at which the potable water supply is subject to contamination or if the system is in disrepair. Bulk storage tanks for potable water must be approved and should have accompanying documentation regarding periodic inspections and superchlorination as prescribed by local public health/preventive medicine or theater policy.

**Applicable publication sections:**

- 9-304.11 Bulk water, storage container
- 9-304.12\* Pipes and hoses, connections

**Further supported by:**

- 5-101.12\* System flushing and disinfection
- 5-201.11\* Approved-materials
- 5-202.11\* Approved system and cleanable fixtures
- 5-202.13\* Backflow prevention, air gap
- 5-202.14\* Backflow prevention device, design standard
- 5-202.15 Conditioning device, design
- 5-203.13 Service sink
- 5-203.14\* Backflow prevention device, when required
- 5-203.15 Backflow prevention device, carbonator
- 5-204.12 Backflow prevention device, location
- 5-204.13 Conditioning device, location
- 5-205.12\* Prohibiting a cross-connection
- 5-205.13 Scheduling inspection and service for a water system device
- 5-205.14\* Water reservoir of fogging devices, cleaning
- 5-205.15\* System maintained in good repair
- 5-301.11\* Approved—materials, mobile water tank and mobile food establishment water tank
- 5-302.12 Inspection and cleaning port, protected and secured
- 5-302.13 “V” type threads, use limitation
- 5-302.14 Tank vent, protected
- 5-302.15 Inlet and outlet, sloped to drain
- 5-302.16\* Hose, construction and identification
- 5-303.11\* Filter, compressed air
- 5-303.12 Protective cover or device
- 5-304.11\* System flushing and sanitization—operation and maintenance
- 5-304.12 Using a pump and hoses, backflow prevention
- 5-304.13 Protecting inlet, outlet and hose fitting
- 5-304.14 Tank, pump and hoses, dedication

**Item 36.** *Sufficient quantity of potable water to support food operations and sanitation.* A sufficient quantity of potable water must be supplied to support food preparation and sanitation activities. Examine bulk potable water containers and potable water supplied to handwashing facilities. When availability of potable water is limited, use of operational rations, such as individual (MREs) or tray-type rations (UGR-H&S), should be maximized.

**Applicable publication sections:**

- 9-302.11 Capacity (water)

**Item 37\*.** *Chlorine residual (non-bottled/packaged water): present and monitored.* All of the provisions contained within this grouping are CRITICAL. Food operation managers are required

to conduct daily monitoring of chlorine residuals in bulk potable water containers and in plumbed water supplied to the food operation. To verify test kits are on hand and personnel are knowledgeable in proper testing procedures, ask the PIC to demonstrate how the personnel test the chlorine residual. *Inspection personnel should have a test kit readily available to measure trace levels of free available chlorine in the event a kit is not available at the food operation.* In some cases, designated unit field sanitation teams are tasked to conduct daily monitoring of water at the food operation. A deficiency is noted when test kits are not readily available, personnel do not properly conduct chlorine testing or do not interpret the data properly, or when free available chlorine does not meet the minimum prescribed requirements.

**Applicable publication sections:**

9-303.12\* Chlorine residual, requirements

9-303.13\* Chlorine residual monitoring

*e. Health and hygiene.*

**Item 38\*.** *Ill employee: reporting, restriction and exclusion.* Five of the six provisions assessed within this item grouping are reported as CRITICAL. If non-compliance is based solely on violation of Section 2-401.12 (Discharges from the Eyes, Nose, and Mouth), score the item as NONCRITICAL. A CRITICAL violation involving Section 2-401.12 occurs when the inspector observes the employee not washing his or her hands after coughing, sneezing, or wiping their nose. When this occurs, mark the critical violation under *Item # 41*, citing paragraph 2-301.14(C), When to wash. The following criteria are assessed when determining overall compliance for this item:

A. Direct observations of food employees. There must be no ill employees, employees experiencing symptoms requiring reporting, or any reason for the PIC to exclude or restrict an employee observed at the time of the inspection. Compliance must be based on first-hand observations or information and cannot be based solely on responses from the PIC to questions regarding hypothetical situations or knowledge of this publication. When an ill employee or food employee with an infected wound is found working, the violation is marked using *Item #5* and citing the applicable provision and paragraph that was violated. This item should be marked “non-compliant” when—

1. The inspector observes a working employee with specific reportable symptoms (subparagraph 2-201.11 (A)(1)); or
2. The inspector becomes aware that an employee has reported information about his or her health and activities as it relates to diseases that are transmissible through food, and the PIC has not acted to restrict or exclude an employee as required by this publication (§ 2-201.12) & (§2-201.13); or
3. The inspector becomes aware that the PIC has not notified the Regulatory Authority that an employee is jaundiced or has been diagnosed with an illness due to a pathogen as specified under subparagraphs 2-201.11 (A)(2)(a)-(e) of the publication.
4. There are food employees working in the food establishment that have been diagnosed with Norovirus, hepatitis A virus, shigellosis, *E.coli* O157:H7, or other EHEC, or

typhoid fever; or with active symptoms of vomiting and/or diarrhea; or working with food, food contact equipment, utensils, or single-service articles with an open, uncovered infected wound or pustule, or with a sore throat with a fever. Additionally, in food establishments exclusively serving a highly susceptible population, there are to be no food employees with an active sore throat with a fever working in the food establishment.

5. There is evidence that restrictions or exclusions are removed without written medical documentation from a health practitioner or approval from the regulatory authority as specified in Section 2-201.13.

B. Employees have a responsibility to report illness and the PIC must exclude workers as appropriate. Failure to report by employees and failure to exclude or restrict ill or infected employees is debited under this item grouping, but requires further investigation for possible violations involving training and duties of the PIC (see *Item #46*, paragraph C). Employee reporting responsibilities should be included in the initial employee training or briefing conducted by the PIC regarding employee duties and responsibilities. When an ill employee or employee with an infected wound is found working at the facility and the employee states he or she was never informed of their reporting responsibilities, the inspector must assess whether training/counseling was provided and must record any violations regarding the absence of training under *Item #46*, specifically citing paragraphs 2-103.11(M) for duties of the PIC and 2-505.11(A) for lack of training documentation.

**Applicable publication sections:**

9-103.11\* Health and medical screening

**Further supported by:**

2-201.11\*(A), (B), (C), & (E) Responsibility of person in charge, food employees, and conditional employees

2-201.11\* (D) and (F) Responsibility of person in charge, food employees, and conditional employees—responsibility of the PIC to exclude or restrict

2-201.12\* Exclusions and restrictions

2-201.13\* Removal, adjustment, or retention of exclusions and restrictions

2-401.12 Discharges from the eyes, nose, and mouth

**Item 39.** *Eating, drinking and tobacco use in food prep and service areas; proper tasting procedures.* Compliance is based on direct observations or discussions of the appropriate hygienic practices of food employees. Provision compliance occurs when food employees are observed drinking from a closed beverage container subsequently stored on a non-food-contact surface and separate from exposed food, clean equipment, and unwrapped single-service and single-use articles. This item should be marked “non-compliant” when food employees are observed improperly tasting food, eating, drinking, or smoking; or there is supporting evidence of these activities taking place in non-designated areas of the establishment. An open container of liquid in the kitchen preparation area does not necessarily constitute marking this item “non-compliant.” Further discussion with a food employee or the PIC may be needed to determine if the liquid, if labeled, is used as an ingredient in food, or may be an employee beverage that is consumed in another designated area. If the liquid is an open beverage that is consumed in a

designated area, it must still be stored in a manner to prevent the contamination of food, equipment, utensils, linens, and single-service/single-use articles.

**Applicable publication sections:**

2-401.11 Eating, drinking, or using tobacco

3-301.12\* Preventing contamination when tasting

**Item 40.** *Personal cleanliness: clothing, hair restraint, jewelry.* Observation of food service personnel for clean outer clothing, effective hair restraints, prohibited jewelry, and the condition or protection of fingernails must be made. Although operating in a field setting, cooks and KPs must wear military uniforms that are free of heavy soil and residues acquired from handling fuel and other petroleum products. When the tactical situation permits, cooks should wear a clean uniform every day and should minimize wearing tactical gear that may present a safety issue or potentially contaminate food during preparation or service. If conditions (determined by tactical commanders) require cooks and KPs to wear tactical gear and camouflage paint or other chemical coatings on the hands, forearms, and face, the food operation supervisor or senior leader should consider curtailing the use of A-type rations and replace them with individual or unitized group rations (heat-and-serve type rations) until conditions are more conducive for management of hygienic controls. Assessments regarding proper handwashing are debited using *Item 41*; assessments regarding use of camouflage paint are debited using *Item 42*.

**Applicable publication sections:**

9-601.11(C) Camouflage paint and food employee uniforms (clothing)

**Further supported by:**

2-302.11 Maintenance—fingernails

2-303.11 Prohibition—jewelry

2-304.11 Clean condition—outer clothing

2-402.11 Effectiveness—hair restraints

**Item 41.** *Hands clean and properly washed.* Some of the provisions contained within this grouping are CRITICAL. Inspections should be conducted during active meal preparation or service. If there are no food workers present, but the PIC, while accompanying the inspector on the inspection, touches food, clean equipment, or utensils without washing his/her hands, this item is marked “non-compliant.” To further demonstrate and emphasize compliance to this publication, inspectors should wash their hands before beginning the walk-through portion of the inspection. This item is considered compliant when food workers are observed using proper handwashing techniques at appropriate times and places. This item is considered non-compliant when camouflage paint is worn by food workers during food preparation activities involving A-type ration components, regardless of disposable glove use; when hand antiseptics are used in lieu of handwashing when camouflage paint is worn by food workers; and when employees are using food preparation sinks or other non-approved sink(s) for handwashing.

