

# CITY OF LYNN

## GRADING POLICY FOR PERMANENT FOOD ESTABLISHMENTS



November 19, 2008  
Inspectional Services Department  
Health Division  
3 City Hall Square  
City Hall, Room 401  
Lynn, MA 01901

# Table of Contents

Introduction .....	1
Common Terminology .....	2
Inspection Categories .....	3
Routine Inspections	
Re-inspections	
Re-score Inspection	
Understanding the Official Inspection Report Form .....	4
Understanding the Grade .....	5
The Inspection Summary Report .....	6
How Violations Are Identified .....	7
Self-Inspection Checklist .....	27
Departmental Policies .....	30
Appeal Process .....	32

# Introduction

This Grading Policy for Permanent Food Facilities provides information to the food service operator on all matters related to the Inspection Report Form (IRF), the grading system, the retail food inspection process, and common terminology utilized by the City of Lynn ISD, Health Division Food Program. The policy serves not only as a reference manual but as an educational tool to assist the food service operator in self-assessment using the same criteria currently in use by the Food Program.

The IRF is used both to document violations observed in a food facility and to calculate the final grade based on compliance with Federal, State and local laws, regulations, codes and ordinances. This policy provides detailed information on each category found in the IRF along with examples of violations that may be identified in each respective category. In addition, the policy has been updated to provide pertinent sections of the Retail Food Code as well as procedures to assist in compliance.

To help the food operator maintain a food facility in compliance with the law and to prepare the food operator for the inspection process, a series of supplemental documents have been included in this policy.

- Common Terminology -The terms are defined so that everyone can communicate clearly and openly during the inspection process.
- Understanding the Inspection Report Form – A description of specific sections of the inspection form.
- Inspection Report Form-Routine Inspection Check list
- How Violations are Identified – An explanation of the violations listed on the Inspection Report Form.
- Self-inspection Guide - Allows an operator or manager to complete an inspection using the same criteria as the Health Division.
- Department Policies - Policies and procedures your inspector follows and how those policies may affect your business.

If you have questions regarding your IRF, actions by your inspector or the Department, or any applicable law or regulation, please contact our office:

City of Lynn, Inspectional Services Department, Health Division  
3 City Hall Square, City Hall, Room 401, Lynn, MA 01901  
Telephone (781) 598-4000

Or

The Massachusetts Department of Public Health  
Food Protection Program  
305 South St.  
Jamaica Plain, MA 02130  
(617)983-6770/6700

## Common Terminology

The success of any food inspection program requires a clear understanding of the common terminology used by the Food Inspector and the food industry. The terms below are defined so that everyone can communicate clearly and openly during the inspection process.

Approved Source is a producer, manufacturer, distributor, or food facility that is licensed or permitted by a local, state or federal agency based on a determination of conformity with applicable laws that protect public health.

Massachusetts Department of Public Health, Division of Food and Drugs, Food Establishment Inspection Code dealing with safe food preparation and handling in retail food facilities.

Cross Contamination is the transfer of disease-causing microorganisms, such as bacteria and viruses, from one food to another.

Food-borne Illness is an infection or intoxication caused by a bacteria, virus or parasite transmitted by a food.

Food Facility means any room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, manufacturing, packaging, transporting, salvaging or otherwise handling food at the retail level.

Retail means the food product is dispensed or sold directly to the consumer.

HACCP Plan is a written document that details the formal procedures for following the Hazard Analysis Critical Control Point (HACCP) principles. The HACCP method is, by definition, focused on identifying hazards which might result in consumers receiving harmful food products. The document is a quality management system which identifies and evaluates points during food production in order to set up measures and control hazards to ensure food safety.

Pathogen is a micro-organism, such as bacteria or virus that is capable of causing disease or illness after entering the body.

Permit Suspension is an action taken by the Board of Health and/or the Health Division to order a facility temporarily closed.

Permit Revocation is an action taken by the Board of Health and/or the Health Division to order a facility permanently closed.

Potentially Hazardous Food (PHF) a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms.

# Inspection Categories

Routine Inspections are unannounced and conducted three (3) times/year or more often if determined by a risk assessment. The risk assessment evaluates the food, preparation, and the population served in determining the potential risk to the public for the occurrence of Food-borne illness. The inspector conducts an in-depth evaluation of the facility and records violations on the IRF.