**Applicable publication sections:**

9-601.11(B) Camouflage paint and food employee uniforms (use of gloves)

**Further supported by:**

- 2-301.11\* Clean condition—hands and arms
- 2-301.12\* Cleaning procedure
- 2-301.14\* When to wash
- 2-301.15 Where to wash
- 2-301.16 Hand antiseptics

**Item 42.** *Camouflage paint and toxic coatings on hands, arms, and face.* Non-compliance associated with the use of camouflage paint or other toxic skin coatings, such as insect repellent, by food workers is based on the type of subsistence being prepared/served. When the tactical situation, determined by commanders, requires food workers to wear camouflage paint, insect repellents, and tactical gear during food preparation and service, an alternate feeding plan incorporating the use of individual or tray-type (heat-and-serve) rations should be employed. Compliance is achieved when conditions require food workers to wear camouflage paint on their hands, arms, and face during service of food only; provided clean, disposable gloves are being worn and properly exchanged between tasks; and there is no indication of cross-contamination of food. Compliance is also achieved when only individual or tray-type rations are offered for service. Non-compliance in this item is noted when an alternate feeding plan is not incorporated (A-type rations are being prepared), and camouflage paint is worn by food workers during food preparation, regardless of glove use.

**Applicable publication sections:**

- 9-601.11 Camouflage paint and food employee uniforms

**Item 43\*.** *Bare hand/arm contact with food.* The provisions assessed within this item grouping are generally reported as CRITICAL, with the exception of paragraph 3-301.11(C), which is designated as a SWING item. Bare hand contact by food employees serving a Highly Susceptible Population is prohibited, and no alternative to bare hand contact is allowed. Compliance for this item occurs when employees are observed using suitable utensils or gloves to prevent bare hand (or arm) contact with ready-to-eat foods. This item should be marked “non-compliant” if one person is observed touching ready-to-eat food with his or her bare hands in the absence of a prior approval and written procedures for bare hand contact. Refer to subparagraph 3-301.11(D)(1)-(7) for a listing of conditions that must be met in order to receive prior approval by the Regulatory Authority. The *swing* violation for food that is not in ready-to-eat form under paragraph 3-301.11(C) is rated critical when the employee processing the food has unprotected cuts/wounds on exposed hands or arms. The *swing* violation may be assessed as non-critical if an employee processing or preparing food had exposed arms due to improper wear of the work coat (i.e., sleeves were pushed up to the elbows), but there were no cuts or other open wounds on the hands or forearms. When the *swing* provision is assessed as NONCRITICAL and no other CRITICAL violation occur within the item grouping, the inspector must line through the asterisk that immediately follows the item group number on the inspection checklist and must count the item grouping as NONCRITICAL when the inspection is scored.

**Applicable publication sections:**

9-204.12(B) Handwashing facilities (disposable glove use)

**Further supported by:**

3-301.11\* Preventing contamination from hands

**Item 44.** *Disposable gloves used properly.* The observation of food preparation activities and glove use by food employees is necessary. There should be a discussion with the PIC on how gloves are used, if applicable, in food preparation activities. If misused, gloves may serve as a source of cross-contamination. Glove use is mandatory when RTE foods are being handled, waterless handwashing (hand antiseptics) is the only means available to “clean” hands, or camouflage paint is worn during food service. Look for proper glove exchange and for handwashing between glove changes. The use of gloves when camouflage paint is worn during food preparation is assessed using *Items 41* and *42*.

**Applicable publication sections:**

9-204.12(B) Handwashing facilities (disposable glove use)

9-601.11(B) Camouflage paint and food employee uniforms (use of gloves)

**Further supported by:**

3-304.15(B)-(D) Gloves, use limitations

*f. Supervision and Training*

**Item 45\*.** *Person in charge (PIC) present and demonstrates knowledge.* A CRITICAL violation occurs when a qualified PIC is not on premises when the inspection begins or the PIC does not have proof of a valid food safety certification on file. Do not mark this item “N/A” or “N/O.” Mark this item “non-compliant” if any **one** of the following items is found:

A. A designated PIC is not present when the inspection begins. The violation remains non-compliant, but is marked corrected onsite if a qualified PIC returns to the facility during the inspection.

B. The designated PIC does not have a food safety certificate from an ACCREDITED PROGRAM as specified in 2-102.20 or the certificate has expired. Expiration dates vary between 3 and 5 years, depending on the certifying source.

C. A critical violation regarding failure to demonstrate knowledge may also be awarded based on observations combined with questioning. Two conditions in Section 2-102.11 [paragraphs (A) and (C)] are used in combination to assess the PIC’s ability to demonstrate knowledge even when a valid food safety certificate is on file. Paragraph (A) is a non-critical violation and paragraph (C) is a swing violation. When multiple critical violations are observed during an inspection, the inspector should ask the PIC to discuss or demonstrate proper procedures relevant to the critical violations. Questions should be open-ended to evaluate the PIC’s understanding of the associated health effects that may result from the violations. Questions can be asked during the initial interview, menu review, or throughout the inspection as appropriate. The inspector should ask a sufficient number of questions to allow the inspector to make an informed decision concerning the PIC’s knowledge of this publication’s requirements

and of general public health principles as they apply to the operation. The dialogue should be extensive enough to reveal whether or not the PIC's knowledge will enable him/her to follow sound food safety practices and to produce foods that are safe, wholesome, unadulterated, and accurately represented. The PIC's inability to correctly respond to the inspector's questions coupled with one or more critical violations is indicative of failure to demonstrate knowledge.

**Applicable publication sections:**

- 2-101.11\* Assignment
- 2-102.11\*(A), B) and (C)(1), (4)-(16) Demonstration

**Item 46.** *PIC and employees: duties; training.* This item is “fully compliant” when the following criteria are met:

A. Duties of the PIC. Compliance is based on the interaction with and observation of the PIC and food employee. The inspector needs to determine the systems or controls which the PIC has put into practice regarding oversight and/or routine monitoring of the Duties listed in § 2-103.11. This is accomplished by 1) discussion with the PIC, and 2) verifying through observation that the systems or controls are actually being implemented. This concept is commonly referred to as Active Managerial Control. This item must be marked “out of compliance” when there is a pattern of non-compliance and obvious failure by the PIC to ensure employees are complying with the duties listed in § 2-103.11. Since marking this item “out of compliance” requires judgment, it is important that this item not be marked for an isolated incident, but rather for an overall evaluation of the PIC's ability to ensure compliance with the duties described in § 2-103.11.

B. Training. Compliance is demonstrated by—

1. Presenting evidence (a record per 2-505.11) such as a curriculum/outline and attendance rosters documenting that each employee has completed a training program which includes all the information required in ¶ 2-501.11(A), to include employee illness reporting responsibilities as specified in ¶ 2-201.11(A); or
2. A certificate of training or food manager certification by an ACCREDITED PROGRAM as specified in 2-102-20; and
3. A record indicating refresher training and/or certification renewal is current as specified in ¶ 2-501.11(C), 2-502.11, and 2-503.12.

C. A CRITICAL violation may exist if employees disclose they were never trained or counseled regarding their requirement to report or disclose health information such as reportable illnesses and infections as specified in Section 2-201.11(A) **and** there is no record of such training or counseling. Evidence may be in the form of a training record containing a training outline that includes discussion of reportable illnesses and health conditions, or a counseling form such as the *Conditional Employee or Food Employee Reporting Agreement*. A violation involving an ill employee who should have been restricted or excluded, has an infected wound/skin condition, or has discharges from the eye, nose, or mouth, is debited using *Item #38*.

**Applicable publication sections:**

- 2-103.11(A)-(M) Person in charge—duties
- 2-201.11\*(A) Responsibility of person in charge, food employees, and conditional employees

- 2-501.11 Training requirements
- 2-502.11 (Supervisor) requirements and renewal
- 2-503.11 General requirements
- 2-503.12 Bartenders, hostesses, wait staff, and counter staff
- 2-503.13 Temporary employees
- 2-505.11 Documentation, retention and presentation

*g. Other findings.* This item is used to distinguish deficiencies not otherwise addressed in *Items 1-46* on the inspection report. Before checking this item, review the Applicable Publication Sections that are listed for *Items 1-46*. Violations noted under *Items 47-49* should be identified by provision number and described with detailed observations in the *Remarks* section of the inspection form. Appendix C provides a list of debitable provisions. Multiple deficiencies documented under “other findings” should only be counted as one violation when the CRITICAL and NONCRITICAL *Number and Type of Violations* are tallied for page 1 of the report. Refer to the *Item 51* description provided in Section II of this appendix for examples of other findings.

## APPENDIX F

### FORMS AND TEMPERATURE GUIDES

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#### **F-1. Required forms**

a. The following forms are required for use by public health personnel to document facility risk assessments and sanitation inspections.

- (1) DD Form 2972, *Food Facility Risk Assessment Survey*
- (2) DD Form 2973, *Food Operation Inspection Report*
- (3) DD Form 2974, *Tactical Kitchen Food Sanitation Inspection*

b. Required forms are published and available in electronic format.

#### **F-2. Optional forms**

a. The following forms provide a model format for documenting employee requirements and submitting applications to operate temporary food establishments. Use of these forms is optional.

(1) DD Form 2971, *Conditional Employee or Food Employee Reporting Agreement*, is recommended for use by the food establishment manager during initial training with new food employees to document acknowledgement of medical reporting responsibilities as stated in ¶ 2-103.11(M). The reporting agreement is designed to assist those responsible for managing employees in order to prevent foodborne disease. The document specifies that the PIC is responsible for requiring conditional employees or food employees to report certain symptoms, diagnoses, and past illnesses as they relate to diseases transmitted through food by infected workers. The conditional employee or food employee is personally responsible for reporting this information to the PIC.

(2) DD Form 2975, *Temporary Food Event Coordinator's Application*, is recommended for use by designated event coordinators when food operations will be included at the venue.

b. Optional forms may be modified to conform with local policies and procedures.

**F-3. Temperature guides**

Tables F-1 and F-2 summarize the minimum required cooking and reheating temperatures of the listed foods, respectively.

**Table F-1. Summary chart for minimum food cooking temperatures and holding times**

| Food  | Minimum Temperature   | Minimum Holding Time at the Specified Temperature        |
|---|---|--|
| <ul style="list-style-type: none"> <li>• <b>Raw Eggs</b> prepared for immediate service</li> <li>• <b>Commercially Raised Game Animals and Exotic Species of Game Animals</b></li> <li>• <b>Fish, Pork, and Meat</b> Not Otherwise Specified in this Chart or in ¶ 3-401.11(B)</li> </ul>   | <b>145°F (63°C)</b>   | <b>15 seconds</b>  |
| <ul style="list-style-type: none"> <li>• <b>Raw Eggs</b> not prepared for immediate service</li> <li>• <b>Comminuted Commercially Raised Game Animals and Exotic Species of Game Animals</b></li> <li>• <b>Comminuted Fish and Meats</b></li> <li>• <b>Injected Meats</b></li> </ul>  | 158°F (70°C)<br><b>155°F (68°C)</b><br>150°F (66°C)<br>145°F (63°C) | < 1 second<br><b>15 seconds</b><br>1 minute<br>3 minutes |
| <ul style="list-style-type: none"> <li>• <b>Poultry</b></li> <li>• <b>Baluts</b></li> <li>• <b>Stuffed Fish; Stuffed Meat;</b></li> <li>• <b>Stuffed Pasta;</b></li> <li>• <b>Stuffed Poultry; Stuffed Ratites</b></li> <li>• <b>Stuffing Containing Fish,</b></li> <li>• <b>Meat, Poultry, or Ratites</b></li> <li>• <b>Wild Game Animals</b></li> </ul> | <b>165°F (74°C)</b>   | <b>15 seconds</b>  |
| <b>Food Cooked in a Microwave Oven</b>  | <b>165°F (74°C)</b>   | Hold for 2 minutes after removing from microwave oven    |

**Table F-2. Summary chart for minimum food reheating temperatures and holding times**

| Food   | Minimum Temperature   | Minimum Holding Time at the Specified Temperature | Maximum Time to Reach Minimum Temperature |
|--|---|---|---|
| ¶¶ 3-403.11(A) and (D) Food that is cooked, cooled, and reheated<br>¶ 3-501.110(F) Reheating leftovers                   | 165°F (74°C)  | 15 seconds  | 2 hours                                   |
| ¶¶ 3-403.11(B) and (D) Food that is reheated in a microwave oven   | 165°F (74°C)  | and hold for 2 minutes after reheating            | 2 hours                                   |
| ¶¶ 3-403.11(C) and (D) Food that is taken from a commercially processed, hermetically sealed container or intact package | 135°F (57°C)  | No time specified                                 | 2 hours                                   |
| ¶ 3-403.11(E) Unsliced portions of meat roasts cooked as specified under ¶ 3-401.11(B)                                   | Same oven parameters and minimum time and temperature conditions as specified under ¶ 3-401.11(B); or |   | Not applicable                            |
|  | Minimum and maximum time and temperature conditions listed in this chart for ¶¶ 3-403.11(A) and (D).  |   |   |

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**GLOSSARY**

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**Section I**  
**Acronyms**

AAFES  
Army/Air Force Exchange Service

ANSI  
American National Standards Institute

ANSI-CFP  
American National Standards Institute, Conference for Food Protection

AR  
Army Regulation

BISSC  
Baking Industry Sanitation Standards Committee

CDC  
Centers for Disease Control and Prevention

CDC  
Child Development Center / Child Care Center

CFP  
Conference for Food Protection

CFR  
Code of Federal Regulations

COR  
Contracting Officer's Representative

COS  
Corrected Onsite

CYSS  
Child, Youth, and School Services

DA PAM  
Department of the Army Pamphlet

DeCA  
Defense Commissary Agency

DFAC  
Dining Facility

DOD  
Department of Defense

DODVSA  
Department of Defense Veterinary Service Activity

FAC  
Free Available Chlorine

FCC  
Family Child Care (homes)

FCWG  
(Tri-Service) Food Code Working Group

FDA  
Food and Drug Administration

FF&V  
Fresh fruits and vegetables

FPM  
Food Program Manager

FSA  
Food service assistant

FSPCC  
Food Safety and Protection Certification Course

HACCP  
Hazard Analysis & Critical Control Point

HAZCOM

Hazard communication

HMIS

Hazardous Materials Information Sheet

HSP

highly susceptible population

IAW

In accordance with

IFC

Insulated food container

IFVA

Installation food vulnerability assessment

IgG

Immunoglobulin G

IPM

Integrated pest management

KO

Contracting Officer

KP

Kitchen patrol

MA

Master-at-Arms

MCCS

Marine Corps Community Service

MCX

Marine Corps Exchange

MSDS

Material Safety Data Sheet

mg/L  
milligrams per liter

NAMA  
National Automatic Merchandising Association

NSF  
National Sanitation Foundation

NEX  
Navy Exchange

NAF  
Nonappropriated Funds

OCONUS  
outside the continental United States

OMB  
Office of Management and Budget

ppm  
parts per million

PIC  
person in charge

PHF(TCS)  
potentially hazardous foods – time/temperature control for safety

QAE  
quality assurance evaluator

RTE  
ready to eat

SME  
subject matter expert

SOP  
Standing operating procedure

TB MED  
Technical Bulletin, Medical

UFC  
Unified Facilities Criteria

USDA  
U.S. Department of Agriculture

(US) EPA  
U.S. Environmental Protection Agency

USPHS  
U.S. Public Health Service

UHT  
Ultra-high temperature

## **Section II**

### **Terms**

#### **Accredited program.**

(1) **“Accredited program”** means a food protection manager certification program that has been evaluated and listed by an accrediting agency as conforming to national standards for organizations that certify individuals.

(2) **“Accredited program”** refers to the certification process and is a designation based upon an independent evaluation of factors such as the sponsor’s mission; organizational structure; staff resources; revenue sources; policies; public information regarding program scope, eligibility requirements, re-certification, discipline and grievance procedures; and test development and administration.

(3) **“Accredited program”** does not refer to training functions or educational programs.

#### **Additive.**

(1) **“Food additive”** means any substance that the intended use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packaging, processing, preparing, treating, transporting, or holding food; and including any source of radiation intended for any such use).<sup>†</sup>

(2) **“Color additive”** means a material which—<sup>†</sup>

- (a) Is a dye, pigment, or other substance made by a process of synthesis or similar artifice or extracted, isolated, or otherwise derived from a vegetable, animal, mineral or other source; and
- (b) When added or applied to a food, is capable (alone or through reaction with other substances) of imparting color.

**Adulterated**

A food shall be deemed to be adulterated based on the following:

- (1) Poisonous, insanitary, etc., ingredients
  - (a) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such food shall not be considered adulterated under this clause if the quantity of such substance in such food does not ordinarily render it injurious to health.
  - (b) If it bears or contains any added poisonous or added deleterious substance (other than a substance that is a pesticide chemical residue in or on a raw agricultural commodity or processed food, a food additive, a color additive, or a new animal drug) that is unsafe within the meaning of section 346 of the Federal Food, Drug, and Cosmetic Act; or
  - (c) If it bears or contains a pesticide chemical residue that is unsafe within the meaning of section 346a(a) of this title; or
  - (d) If it is or if it bears or contains—
    - (i) Any food additive that is unsafe within the meaning of section 348 of the Federal Food, Drug, And Cosmetic Act; or
    - (ii) A new animal drug (or conversion product thereof) that is unsafe within the meaning of section 360b of the Federal Food, Drug, and Cosmetic Act; or
  - (e) If it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for food; or
  - (f) If it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; or
  - (g) If it is, in whole or in part, the product of a diseased animal or of an animal which has died otherwise than by slaughter; or
  - (h) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; or
  - (i) If it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 348 of the Federal Food, Drug, and Cosmetic Act.
- (2) Absence, substitution, or addition of constituents
  - (a) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or
  - (b) If any substance has been substituted wholly or in part therefor; or
  - (c) If damage or inferiority has been concealed in any manner; or

(d) If any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(3) Color additives

If it is, or it bears or contains, a color additive which is unsafe within the meaning of section 379e(a) of the Federal Food, Drug, and Cosmetic Act.

(4) Confectionery containing alcohol or nonnutritive substance. If it is confectionery, and—

(a) Has partially or completely imbedded therein any nonnutritive object, except that this subparagraph shall not apply in the case of any nonnutritive object if, in the judgment of the SECRETARY as provided by regulations, such object is of practical functional value to the confectionery product and would not render the product injurious or hazardous to health;

(b) Bears or contains any alcohol other than alcohol not in excess of one-half of 1 per centum by volume derived solely from the use of flavoring extracts, except that this clause shall not apply to confectionery which is introduced or delivered for introduction into, or received or held for sale in, interstate commerce if the sale of such confectionery is permitted under the laws of the State in which such confectionery is intended to be offered for sale;

(c) Bears or contains any nonnutritive substance, except that this subparagraph shall not apply to a safe nonnutritive substance which is in or on confectionery by reason of its use for some practical functional purpose in the manufacture, packaging, or storage of such confectionery if the use of the substance does not promote deception of the CONSUMER or otherwise result in adulteration or misbranding in violation of any provision of this chapter, except that the SECRETARY may, for the purpose of avoiding or resolving uncertainty as to the application of this subparagraph, issue regulations allowing or prohibiting the use of particular nonnutritive substances.