Re-inspections are inspections initiated by the inspector when the routine inspection reveals serious or repeat violations at the facility. This is not a routine inspection and only the issues noted on the original IRF are addressed. The grade will not be changed until the next routine inspection. Re-inspections are not included in the annual ISD, health permit fee so an **additional charge of \$50** is incurred by the owner when upon re-inspection the violation(s) has not been addressed and a second re-inspection is required.

Re-Score Inspection is a re-evaluation of the facility requested by the owner which is conducted as a routine inspection in order to have the facility re-scored. In addition, a subsequent unannounced inspection will be performed within 60 days of the requested re-score inspection to ensure compliance. A fee of **\$50** will be required and paid at the time of the request. A re-score inspection is limited to once per fiscal year. Requesting a re-score inspection is not a guarantee of receiving a higher grade.

# Understanding the Inspection Report Form (IRF)

The City of Lynn ISD, Health Division is responsible for enforcing sections of Massachusetts Department of Public Health, Division of Food and Drugs and the Lynn Health Division Food Protection Program. To ensure that each food facility is in compliance with Codes, the ISD, Food Inspector and/or Health Inspector, conducts inspections.

Any violation of the applicable Codes and/or regulations is documented on the Inspection Report Form (IRF), which is issued by the Food/Health Inspector at the conclusion of the inspection. This report is used for routine inspections, complaints, Food-borne illness investigations and other inspections to indicate the status of the food facility at the time of the inspection.

The intent of the IRF is to recognize the varying degrees of risk associated with violations of the applicable laws, codes, and regulations. The report contains ten categories of potential violations for documenting violations and information. When completed, the IRF provides the food service operator with important information to identify areas within their operation that have the greatest potential for the spread of Food-borne illness or other health hazards.

The IRF identifies critical violations that directly relate to the transmission of Food-borne illness. The presence of a critical violation poses a health hazard and warrants immediate correction. Five to ten points are deducted for each item marked from the total score. Noncritical violations which pose a health hazard and warrant correction are listed and one to five points are deducted for each item from the total score.

Violations that present an immediate threat to public health have been assigned 35 points (no operable refrigeration equipment, inoperable toilets, sewage backup into facility, no water, no hot water and severe vermin infestation). A facility will be closed immediately.

A re-inspection will be conducted after the initial inspection date. Failure to comply may result in legal action. A re-inspection fee of \$25.00 will be charged for services required **after an initial re-inspection** to determine compliance with applicable laws and regulations. Charges are payable at the Inspectional Services office, #3 City Hall Sq, Rm. 401, before the second re-inspection will be scheduled and performed. Failure to schedule a second re-inspection within the timeframe determined by the inspector may result in temporary suspension of license.

Signature of Food Inspector and Signature of Recipient at time of inspection are required.

## Understanding the Grade

The purpose in performing food inspections is to protect the public by preventing incidents of Food-borne illness. The ISD, Health Division employs the grading system as an indicator that the public can use to determine the standing of a facility in conforming to current health and safety requirements. Violations on the IRF have been assigned a specific point value based on the associated public health risk. The grade the food facility receives reflects the status of the food facility at the time of the inspection. Each food inspection begins with 100 points. As the Food Inspector conducts the inspection, violations found are marked on the corresponding box of the IRF. The point value from each marked violation is summed and this total is then deducted from the initial 100 points. Letter grades are assigned based on the facility score as indicated in the chart below. At the conclusion of the routine inspection, the ISD, Food or Health Inspector will place the Inspection Summary Report in the facility window or other approved location.

Beginning of the Inspection	100 points
Total points deducted	- points
	-----
Remaining points	= Score

An Inspection Summary Report (A (Blue), B (Green), C (Yellow)) or a **Notice of Closure** will be issued at the end of the inspection based on the remaining points:

**86 to 100 points** **A** Good food handling practices and overall food facility maintenance and sanitation.

**76 to 85 points** **B** Adequate food handling practices and overall food facility maintenance and sanitation.

**66 to 75 points** **C** Minimally acceptable food handling practices and overall food facility maintenance and sanitation. A mandated re-inspection will be conducted in 7 days to ensure improved food handling practices and overall food facility maintenance and sanitation. The “**C**” grade will remain posted until the next routine inspection.

**0 to 65 points** **Notice of Closure**

Poor food handling practices and overall food facility maintenance and sanitation. The facility shall be immediately closed. The Food Permit will be suspended and a Notice of Closure will be posted until the Food Permit is reinstated. The facility must remain closed for the remainder of the inspection date and the next business day. At the conclusion of the inspection conducted to reopen the facility, a new Inspection Summary Report will be posted. That Inspection report will stand until following routine inspection. **No re-score inspection will be conducted following a Notice of Closure.**

*Example of Actual Inspection Summary Report*

# Inspection Summary Report

Facility: \_\_\_\_\_  
Address: \_\_\_\_\_

# GRADE

# A

TAMPERING OR REMOVAL OF THIS REPORT IS A VIOLATION WHICH WILL RESULT IN CLOSURE OF THIS ESTABLISHMENT.

\_\_\_\_\_  
Inspected by:

Health Division,  
Inspectional Service Department  
3 City Hall Square, Room 401  
Lynn, MA 01901  
(781-598-4000)

\_\_\_\_\_  
DATE

# How Violations Are Identified

The Grading Policy for Permanent Food Facilities has been developed to establish criteria that will be used to evaluate food handling practices and overall maintenance and sanitation at food establishments within City of Lynn. The following information has been provided to help the food operator prepare for the inspection process.

## ***FOOD-BORNE ILLNESS RISK FACTORS – CRITICAL (5-10 points)***

### **Holding Temperatures**

#### **Cold holding of potentially hazardous food.**

Potentially hazardous food shall be maintained at or below 41°F.

This subcategory will be marked if potentially hazardous foods are maintained at the improper temperature measured equal to or above 42°F.

#### **Violation Examples:**

- temperature of potentially hazardous food is 56°F in a refrigeration unit
- numerous ready-to-eat food items in a deli display case measured equal to or above 42°F
- 1 tray of raw sliced chicken in a walk in refrigerator measured equal to or above 42°F
- previously refrigerated shell eggs stored at room temperature
- pooled eggs, shelled eggs held at room temperature for more than 4 hours

#### **Exception:**

Mass Food Code states the following food product may be held at or below 45°F:

- Raw shell eggs.

This subcategory will be marked if the temperature of the above excepted item is found equal to or above 46°F.

#### **Hot holding of potentially hazardous food.**

Potentially hazardous food shall be maintained at or above 135°F.

This subcategory will be marked if potentially hazardous foods are maintained at the improper temperature measured below or equal to 135°F.

#### **Violation Examples:**

- multiple potentially hazardous foods in a steam table measure below or equal to 135°F
- 1 quart beef gravy in a steam table measures below or equal to 125°F
- temperature of a potentially hazardous food is 120°F in a hot holding unit

#### **Cooling of potentially hazardous food.**

After heating or hot holding, potentially hazardous food shall be rapidly cooled from 135°F to 70°F within two hours and from 70°F to 41°F or below within four hours by an approved method (see below) and totals six hours. Potentially hazardous food prepared with ingredients at ambient temperature shall be cooled to 41°F within 4 hours.

Approved cooling methods are:

- (1) Placing the food in shallow pans

- (2) Separating the food into small or thin portions
  - (3) Using rapid cooling equipment
  - (4) Using containers that facilitate heat transfer
  - (5) Adding ice as an ingredient
  - (6) Using ice paddles
  - (7) Inserting appropriately designed containers in an ice bath and stirring frequently
- This subcategory will be marked if potentially hazardous foods are held at the improper temperature as a result of improper cooling practices. The potentially hazardous food will be evaluated for time/temperature criteria.

Examples:

- beans cooling in a deep container in the refrigerator for more than 2 hours and temperature is measured at 125°F
- potentially hazardous food on food preparation table at 115°F, no approved cooling method on-going
- tuna salad prepared on site is out of temperature

**Reheating of potentially hazardous food.**

Potentially hazardous food that is cooked, cooled, and reheated for hot holding shall be rapidly reheated to an internal temperature of 165°F for 15 seconds. The time the food is between 41°F and 165°F shall not exceed two hours. Ready-to-eat potentially hazardous foods taken from commercially processed, hermetically sealed containers shall be heated to 135°F for hot holding.