(5) Oleomargarine containing filthy, putrid, etc., matter

If it is oleomargarine or margarine or butter and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance, or such oleomargarine or margarine or butter is otherwise unfit for food.

(6) Dietary supplement or ingredient: safety

(a) If it is a dietary supplement or contains a dietary ingredient that—

(i) Presents a significant or unreasonable risk of illness or injury under—

(a) Conditions of use recommended or suggested in labeling, or

(b) If no conditions of use are suggested or recommended in the labeling, under ordinary conditions of use;

(ii) Is a new dietary ingredient for which there is inadequate information to provide reasonable assurance that such ingredient does not present a significant or unreasonable risk of illness or injury;

(iii) The SECRETARY declares to pose an imminent hazard to public health or safety, except that the authority to make such declaration shall not be delegated and the SECRETARY shall promptly after such a declaration initiate a proceeding IAW sections 554 and 556 of title 5 of the U.S. Code to affirm or withdraw the declaration; or

(iv) Is or contains a dietary ingredient that renders it adulterated under paragraph (1)(a) under the conditions of use recommended or suggested in the labeling of such dietary supplement. In any proceeding under this subparagraph, the United States shall bear the burden of proof on each element to show that a dietary supplement is adulterated. The court shall decide any issue under this paragraph on a de novo basis.

(b) Before the SECRETARY may report to a United States attorney a violation of paragraph (a)(i) for a civil proceeding, the person against whom such proceeding would be initiated shall be given appropriate notice and the opportunity to present views, orally and in writing, at least 10 days before such notice, with regard to such proceeding.

(7) Dietary supplement: manufacturing practices

(a) If it is a dietary supplement and it has been prepared, packed, or held under conditions that do not meet current good manufacturing practice regulations, including regulations requiring, when necessary, expiration date labeling, issued by the SECRETARY under subparagraph (b).

(b) The SECRETARY may by regulation prescribe good manufacturing practices for dietary supplements. Such regulations shall be modeled after current good manufacturing practice regulations for food and may not impose standards for which there is no current and generally available analytical methodology. No standard of current good manufacturing practice may be imposed unless such standard is included in a regulation promulgated after notice and opportunity for comment IAW chapter 5 of title 5 of the U.S. Code.

(8) Reoffer of food previously denied admission

If it is an article of food imported or offered for import into the United States and the article of food has previously been refused admission under section 381(a) of the Federal Food, Drug, and Cosmetic Act, unless the person reoffering the article affirmatively establishes, at the expense of the owner or consignee of the article, that the article complies with the applicable requirements of this chapter, as determined by the SECRETARY.

(9) Noncompliance with sanitary transportation practices

If it is transported or offered for transport by a shipper, carrier by motor vehicle or rail vehicle, receiver, or any other person engaged in the transportation of food under conditions that are not in compliance with regulations promulgated under section 350e of the Federal Food, Drug, and Cosmetic Act.

### **Advanced preparation**

A FOOD that is prepared (cooked, partially cooked, or raw) in advance for future service beyond a specific meal. Marinating FOOD is included as **“advanced preparation.”** **“Advanced prepared”** FOOD may not be maintained in hot holding or as a backup to a serving line. These FOODS shall be immediately cooled after cooking or partial cooking as specified under § 3-501.14.†

### **ANSI**

American National Standards Institute (ANSI) is a private, non-profit organization that administers and coordinates the U.S. voluntary standardization and conformity assessment

system. *Note: For courses certified by ANSI and a Conference for Food Protection-recognized accrediting agency, it is only the exam that is “certified,” not the course content itself.*

**Approval**

Cleared or accepted by the MEDICAL or REGULATORY AUTHORITY. †

**Approved**

Acceptable to the MEDICAL or REGULATORY AUTHORITY based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.

**Approved source**

A sanitarily approved establishment listed in VETCOM CIR 40-1, *Worldwide Directory of Sanitarily Approved Food Establishments for Armed Forces Procurement*; or an establishment which meets the criteria for exemption from Directory listing as defined by AR 40-657/NAVSUP 4355.4H/MCO P10110.31H and AFI 48-116, and the Department of Defense Veterinary Service Activity Food Risk Evaluation Committee. †

**Asymptomatic**

(1) **“Asymptomatic”** means without obvious symptoms; not showing or producing indications of a disease or other medical condition, such as an individual infected with a pathogen but not exhibiting or producing any signs or symptoms of vomiting, diarrhea, or jaundice.

(2) **“Asymptomatic”** includes not showing symptoms because symptoms have resolved or subsided, or because symptoms never manifested.

**a<sub>w</sub>**

Water activity which is a measure of the free moisture in a FOOD; it is the quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature.

**Baffle**

A flow-directing or obstructing vane or panel used in a warewashing machine to direct or restrict the flow of water. †

**Balut**

An embryo inside a fertile EGG that has been incubated for a period sufficient for the embryo to reach a specific stage of development after which it is removed from incubation before hatching. †

**Beverage**

A liquid for drinking, including water.

**Bottled drinking water**

Water that is SEALED in bottles, packages, or other containers and offered for sale for human consumption, including bottled mineral water.

**Canthaxanthin**

A carotenoid pigment widely distributed in nature. †

**Casing**

A tubular container for sausage products made of either natural or artificial (synthetic) material.

**Certification number**

A unique combination of letters and numbers assigned by a SHELLFISH CONTROL AUTHORITY to a MOLLUSCAN SHELLFISH DEALER according to the provisions of the National Shellfish Sanitation Program.

**Chemically washed**

A disinfection process for fresh fruits and vegetables using an APPROVED SANITIZING agent to reduce potential hazards associated with surface microbial contamination.

**Child care facility**

A Nonappropriated Funded (NAF) day care center, including MWR Child, Youth, and School Services (CYSS), Child Development Centers (CDC), and Child Care Centers; Family Child Care (FCC) homes; Marine Corps Community Services (MCCS); the Army/Air Force Exchange Service (AAFES), and Navy Child and Youth Programs. †

**CIP**

(1) “**CIP**” means cleaned in place by the circulation or flowing by mechanical means through a piping system of a detergent solution, water rinse, and SANITIZING solution onto or over EQUIPMENT surfaces that require cleaning, such as the method used, in part, to clean and SANITIZE a frozen dessert machine.

(2) “**CIP**” does not include the cleaning of EQUIPMENT such as band saws, slicers, or mixers that are subjected to in-place manual cleaning without the use of a CIP system.

**Commingle**

(1) To combine SHELLSTOCK harvested on different days or from different growing areas as identified on the tag or label, or

(2) To combine SHUCKED SHELLFISH from containers with different container codes or different shucking dates.

**Comminuted**

(1) “**Comminuted**” means reduced in size by methods including chopping, flaking, grinding, or mincing.

(2) “**Comminuted**” includes FISH or MEAT products that are reduced in size and restructured or reformulated such as gefilte FISH, gyros, ground beef, and sausage; and a mixture of two or more types of MEAT that have been reduced in size and combined, such as sausages made from two or more MEATS.

**Conditional employee**

A potential FOOD EMPLOYEE to whom a job offer is made, conditional on responses to subsequent medical questions or examinations designed to identify potential FOOD EMPLOYEES who may be suffering from a disease that can be transmitted through FOOD and done in compliance with Title 1 of the Americans with Disabilities Act of 1990.

**Conference for Food Protection**

Biennially, the Conference for Food Protection brings together representatives from the food industry, government, academia, and CONSUMER organizations to identify problems, formulate recommendations, and implement practices that ensure food safety. <http://www.foodprotect.org/>

**Confirmed disease outbreak**

A FOODBORNE DISEASE OUTBREAK in which laboratory analysis of appropriate specimens identifies a causative agent, and epidemiological analysis implicates the FOOD as the source of the illness.

**Consumer**

A PERSON who is a member of the public, takes possession of FOOD, is not functioning in the capacity of an operator of a FOOD ESTABLISHMENT or FOOD PROCESSING PLANT, and does not offer the FOOD for resale.

**Consumer self-service**

Any area where members of the general public serve themselves without the assistance of a FOOD EMPLOYEE, for example: buffet bars, salad bars, dessert, potato, and soup bars; soft-serve ice cream, customer drink, and coffee bars. †

**Contracting Officer** †

An individual with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings.

**Contracting Officer’s Representative** †

An individual from the functional activity appointed by the CONTRACTING OFFICER and delegated specific authority to monitor contract performance and to perform specific contract administration functions.

**Cook-chill**

A culinary process where food is cooked to a *just done* status. The food is immediately packaged into a plastic bag, air is expelled, and the bag is closed with a plastic or metal crimp, creating a reduced oxygen environment. The bag is immediately chilled, but not frozen, for storage and reheating at a later time. †

**Corrosion-resistant material**

A material that maintains acceptable surface cleanability characteristics under prolonged influence of the FOOD to be contacted, the normal use of cleaning compounds and SANITIZING solutions, and other conditions of the use environment.

**Counter-mounted equipment**

EQUIPMENT that is not portable and is designed to be mounted off the floor on a table, counter, or shelf.

**Critical control point**

A point or procedure in a specific FOOD system where loss of control may result in an unacceptable health RISK.

**Critical item** †

(1) “**Critical item**” means a provision of this standard that, if in non-compliance, is more likely than other violations to contribute to food contamination, illness, or environmental health HAZARD.

(2) “**Critical item**” is an item that is denoted in this publication with an asterisk: \*.

**Critical limit**

The maximum or minimum value to which a physical, biological, or chemical parameter must be controlled at a CRITICAL CONTROL POINT to minimize the RISK that the identified FOOD safety HAZARD may occur.