This subcategory will be marked if potentially hazardous foods are not being rapidly reheated to 165°F prior to hot holding or hermetically sealed containers are not heated to 135°F prior to hot holding.

Violation Examples:

- leftover potentially hazardous food being reheated in a steam table
- nacho cheese from a sealed can is not heated to 135°F

## **Cooking Temperatures**

**Cooking temperatures of raw animal foods and plant foods.**

All read-to-eat foods prepared at a food facility from raw or incompletely cooked food of animal origin shall be cooked to heat all parts of the food to a temperature and for a time that complies with the following:

- (1) Raw shell eggs that are broken for immediate service, fish and single pieces of meats including beef, veal, lamb and pork shall be heated to a minimum temperature of 145°F for 15 seconds.
- (2) Ratites, injected meats, comminuted meat and any food containing comminuted meat, raw eggs and any food containing raw egg shall be heated to a minimum internal temperature of 155°F for 15 seconds.
- (3) Poultry, comminuted poultry, stuffed fish, stuffed meat, stuffed poultry, stuffed ratites, stuffed pasta and food stuffing containing meat, fish or poultry, or ratites shall be heated to a minimum internal temperature of 165°F.
- (4) Whole roasts, corned beef roasts, pork roasts, and cured pork roasts such as ham shall be cooked at an internal temperature of 130°F or above.
- (5) Microwaved raw or incompletely cooked food shall be heated to an internal temperature of 165°F.
- (6) Fruits and vegetable that are cooked for hot holding shall be cooked to a minimum temperature of 135°F.

This subcategory will be marked when food is not cooked to the required temperatures and time.

Examples:

- hamburger patty is removed from grill and the temperature is immediately measured at 145°F for assembly as a hamburger
- stuffed poultry is removed from oven and the temperature is immediately measured at 155°F

## **Food Handler Health and Hygiene**

### **Hands clean and washed as required.**

All employees shall thoroughly wash their hands and that portion of their arms exposed to direct food contact.

- Immediately before engaging in food preparation, including working with nonprepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.
- After touching bare human body parts other than clean hands and clean, exposed portions of arms.
- After using the toilet room.
- After caring for or handling any animal allowed in a food facility.(i.e. a “See and I Dog”)
- After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating or drinking.
- After handling soiled equipment or utensils.
- As often as necessary, during food preparation, to remove soil and contamination and to prevent cross-contamination when changing tasks.
- When switching between working with raw food and working with ready-to-eat food.
- Before donning gloves for working with food.
- Before dispensing or serving food, handling clean tableware and serving utensils in the food service area.

This subcategory will be marked when an employee fails to wash their hands as required.

Examples:

- food handler fails to wash hands after returning from a nonfood-related activity
- employee observed to have dirty hands and nails
- food handler preparing raw chicken fails to wash hands prior to handling clean customer utensils or ready-to-eat food
- food handler wipes hands on a soiled towel and resumes food handling
- bus boy cleared table of dirty dishes and placed clean utensils on table without washing hands

### **Employee personal hygiene, health, open sores, cuts.**

The person in charge shall do either of the following: (1) exclude a food employee from a food facility if the food employee is diagnosed with an infectious agent; (2) restrict a food employee from working with exposed food; clean equipment, utensils and linens; and unwrapped single-service and single-use articles if the food employee is suffering from symptoms of an acute gastrointestinal illness. Gloves shall be worn

when contacting food and food-contact surfaces if the employee has any cuts, sores, rashes, artificial nails, nail polish, rings, support devices or fingernails that are not clean, smooth or neatly trimmed. Food employees experiencing, while at work, persistent sneezing, coughing, runny nose that is associated with discharge from the eyes, nose, or mouth shall not work with exposed foods; clean equipment, utensils or linens; or unwrapped single-use utensils. All food employees preparing, serving, or handling food or utensils shall wear restraints to effectively keep their hair from contacting non-prepackaged food, clean equipment, utensils, linens, and unwrapped single-use articles.