**Cross-connection**

Any physical connection or arrangement between two otherwise separate piping systems, one of which contains potable water, and the other, water of unknown or questionable safety, steam, other gases or liquids, whereby there may be a flow from one system to the other; or any actual or potential connection between a public water supply and a source of contamination or pollution. †

**Curtain**

Refers to the heavy cloth or plastic panels used with WAREWASHING machines. **Curtains** are hung at the WAREWASHING machine openings to prevent the loss of heat and moisture from the machine without obstructing proper operation. †

**Cut leafy greens**

Fresh leafy greens whose leaves have been cut, shredded, sliced, chopped, or torn. The term “leafy greens” includes iceberg lettuce, romaine lettuce, leaf lettuce, butter lettuce, baby leaf lettuce (i.e., immature lettuce or leafy greens), escarole, endive, spring mix, spinach, cabbage, kale, arugula, and chard. The term “leafy greens” does not include herbs such as cilantro or parsley.

**Dealer**

A PERSON who is authorized by a SHELLFISH CONTROL AUTHORITY for the activities of SHELLSTOCK shipper, shucker-packer, repacker, reshipper, or depuration processor of MOLLUSCAN SHELLFISH according to the provisions of the National Shellfish Sanitation Program.

**Disclosure**

A written statement that clearly identifies the animal-derived FOODS which are, or can be ordered as, raw, undercooked, or without otherwise being processed to eliminate pathogens; or items that contain an ingredient that is raw, undercooked, or without otherwise being processed to eliminate pathogens.

**Drinking water**

(1) **“Drinking water”** means water that meets criteria as specified in 40 CFR 141, National Primary Drinking Water Regulations, and military directives as applicable. For example, the Overseas Environmental Baseline Guidance Document (OEBGD) or Final Governing Standards establish drinking water quality standards for other than continental United States installations. †

(2) **“Drinking water”** is traditionally known as “potable water.”

(3) **“Drinking water”** includes the term “water” *except where the term used connotes that the water is not potable, such as “boiler water,” “mop water,” “rainwater,” “wastewater,” and “nondrinking” water.*

(4) **“Drinking water”** in the field or deployed environment means water which meets the requirements in TB MED 577/NAVMED-P-5100-10/AFMAN 48-138\_IP. †

**Dry storage area**

A room or area designated for the storage of PACKAGED or containerized bulk FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) and dry goods such as SINGLE-SERVICE items.

**Easily cleanable**

(1) **“Easily cleanable”** means a characteristic of a surface that—  
(a) Allows effective removal of soil by normal cleaning methods;  
(b) Is dependent on the material, design, construction, and installation of the surface; and  
(c) Varies with the likelihood of the surface’s role in introducing pathogenic or toxigenic agents or other contaminants into FOOD based on the surface’s APPROVED placement, purpose, and use.

(2) **“Easily cleanable”** includes a tiered application of the criteria that qualify the surface as EASILY CLEANABLE as specified in Subparagraph (1) of this definition to different situations in which varying degrees of cleanability are required such as:

- (a) The appropriateness of stainless steel for a FOOD preparation surface as opposed to the lack of need for stainless steel to be used for floors or for tables used for CONSUMER dining; or
- (b) The need for a different degree of cleanability for a utilitarian attachment or accessory in the kitchen as opposed to a decorative attachment or accessory in the CONSUMER dining area.

**Easily movable**

(1) Portable; mounted on casters, gliders, or rollers; or provided with a mechanical means to safely tilt a unit of EQUIPMENT for cleaning; and

(2) Having no utility connection, a utility connection that disconnects quickly, or a flexible utility connection line of sufficient length to allow the EQUIPMENT to be moved for cleaning of the EQUIPMENT and adjacent area.

(3) Equipment which does not meet the requirements of ¶ (1) and (2) above can meet this definition if it is movable and weighs 30 pounds (14 kg) or less. †

**Egg**

(1) **“Egg”** means the shell EGG of avian species such as chicken, duck, goose, guinea, quail, RATITES, or turkey.

(2) **“Egg”** does not include:

- (a) A BALUT;
- (b) The egg of reptile species such as alligator; or
- (c) An EGG PRODUCT.

**Egg product**

(1) **“Egg product”** means all, or a portion of, the contents found inside EGGS separated from the shell and pasteurized in a FOOD PROCESSING PLANT, with or without added ingredients, intended for human consumption, such as dried, frozen or liquid eggs.

(2) **“Egg product”** does not include FOOD which contains EGGS only in a relatively small proportion such as cake mixes.

### **Employee**

The PERSON-IN-CHARGE, FOOD EMPLOYEE, PERSON having supervisory or management duties, PERSON on the payroll, family member, volunteer, PERSON performing work under contractual agreement, or other PERSON working in a FOOD ESTABLISHMENT.

### **Enterohemorrhagic *Escherichia coli* (EHEC)**

A cause of hemorrhagic colitis, meaning bleeding enterically or bleeding from the intestine. The term is typically used in association with *E. coli*, which has the capacity to produce Shiga toxins and to cause attaching and effacing lesions in the intestine. The EHEC is a subset of SHIGA TOXIN-PRODUCING *E. Coli* (STEC), whose members produce additional virulence factors. Infections with EHEC may be asymptomatic but are classically associated with bloody diarrhea (hemorrhagic colitis) and hemolytic uremic syndrome (HUS) or thrombotic thrombocytopenic purpura (TTP). Examples of serotypes of EHEC include *E. coli* O157:H7; *E.coli* O157:NM; *E. coli* O26:H11; *E. coli* O145:NM; *E. coli* O103:H2; or *E. coli* O111:NM, or other *E. coli* pathogens of concern. *Also see* SHIGA TOXIN-PRODUCING *E. coli*.

### **Equipment**

(1) **“Equipment”** means an article that is used in the operation of a FOOD ESTABLISHMENT such as a freezer, grinder, hood, ice maker, MEAT block, mixer, oven, reach-in refrigerator, scale, sink, slicer, stove, table, TEMPERATURE MEASURING DEVICE for ambient air, VENDING MACHINE, or WAREWASHING machine.

(2) **“Equipment”** does not include apparatuses, such as hand trucks, forklifts, dollies, pallets, racks, and skids, used for handling or storing large quantities of PACKAGED FOODS that are received from a supplier in a cased or overwrapped lot.

### **Exclude**

To prevent a PERSON from working as an EMPLOYEE in a FOOD ESTABLISHMENT or entering a FOOD ESTABLISHMENT as an EMPLOYEE.

### **Facilities Engineer**

Includes all military, civilian, and contracted personnel responsible for construction, renovation, or maintenance of FOOD ESTABLISHMENTS on a military installation, camp, or compound. †

### **Field food operations**

A food operation carried out by a military field unit primarily employing tactical equipment or field feeding doctrine in support of tactical operations or training. FIELD FOOD OPERATIONS may be set up under a protective cover or inside a building other than a fixed or temporary food operation facility. Examples of field food operations include mobile field kitchens, field feeding sites serving from insulated food containers, or any operation involving preparation and service of operational rations, such as UNITIZED GROUP RATIONS. †

**Field foodservice**

A FIELD FOOD OPERATION or FIXED FOOD OPERATION operated by military cooks or a foodservice contract in a deployment or tactical setting. †

**Fish**

(1) “**Fish**” means fresh or saltwater finfish, crustaceans and other forms of aquatic life (including alligator, frog, aquatic turtle, jellyfish, sea cucumber, and sea urchin and the roe of such animals) other than birds or mammals; and all mollusks, if such animal life is intended for human consumption.

(2) “**Fish**” includes an edible human FOOD product derived in whole or in part from FISH, including FISH that have been processed in any manner.

**Fixed food operation**

A food operation carried out in a permanent facility designed and equipped to store, prepare, and distribute food. †

**Food**

A raw, cooked, or processed edible substance, ice, BEVERAGE, or ingredient used or intended for use or for sale in whole or in part for human consumption; or chewing gum.

**Food and Water Risk Assessment**

A program conducted by veterinary or public health personnel to assess FOOD operations to identify, mitigate, and minimize RISK from contamination; conducted under specific circumstances: short term deployments, for deployed forces during initial entry deployment, exercises, and other short-term operations conducted OCONUS or U.S. territories. Authority is derived from DOD Instruction 6490.03. †

**Foodborne disease outbreak**

The occurrence of two or more cases of a similar illness resulting from the ingestion of a common FOOD.

**Food-contact surface**

(1) A surface of EQUIPMENT or a UTENSIL with which FOOD normally comes into contact; or

(2) A surface of EQUIPMENT or a UTENSIL from which FOOD may drain, drip, or splash—

(a) Into a FOOD, or

(b) Onto a surface normally in contact with FOOD.

**Food defense**

A collective term used by the FDA, USDA, DHS, and DOD to encompass activities associated with protecting the food supply from deliberate/intentional contamination. †

**Food employee**

An individual working with unPACKAGED FOOD, FOOD EQUIPMENT or UTENSILS, or FOOD-CONTACT SURFACES.

**Food establishment**

(1) **“Food establishment”** means an operation that—

(a) Stores, prepares, packages, serves, vends food directly to the CONSUMER, or otherwise provides FOOD for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides FOOD directly to a CONSUMER or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or FOOD bank; and

(b) Relinquishes possession of FOOD to a CONSUMER directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

(2) **“Food establishment”** includes:

(a) An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location *unless the vending or feeding location is APPROVED by the REGULATORY AUTHORITY*; and

(b) An operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the PREMISES; and regardless of whether there is a charge for the FOOD. Organizational fundraising events such as food-selling booths during installation events are considered a Temporary Food Establishment.

(3) **“Food establishment”** does not include:

(a) *An establishment used solely for storage and distribution of food, for example, Exchange warehouses and Class I distribution points;*<sup>†</sup>

(b) *An establishment, and VENDING MACHINES, that offer only prePACKAGED FOODS that are not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY) FOODS;*

(c) *A produce stand that only offers whole, uncut fresh fruits and vegetables;*

(d) *A FOOD PROCESSING PLANT; including those that are located on the PREMISES of a FOOD ESTABLISHMENT. For example, a COOK-CHILL operation located in a FOOD ESTABLISHMENT and that services other FOOD ESTABLISHMENTS or FOOD operations off of the installation is evaluated IAW MIL-STD-3006.*<sup>†</sup>

(e) *A kitchen in a private home, if only FOOD that is not a POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY) FOOD is prepared for sale or service at a function such as a religious, charitable, or organizational bake sale, and if allowed by LAW the CONSUMER is informed by a clearly visible placard at the sales or service location that the FOOD is prepared in a kitchen that is not subject to regulation and inspection by the REGULATORY AUTHORITY;*

(f) *An area where FOOD that is prepared as specified in Subparagraph (3)(d) of this definition is sold or offered for human consumption;*

(g) *A kitchen in a private home, such as a small family day-care provider; or a bed-and-breakfast operation that prepares and offers FOOD to guests if the home is owner-occupied, the number of available guest bedrooms does not exceed 6, breakfast is the only meal offered, the number of guests served does not exceed 18, and the CONSUMER is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the FOOD is prepared in a kitchen that is not regulated and inspected by the REGULATORY AUTHORITY. Family Child Care (FCC) homes and small Child Development Centers (CDC) are subject to inspection though specific requirements in this publication are waived or amended; †* or

(h) *A private home that receives catered or home-delivered FOOD; and family housing, troop or guest quarters, and employee lunch rooms if food is prepared for service and consumed by the preparer or guest.*

### **Food manager**

The overall manager of a FOOD ESTABLISHMENT. The **Food Manager** may either supervise or be the PERSON IN CHARGE of the FOOD operation. †

### **Food processing plant**

(1) **“Food processing plant”** means a commercial operation that manufactures, packages, labels or stores FOOD for human consumption, and provides FOOD for sale or distribution to other business entities such as FOOD PROCESSING PLANTS or FOOD ESTABLISHMENTS.

(2) **“Food processing plant”** does not include a FOOD ESTABLISHMENT or a COOK-CHILL operation located in the FOOD ESTABLISHMENT that only supplies the FOOD ESTABLISHMENT and its supported facilities on the installation. †

### **Game animal**

(1) **“Game animal”** means an animal, the products of which are FOOD, that is not classified as livestock, sheep, swine, goat, horse, mule, or other equine in 9 CFR 301.2 Definitions, or as Poultry, or FISH.

(2) **“Game animal”** includes mammals such as reindeer, elk, deer, antelope, water buffalo, bison, rabbit, squirrel, opossum, raccoon, nutria, or muskrat, and non-aquatic reptiles such as land snakes.

(3) **“Game animal”** does not include RATITES.

### **General use pesticide**

A pesticide that is not classified by EPA for restricted use as specified in 40 CFR 152.175 Pesticides classified for restricted use.

### **Grade A standards**

The requirements of the United States Public Health Service/FDA “Grade A Pasteurized Milk Ordinance” with which certain fluid and dry milk and milk products comply.

### **HACCP plan**

A written document that delineates the formal procedures for following the HAZARD Analysis and CRITICAL CONTROL POINT principles developed by The National Advisory Committee on Microbiological Criteria for Foods.

### **Handwashing sink**

(1) **“Handwashing sink”** means a lavatory, a basin or vessel for washing, a wash basin, or a PLUMBING FIXTURE especially placed for use in personal hygiene and designed for the washing of the hands.

(2) **“Handwashing sink”** includes an automatic handwashing facility.

### **Hazard**

A biological, chemical, or physical property that may cause an unacceptable CONSUMER health RISK.

### **Health practitioner**

A physician licensed to practice medicine, or, if allowed by LAW, a nurse practitioner, physician assistant, or similar medical professional.

### **Hermetically sealed container**

A container that is designed and intended to be secure against the entry of microorganisms and, in the case of low-acid canned FOODS, to maintain the commercial sterility of its contents after processing.

### **Highly susceptible population (HSP)**

PERSONS who are more likely than other people in the general population to experience foodborne disease because they—

(1) Are immunocompromised; preschool age children, or older adults; and

(2) Obtain FOOD at a facility that provides services such as custodial care, health care, or assisted living, such as a child or adult day care center, kidney dialysis center, hospital or nursing home, or nutritional or socialization services such as a senior center.

(3) **“Highly susceptible population”** includes, but is not limited to, military personnel, DOD civilian personnel, or contractors operating in a field training exercise or combat deployment or shipboard operations. It includes any situation that puts CONSUMERS in an environment that would reduce their immune system capability due to high operational tempo, increased physical and emotional stress, and sleep deprivation, for example, military personnel undergoing Initial Entry Training.<sup>†</sup>

### **Imminent health hazard**

A significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on:

- (1) The number of potential injuries or illnesses, and
- (2) The nature, severity, and duration of the anticipated injury or illness.

**Individual packaging**

Single-use, single-serving packages of condiments, coffee whiteners, and similar products. Individual packaging does not include bulk containers, including pump containers. †

**Injected**

Manipulating MEAT to which a solution has been introduced into its interior by processes that are referred to as “injecting,” “pump marinating,” or “stitch pumping.”

**Juice**

(1) “**Juice**” means the aqueous liquid expressed or extracted from one or more fruits or vegetables, purées of the edible portions of one or more fruits or vegetables, or any concentrates of such liquid or purée.

(2) “**Juice**” does not include, for purposes of HACCP, liquids, purées, or concentrates that are not used as BEVERAGES or ingredients of BEVERAGES.

**Kitchenware**

FOOD preparation and storage UTENSILS.

**Law**

Applicable local, state, and Federal statutes, regulations, ordinances, and military-specific requirements.

**Leftovers**

FOOD that was prepared for a specific meal, but not offered for service at that meal, provided the FOOD was protected from contamination and held at a safe temperature. Leftovers include unused portions remaining in the hot and cold storage cabinets and food on the serving line that was kept at safe temperature and protected by sneeze guards and served by FOOD EMPLOYEES. FOOD offered for CONSUMER SELF-SERVICE such as a buffet or serving line may not be retained as leftovers. †

**Linens**

Fabric items such as cloth hampers, cloth napkins, table cloths, wiping cloths, and work garments, including cloth gloves.

**Major food allergen**

(1) “**Major food allergen**” means:

(a) Milk, EGG, FISH (such as bass, flounder, cod, and including crustacean shellfish such as crab, lobster, or shrimp), tree nuts (such as almonds, pecans, or walnuts), wheat, peanuts, and soybeans; or

(b) A FOOD ingredient that contains protein derived from a FOOD, as specified in Subparagraph (1)(a) of this definition.

(2) **“Major food allergen”** does not include:

(a) Any highly refined oil derived from a FOOD specified in Subparagraph (1)(a) of this definition and any ingredient derived from such highly refined oil; or

(b) Any ingredient that is exempt under the petition or notification process specified in the Food Allergen Labeling and Consumer Protection Act of 2004 (Public Law 108-282).

### **Meat**

The flesh of animals used as FOOD, including the dressed flesh of cattle, swine, sheep, or goats and other edible animals, *except FISH, POULTRY, and wild GAME ANIMALS as specified under Subparagraphs 3-201.17(A)(3) and (4).*

### **Mechanically tenderized**

(1) **“Mechanically tenderized”** means manipulating meat with deep penetration by processes which may be referred to as “blade tenderizing,” “jaccarding,” “pinning,” “needling,” or using blades, pins, needles, or any mechanical device.

(2) **“Mechanically tenderized”** does not include processes by which solutions are INJECTED into meat.

### **Medical authority**

The commander of the medical treatment facility or tactical unit, or his/her designated representative, whose authority is above the preventive medicine-, public health-, or veterinary unit-designated representative conducting preventive medicine or veterinary inspections or audits under this publication. †

### **Mobile food establishment**

A FOOD ESTABLISHMENT in an enclosed trailer, van, pushcart, recreational vehicle, or similar enclosed mobile FOOD units that are transported from site to site for the purpose of providing FOOD to CONSUMERS. *FIELD FOOD SERVICE establishments are exempted from this definition.*

### **Molluscan shellfish**

Any edible species of fresh or frozen oysters, clams, mussels, and scallops or edible portions thereof, *except when the scallop product consists only of the shucked adductor muscle.*

### **Non-continuous cooking**

(1) **“Non-continuous cooking”** means the cooking of FOOD in a FOOD ESTABLISHMENT using a process in which the initial heating of the FOOD is intentionally halted so the FOOD may be cooled and held for complete cooking at a later time prior to sale or service.

(2) **“Non-continuous cooking”** does not include cooking procedures that only involve temporarily interrupting or slowing an otherwise continuous cooking process.

### **NSF**

National Sanitation Foundation. NSF International is a not-for-profit, non-governmental organization that develops ANSI standards relative to public health considerations. The NSF, along with other accredited third-party product laboratories, tests and certifies specific food service equipment to established standards and protocols.

### **Outdated/expired product**

Indicated by the—<sup>†</sup>

(1) **“Best if used by”** and **“use-by” date**, which means the product should retain maximum freshness, flavor, and texture if used by this date. It is not a “purchase-by” or safety date. Beyond this date, the product begins to deteriorate although it may still be edible.

(2) **“Expiration date”** is a manufacturer’s *best if used by* date.

(3) **“Sell-by”** or **“pull-by” date**, used to indicate when to remove the product(s) from the shelves, but there is generally still some leeway for home usage.

### **Packaged**

(1) **“Packaged”** means bottled, canned, cartoned, securely bagged, or securely wrapped, whether PACKAGED in a FOOD ESTABLISHMENT or a FOOD PROCESSING PLANT.

(2) **“Packaged”** does not include a wrapper, carry-out box, or other nondurable container used to containerize FOOD with the purpose of facilitating FOOD protection during service and receipt of the FOOD by the CONSUMER.