This subcategory will be marked when a food handler is observed:

1. persistently sneezing or coughing
2. using gloves improperly
3. with a bandage/open wound on the hand without approved coverings and gloves
4. has cuts, rashes, and sores that are likely to transmit diseases
5. is performing their duties in a manner which may transmit disease to others

Violation Examples:

- food handler has a cut that is covered with a band aid, but is not wearing a glove
- food handler engaged in activities such as licking fingers, touching mouth, touching nose, expectorating, or touching hair
- a food handler working while sick

#### **Employee uses utensils for ready-to-eat food.**

Food employees shall make no bare hand and/or arm contact with food.

Food employees must use: clean utensils such as scoops, forks, tongs, paper wrappers, or other implements to store, cook, prepare ready-to-eat foods or raw foods if **clean** non-latex gloves are not being used.

This subcategory will be marked when employees have not washed their hands, are not using utensils and/or not using clean non-latex gloves while making first hand contact with food.

Violation Examples:

- an employee is not wearing clean non-latex gloves while handling raw shrimp
- an employee has not washed his hands before placing salad, without the use of tongs/or gloves, onto a plate
- an employee has not washed his hands before placing nuts, without the use of a utensil, on an ice cream sundae

#### **Handwashing sink - soap and towels.**

Handwashing facilities shall be provided within or adjacent to toilet rooms. Cleanser and single-use sanitary towels or heated air hand drying device (hand dry provisions) shall be provided at or adjacent to hand washing sinks.

This subcategory will be marked to indicate a lack of handwashing supplies or inadequate hand washing facilities in the facility.

Violation Examples:

- missing/empty/nonfunctional single-service soap and/or hand dry provisions
- only drying device at the handwashing sink is inoperable

#### **Handwashing sink - warm water, accessible.**

Food facilities that handle nonprepackaged foods shall provide facilities exclusively for handwashing in food preparation/kitchen areas. Handwashing

facilities shall provide warm water under pressure for a minimum of 20 seconds through a mixing valve or combination faucet. The handwashing sinks shall be clean, unobstructed and accessible at all times for employee use.

This subcategory will be marked to indicate a lack of a handwashing sink in kitchen area; a handwashing sink that is not accessible to food handlers or is inadequate/lacking fixtures.

Violation Examples:

- lack of handwashing sink in kitchen area
- handwashing sink removed after final walk-through inspection by health inspector
- missing faucet and/or handle at handwashing sink
- any handwashing sinks blocked/inaccessible

## **Equipment and Utensils**

### **Food contact surfaces clean, sanitized as required.**

Food shall be prepared with suitable utensils and on surfaces that, prior to use, have been scrubbed, cleaned, rinsed and sanitized. Equipment, food contact surfaces and multi-service

utensils shall be effectively washed to remove or completely loosen soils by the use of manual or mechanical methods 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. Food contact surfaces sanitized as required between types of animal products, between raw food of animal origin and ready-to-eat food, and between raw fruits or vegetables and potentially hazardous food, before using a food temperature measuring device, at any time contamination occurs, and throughout the day at least every 4 hours.

This subcategory will be marked for violations involving the improper sanitization of kitchen utensils or food contact surfaces.

Violation Examples:

- failure to clean and sanitize the cutting board after processing raw meats and before handling ready-to-eat food
- failure to sanitize probe thermometers before each use
- failure to clean and sanitize the prep table between processing raw meats and cooked meats

### **Proper sanitizing method, residual temperature contact time.**

Multi-use utensils shall be sanitized using the following method - wash, rinse, proper sanitizing rinse:

- Contact with a solution of 100 ppm available chlorine solution for 30 seconds;
- Contact with a solution of 25 ppm available iodine for one minute;
- Contact with a solution of 200 ppm quaternary ammonium for one minute;
- And/or contact with water at least 171°F in Manual Warewashing Equipment and 180°F in Mechanical Warewashing Equipment for 30 seconds.

Wiping cloths shall be held in proper sanitizing solution.

This subcategory will be marked for violations involving the lack of sanitization methods.