### **Person**

An association, a corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.

### **Person-in-charge** *also known as PIC*

The individual present at a FOOD ESTABLISHMENT who is responsible for the operation at the time of inspection.

### **Personal care items**

(1) **“Personal care items”** means items or substances that may be poisonous, toxic, or a source of contamination and are used to maintain or enhance a PERSON’S health, hygiene, or appearance.

(2) **“Personal care items”** include items such as medicines; first aid supplies; and other items such as cosmetics; and toiletries such as toothpaste and mouthwash.

**Personal hygiene inspection**

The safety and sanitation inspection of an EMPLOYEE performed by the PERSON-IN-CHARGE. †

**pH**

The symbol for the negative logarithm of the hydrogen ion concentration, which is a measure of the degree of acidity or alkalinity of a solution. Values between 0 and 7 indicate acidity, and values between 7 and 14 indicate alkalinity. The value for pure distilled water is 7, which is considered neutral.

**Physical facilities**

The structure and interior surfaces of a FOOD ESTABLISHMENT, including accessories such as soap and towel dispensers and attachments such as light fixtures and heating or air conditioning system vents.

**Plumbing fixture**

A receptacle or device that—

- (1) Is permanently or temporarily connected to the water distribution system of the PREMISES and demands a supply of water from the system; or
- (2) Discharges used water, waste materials, or SEWAGE directly or indirectly into the drainage system of the PREMISES.

**Plumbing system**

The water supply and distribution pipes; PLUMBING FIXTURES and traps; soil, waste, and vent pipes; sanitary and storm sewers and building drains, including their respective connections, devices, and appurtenances within the PREMISES; and water-treating EQUIPMENT.

**Poisonous or toxic materials**

Substances that are not intended for ingestion and are included in four categories:

- (1) Cleaners and SANITIZERS, which include cleaning and SANITIZING agents and agents such as caustics, acids, drying agents, polishes, and other chemicals;
- (2) Pesticides, *except SANITIZERS*, which include substances such as insecticides and rodenticides;
- (3) Substances necessary for the operation and maintenance of the establishment, such as non-food-grade lubricants and PERSONAL CARE ITEMS that may be deleterious to health; and
- (4) Substances that are not necessary for the operation and maintenance of the establishment and are on the PREMISES for retail sale, such as petroleum products and paints.

**Potable water**

See DRINKING WATER. †

**Potentially Hazardous Food (Time/Temperature Control for Safety) [PHF(TCS)] Food**

(1) **“Potentially hazardous food (time/temperature control for safety food)”** means a FOOD that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

(2) **“Potentially hazardous food (time/temperature control for safety food)”** includes:

(a) An animal FOOD that is raw or heat-treated; a plant FOOD that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes, or mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation; or garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation; and

(b) Except as specified in Subparagraph (3)(d) of this definition, a FOOD that because of the interaction of its  $a_w$  and pH values is designated as Product Assessment Required (PA). For additional information regarding FOOD requiring Product Assessment, refer to the definition for **“potentially hazardous food (time/temperature control for safety food)”** specified in the 2009 FDA Food Code, Chapter 1.

(3) **“Potentially hazardous food (time/temperature control for safety food)”** does not include:

(a) *An air-cooled hard-boiled EGG with shell intact, or an EGG with shell intact that is not hard-boiled but has been pasteurized to destroy all viable **salmonellae**;*

(b) *A FOOD in an unopened HERMETICALLY SEALED CONTAINER that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution;*

(c) *A FOOD that because of its pH (<4.6) or  $a_w$  (<0.85) value, or interaction of  $a_w$  and pH values, is designated as a non-PHF/non-TCS FOOD;*

(d) *A FOOD that is designated as Product Assessment Required (PA) as noted in the 2009 FDA Food Code, Chapter 1 definition for **“potentially hazardous food (time/temperature control for safety food)”** and has undergone a Product Assessment showing that the growth or toxin formation of pathogenic microorganisms that are reasonably likely to occur in that FOOD is precluded due to—*

*(i) Intrinsic factors, including added or natural characteristics of the FOOD such as preservatives, antimicrobials, humectants, acidulants, or nutrients;*

*(ii) Extrinsic factors, including environmental or operational factors that affect the FOOD such as packaging, modified atmosphere such as REDUCED OXYGEN PACKAGING, shelf life and use, or temperature range of storage and use; or*

*(iii) A combination of intrinsic and extrinsic factors; or*

(e) *A FOOD that does not support the growth or toxin formation of pathogenic microorganisms IAW one of the Subparagraphs (3)(a)–(3)(d) of this definition even though the FOOD may contain a pathogenic microorganism or chemical or physical contaminant at a level sufficient to cause illness or injury.*

**Poultry**

(1) Any domesticated bird (chickens, turkeys, ducks, geese, guineas, RATITES, or squabs), whether live or dead, as defined in 9 CFR 381.1 Poultry Products Inspection Regulations Definitions, Poultry; and

(2) Any migratory waterfowl or game bird, pheasant, partridge, quail, grouse, or pigeon, whether live or dead, as defined in 9 CFR 362.1 Voluntary Poultry Inspection Regulations, Definitions.

**Premises**

(1) The PHYSICAL FACILITY, its contents, and the contiguous land or property under the control of the PERSON-IN-CHARGE; or

(2) The PHYSICAL FACILITY, its contents, and the land or property not described in Subparagraph (1) of this definition if its facilities and contents are under the control of the PERSON-IN-CHARGE and may impact FOOD ESTABLISHMENT personnel, facilities, or operations, and a FOOD ESTABLISHMENT is only one component of a larger operation such as a health care facility, hotel, motel, school, recreational camp, or prison.

**Preoperational**

As used in this publication, the initial inspection conducted following an *Approval to Operate* a new FOOD concession or newly renovated/constructed FOOD ESTABLISHMENTS. It does not include veterinary inspections conducted to assess daily pre-production activities at commissaries.

**Pre-prepared**

See ADVANCED PREPARED.

**Primal cut**

A basic major cut into which carcasses and sides of MEAT are separated, such as a beef round, pork loin, lamb flank, or veal breast.

**Prime Vendor**

As used in this publication, a commercial foodservice supplier designated by a DOD entity as an approved direct delivery supplier. †

**Public water system**

As stated in 40 CFR 141 National Primary Drinking Water Regulations, a community or non-community water system designed of piped water for human consumption if such a system has at least 15 service connections or regularly serves an average of at least 25 individuals at least 60 days out of the year. †

**Qualified food safety instructor**

A PERSON, military or civilian (unless exempt by military occupational specialty training and experience), who has successfully completed a FOOD safety or FOOD manager certification training course and examination process as specified under § 2-102.20 and has maintained his or her certification through periodic re-examination completed within the interval prescribed by the certification program. †

**Ratite**

A flightless bird such as an emu, ostrich, or rhea.

**Ready-to-eat food**

- (1) **“Ready-to-eat food”** means FOOD that—
  - (a) Is in a form that is edible without additional preparation to achieve FOOD safety, as specified under one of the following: ¶ 3-401.11(A) or (B), § 3-401.12, or § 3-402.11, or as specified in ¶ 3-401.11(C); or
  - (b) Is a raw or partially cooked animal FOOD, and the CONSUMER is advised as specified in Subparagraphs 3-401.11(D)(1) and (3); or
  - (c) Is prepared IAW a variance that is granted as specified in Subparagraph 3-401.11(D)(4); and
  - (d) May receive additional preparation for palatability or aesthetic, epicurean, gastronomic, or culinary purposes.
- (2) **“Ready-to-eat food”** includes:
  - (a) Raw animal FOOD that is cooked as specified under § 3-401.11 or 3-401.12, or frozen as specified under § 3-402.11;
  - (b) Raw fruits and vegetables that are washed as specified under § 3-302.15;
  - (c) Fruits and vegetables that are cooked for hot holding, as specified under § 3-401.13;
  - (d) All POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) that is cooked to the temperature and time required for the specific FOOD under Subpart 3-401 and cooled as specified under § 3-501.14;
  - (e) Plant FOOD for which further washing, cooking, or other processing is not required for FOOD safety, and from which rinds, peels, husks, or shells, if naturally present, are removed;
  - (f) Substances derived from plants, such as spices, seasonings, and sugar;
  - (g) A bakery item such as bread, cakes, pies, fillings, or icing for which further cooking is not required for FOOD safety;
  - (h) The following products that are produced IAW USDA guidelines and that have received a lethality treatment for pathogens: dry, fermented sausages, such as dry salami or pepperoni; salt-cured MEAT and POULTRY products, such as prosciutto ham, country cured ham, and Parma ham; and dried MEAT and POULTRY products, such as jerky or beef sticks; and
  - (i) FOODS manufactured as specified in 21 CFR Part 113, Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers.

(j) All shelf stable military combat rations, such as meals-ready-to-eat (MRE); heat-and-serve rations, unitized group ration-B (UGR-B); and long range patrol and survival rations. †

(k) ADVANCED PREPARED FOODS for which further cooking is not required for food safety. †

### **Reduced oxygen packaging**

(1) **“Reduced oxygen packaging”** means—

(a) The reduction of the amount of oxygen in a PACKAGE by removing oxygen; displacing oxygen and replacing it with another gas or combination of gases; or otherwise controlling the oxygen content to a level below that normally found in the atmosphere (approximately 21% at sea level); and

(b) A process as specified in Subparagraph (1)(a) of this definition that involves a FOOD for which the HAZARDS *Clostridium botulinum* or *Listeria monocytogenes* require control in the final PACKAGED form.

(2) **“Reduced oxygen packaging”** includes:

(a) Vacuum PACKAGING, in which air is removed from a PACKAGE of FOOD and the PACKAGE is HERMETICALLY SEALED so that a vacuum remains inside the PACKAGE;

(b) Modified atmosphere PACKAGING, in which the atmosphere of a PACKAGE of FOOD is modified so that its composition is different from air, but the atmosphere may change over time due to the permeability of the PACKAGING material or the respiration of the FOOD. Modified atmosphere PACKAGING includes reduction in the proportion of oxygen, total replacement of oxygen, or an increase in the proportion of other gases such as carbon dioxide or nitrogen;

(c) Controlled atmosphere PACKAGING, in which the atmosphere of a PACKAGE of FOOD is modified so that until the PACKAGE is opened, its composition is different from air, and continuous control of that atmosphere is maintained, such as by using oxygen scavengers or a combination of total replacement of oxygen, nonrespiring FOOD, and impermeable PACKAGING material;

(d) Cook-chill PACKAGING, in which cooked FOOD is hot-filled into impermeable bags which have the air expelled and are then sealed or crimped closed. The bagged FOOD is rapidly chilled and refrigerated at temperatures that inhibit the growth of psychrotrophic pathogens; or

(e) Sous-vide PACKAGING, in which raw or partially cooked FOOD is placed in a hermetically sealed, impermeable bag; cooked in the bag; rapidly chilled; and refrigerated at temperatures that inhibit the growth of psychrotrophic pathogens.

### **Refuse**

Solid waste not carried by water through the SEWAGE system.

### **Regulatory authority**

Qualified military or DOD civilian medical personnel who are representing Army, Air Force, Navy, or Marine Corps preventive medicine, public health, or veterinary services; or the

designated representative of the medical commander having jurisdiction over the FOOD ESTABLISHMENT.

**Reminder**

A written statement concerning the health RISK of consuming animal FOODS raw, undercooked, or without otherwise being processed to eliminate pathogens.

**Re-service**

The transfer of unused FOOD returned by a CONSUMER after the FOOD was served or sold and in the possession of the CONSUMER, to another PERSON.

**Restrict**

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, or unwrapped SINGLE-SERVICE or SINGLE-USE ARTICLES.

**Restricted egg**

Any check, dirty EGG, incubator reject, inedible, leaker, or loss as defined in 9 CFR 590.

**Restricted use pesticide**

A pesticide product that contains the active ingredients specified in 40 CFR 152.175 Pesticides classified for restricted use, and that is limited to use by or under the direct supervision of a certified applicator.

**Risk**

The likelihood that an adverse health effect will occur within a population as a result of a HAZARD in a FOOD.

**Safe material**

- (1) An article manufactured from or composed of materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any FOOD;
- (2) An additive that is used as specified in § 409 of the Federal Food, Drug, and Cosmetic Act; or
- (3) Other materials that are not ADDITIVES and that are used in conformity with applicable regulations of the Food and Drug Administration.

**Safe temperature**<sup>†</sup>

- (1) **“Safe temperature”** means a temperature that complies with the temperature requirements in this publication.

(2) Unless otherwise specified in this publication, the safe temperatures for PHF(TCS) are 41°F (5°C) or below and 135°F (57°C) or above.

**Salmonidae**

A family of ray-finned fish, the only living family of the order Salmoniformes. It includes salmon, trout, chars, freshwater whitefishes, and graylings. The Atlantic salmon and trout of the genus *Salmo* give the family and order their names: salmonids–Trout or salmon. †

**Sanitization**

The application of cumulative heat or chemicals on cleaned FOOD-CONTACT SURFACES that, when evaluated for efficacy, is sufficient to yield a reduction of 5 logs, which is equal to a 99.999% reduction, of representative disease microorganisms of public health importance.

**Sealed**

Free of cracks or other openings that allow the entry or passage of moisture.

**Seasonal food establishment**

A FOOD ESTABLISHMENT that is operational during a specific season or limited timeframe (greater than 14 days but less than 6 months) and is closed the remainder of the year. Examples of “**seasonal food establishments**” include a snack bar attached to an outdoor swimming pool, a recreational lakeside snack bar opened during summer months, a snack bar at a ski lift, or an ice cream or frozen desert bar near a recreation area or summer camp.

**Secretary**

The U.S. Secretary of Health and Human Services. †

**Self evaluation**

A FOOD safety and sanitation inspection performed by the foodservice PERSON-IN-CHARGE or other EMPLOYEE designated to conduct and record HACCP monitoring activities. †

**Semi-perishable food**

FOOD items that are canned, dried, dehydrated, or otherwise processed to the extent that such items may, under normal conditions, be stored in a non-refrigerated space. †

**Service animal**

An animal such as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

**Servicing area**

An operating base location to which a mobile FOOD ESTABLISHMENT or transportation vehicle returns regularly for such activities as vehicle and equipment cleaning, discharging liquid or solid wastes, refilling water tanks and ice bins, and boarding FOOD.

**Sewage**

Liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.

**Shellfish control authority**

A state, Federal, foreign, tribal, or other government entity legally responsible for administering a program that includes certification of MOLLUSCAN SHELLFISH harvesters and DEALERS for interstate commerce.

**Shellstock**

Raw, in-shell MOLLUSCAN SHELLFISH.

**Shiga toxin-producing *Escherichia coli* (or STEC)**

Any *E. coli* capable of producing Shiga toxins (also called verocytotoxins or “Shiga-like” toxins). Examples of serotypes of STEC include both O157 and non-O157 *E. coli*. Also see **ENTEROHEMORRHAGIC ESCHERICHIA COLI**.

**Shucked shellfish**

MOLLUSCAN SHELLFISH from which one or both shells have been removed.

**Single-service articles**

TABLEWARE, carry-out UTENSILS, and other items such as bags, containers, placemats, stirrers, straws, toothpicks, and wrappers that are designed and constructed for one-time, one-PERSON use, after which they are intended for discard.

**Single-use articles**

(1) “**Single-use articles**” means UTENSILS and bulk FOOD containers designed and constructed to be used once and discarded.

(2) “**Single-use articles**” includes items such as waxed paper, butcher paper, plastic wrap, formed aluminum FOOD containers, jars, plastic tubs or buckets, bread wrappers, pickle barrels, ketchup bottles, and number 10 cans which do not meet the materials, durability, strength, and cleanability specifications under §§ 4-101.11, 4-201.11, and 4-202.11 for multiuse UTENSILS.

**Slacking**

The process of moderating the temperature of a FOOD such as allowing a FOOD to gradually increase from a temperature of -10°F (-23°C) to 25°F (-4°C) in preparation for deep-fat frying or to facilitate even heat penetration during the cooking of previously block-frozen FOOD such as shrimp.

**Smooth**

- (1) A FOOD-CONTACT SURFACE having a surface free of pits and inclusions and a cleanability equal to or exceeding that of (100 grit) number 3 stainless steel;
- (2) A nonFOOD-CONTACT SURFACE of EQUIPMENT having a surface equal to that of commercial grade hot-rolled steel free of visible scale; and
- (3) A floor, wall, or ceiling having an even or level surface with no roughness or projections that will render it difficult to clean.

**Sous-vide** (pronounced sue veed, French for “under vacuum”)

A specialized reduced oxygen process for partially cooked ingredients alone or combined with raw foods that require refrigeration or frozen storage until the package is thoroughly heated immediately before service. †

**Splash zone**

Surfaces subject to routine splash, spillage, or other FOOD soiling during normal use. “**Splash zone**” is an area adjacent to a FOOD zone, or surfaces that normally come in contact with FOOD. †

**Tableware**

Eating, drinking, and serving UTENSILS for table use such as flatware, including forks, knives, and spoons; hollowware, including bowls, cups, serving dishes, and tumblers; and plates.

**Temperature measuring device**

A thermometer, thermocouple, thermistor, or other device that indicates the temperature of FOOD, air, or water.

**Temporary food establishment**

A FOOD ESTABLISHMENT that operates for a period of no more than 14 consecutive days in conjunction with a single event or celebration.

**Tri-Service Food Code Working Group**

Comprised of food sanitation and safety subject matter experts from the Air Force, Army, and Navy/Marine Corps public health organizations, and DOD Veterinary Services Activity. †

**Unitized group ration** *also known as UGR*

Military operational rations configured as either shelf-stable tray packs combined with other semi-perishable products (UGR-H&S, UGR-B and UGR-E), or a combination of perishable and semi-perishable FOOD items (UGR-A). †

**Utensil**

A FOOD-CONTACT implement or container used in the storage, preparation, transportation, dispensing, sale, or service of FOOD, such as KITCHENWARE or TABLEWARE that is

multiuse, SINGLE-SERVICE, or SINGLE-USE; gloves used in contact with FOOD; temperature sensing probes of FOOD TEMPERATURE MEASURING DEVICES; and probe-type price or identification tags used in contact with FOOD.

**Variance**

A written document issued by the MEDICAL AUTHORITY that authorizes a modification or waiver of one or more requirements of this standard if, in the opinion of the REGULATORY AUTHORITY, a health HAZARD or nuisance will not result from the modification or waiver. The word “**variance**” as used in this publication refers only to a modification of a FOOD sanitation or safety control in the FOOD ESTABLISHMENT. †

**Vending machine**

A self-service device that, upon insertion of a coin, paper currency, token, card, key, or by optional manual operation, dispenses unit servings of FOOD in bulk or in packages without the necessity of replenishing the device between each vending operation.

**Vending machine location**

The room, enclosure, space, or area where one or more VENDING MACHINES are installed and operated; includes the storage areas and areas on the PREMISES that are used to service and maintain the VENDING MACHINES.

**Warewashing**

The cleaning and SANITIZING of UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT.

**Whole-muscle, intact beef**

Whole-muscle beef that is not injected, mechanically tenderized, reconstructed, or scored and marinated, from which beef steaks may be cut.

By Order of the Secretaries of the Army, the Navy, and the Air Force:

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