Violation Examples:

- storing towels in a bucket with excessively soiled water
- lack of washing/sanitizing equipment

- improper sanitizing of kitchen utensils
- absence of soap or sanitizing solution or the inability to heat sanitize
- no detectable sanitizer during manual/mechanical dishwashing
- high temperature dish machine fails to reach a minimum temperature of 180°F at the manifold
- no measurable sanitizer in the bucket(s) used to hold wiping towels
- multiple wiping cloths used more than once for wiping food preparation surfaces and not stored in a sanitizer solution bucket after each use.

### **Hot and cold water available.**

An adequate, protected, pressurized, potable (drinkable) supply of hot and cold water shall be provided at all times.

This subcategory will be marked when the hot water measures 110°F or below and unpackaged food is handled.

#### **Violation Examples:**

- food facilities that handle open food or multi-use utensils with a water temperature of less than 110°F throughout the establishment
- the water temperature at any critical sink (handwashing, food preparation, utensil washing) is less than 110°F

## **Approved Source**

### **Food obtained from an approved source.**

All food and water shall be obtained from approved sources. **No food shall be prepared at home.** This subcategory will be marked when food has been determined to be from an unapproved source or no invoice is available to substantiate the source.

#### **Violation Examples:**

- shellfish harvested from unapproved waters
- animal from a personal hunting trip served at a food facility
- food received at food facility from an unpermitted facility or private home
- facility has no cooking facilities and is serving food prepared at home

### **Records, shellfish tags maintained.**

Raw shucked shellfish and raw frozen molluscan shellfish shall have a label or tag identifying the species, quantity, harvest site, date of harvest, name and certification number of the harvester or original shipper for each container. Shellfish tags shall be retained for 90 days after receipt and kept in chronological order.

Molluscan shellfish shall not be removed from the container in which they are received other than immediately before sale or preparation for sale.

This subcategory will be marked when raw or raw frozen shellfish are lacking the appropriate label or the tags have not been retained for 90 days after receipt.

#### **Violation Examples:**

- no tags/records to verify that shellfish are harvested from certified waters
- failure to maintain shellfish certification tags/records for 90 days from receipt of product

### **Food received at proper temperature and condition.**

Food shall be inspected upon receipt and prior to any use, storage, or resale. Food shall be accepted only if the inspection conducted determined that the food: was

prepared and received from an approved source; is in containers that are not contaminated or damaged; is in containers and on pallets that are not infested with vermin. Potentially hazardous food shall be inspected for signs of spoilage. Upon receipt, potentially hazardous food shall be free of evidence of previous temperature abuse.

This subcategory will be marked for the improper inspection of food upon delivery; the receipt of food that shows signs of spoilage, temperature abuse or infestation of vermin.

Violation Examples:

- supplier delivers load at peak time and the manager accepts the food without inspecting potentially hazardous food for temperature abuse, vermin and/or adulteration in a timely manner
- receipt of potentially hazardous food items transported in an unrefrigerated truck

**After served, food is not re-served or reused.**

Unpackaged food that has been served to any person or returned from any eating area shall not be served again or used in the preparation of other food.

This subcategory will be marked to indicate previously served food that is then reserved to a different customer or used for preparation of another dish.

Violation Examples:

- open pitcher of cream for coffee used at one table then moved to another table for use by another customer
- leftover tortilla chips taken from customer table and placed in bulk bin to be served to another customer
- soup removed from customer and returned to stock pot for re-service

**Food protected from cross contamination.**

Food is protected from cross contamination by:

(1) Separating raw food of animal origin from raw ready-to-eat food during transportation, storage, preparation, holding and display.

(2) Separating types of raw food of animal origin from each other during transportation, storage, preparation, holding, and display, except when combined as ingredients.

This subcategory will be marked for violations that would expose ready-to-eat food to contamination from raw animal food such as raw meat, poultry, fish or eggs during storage and display unless combined as an ingredient.

Violation Examples:

- raw uncovered chicken stored above exposed ready-to-eat food
- raw shrimp stored adjacent to cold cuts in a meat display case

**Food protected from contamination.**

Food prepared, stored, displayed, dispensed, placed, transported, sold and served as to be protected from contamination such as dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, customer contamination, or other contamination.

This subcategory will be marked when food is being prepared and conditions or actions place the food at risk for contamination.

Violation Examples:

- contamination by chemical substance
- washing utensils or hands over food in a food preparation sink
- use of a mop sink, handwashing sink or warewashing sink to defrost meat

or preparation/storage of food

- missing sneeze guards

### **Food free from contamination, adulteration.**

All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage. Adulterated includes food that bears or contains any poisonous or deleterious substance that may render the food impure or injurious to health. Food is also adulterated if it is manufactured, prepared, or stored in a manner that deviated from a HACCP Plan.

This subcategory will be marked if food products are adulterated and would pose an immediate risk of injury or illness.

#### Violation Examples:

- physical contamination - foreign object found in food product
- damaged canned goods found to be leaking or that have been adulterated

### **Chemicals properly packaged, used, labeled, stored.**

All poisonous or toxic materials shall be properly stored in containers labeled as to contents, hazard and use, and shall be stored in a separate location to prevent contamination of food, equipment, utensils, linens, and single-use articles. A container previously used to store poisonous or toxic materials shall not be used to store, transport, or dispense food, utensils, or single-use articles.

This subcategory will be marked for violations involving the improper storage or use of pesticides, insecticides, rodenticides, or non-food chemicals that pose a high risk to public health.

#### Violation Examples:

- open container of bleach/sanitizer above a food preparation area
- automatic insecticide spray dispenser in a food or utensil area
- an unapproved insecticide used in the food facility
- chemicals stored in a food container (chemical mistaken for food product)
- using an unapproved lubricant for food equipment

## **Food Preparation**

### **Thawing of frozen potentially hazardous food.**

Frozen potentially hazardous food shall only be thawed by using one of the following methods

- In a refrigeration unit at 41°F or below
- Completely submerged under cool potable running water for a period not to exceed two hours.
- In a microwave, if immediately followed by preparation
- Or as part of the cooking process (e.g. hamburger patties)

This subcategory will be marked for improper thawing methods.

#### Examples:

- chicken thawing at room temperature on a food prep table
- shrimp thawing in standing water

### **Preparation of potentially hazardous food.**

If it is necessary to remove potentially hazardous food from the specified holding

temperatures to facilitate preparation, this preparation shall in no case exceed two hours without a return to the specified holding temperatures. This subcategory will be marked when the preparation of potentially hazardous food exceeds 2 hours and the temperature is measured between 50°F and 130°F and preparation is not observed.

Examples:

- raw chicken observed on the food preparation table at 80°F, has been held for less than 3 hours, and the cook is not observed actively engaged in the preparation of chicken
- cooked turkey soup is in a large pot on a stove at 120°F, stove is turned off, food has been held for 3 hours, no approved cooling method on-going, and the cook is not observed actively engaged in serving the soup

### **Food prepared in approved area.**

All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage. All food must be prepared in an approved facility. Adequate and suitable counter space shall be provided for all food preparation operations.

The subcategory will be marked when food is being prepared in an unapproved area.

Violation Examples:

- preparing food on the floor
- washing produce in a mop sink
- using a sink as food preparation surface or counter space
- preparing food in an office, storage room, dining room, or any other unapproved area

## **Food Handler Health and Hygiene**

### **Employee personal hygiene, health, open sores, cuts.**

The person in charge shall do either of the following: (1) exclude a food employee from a food facility if the food employee is diagnosed with an infectious agent; (2) restrict a food employee from working with exposed food; clean equipment, utensils and linens; and unwrapped single-service and single-use articles if the food employee is suffering from symptoms of an acute gastrointestinal illness. Gloves shall be worn when contacting food and food-contact surfaces if the employee has any cuts, sores, rashes, artificial nails, nail polish, rings, support devices or fingernails that are not clean, smooth or neatly trimmed. Food employees experiencing, while at work, persistent sneezing, coughing, runny nose that is associated with discharge from the eyes, nose, or mouth shall not work with exposed food, clean equipment, utensils or linens, or unwrapped single-use utensils. All food employees preparing, serving, or handling food or utensils shall wear restraints to effectively keep their hair from contacting nonprepackaged food, clean equipment, utensils, linens, and unwrapped single use articles.

This subcategory will be marked when an employee's hygiene or improper use of gloves will lead to contamination of food products and poses a minor risk.

Violation Examples:

- artificial nails worn, but no gloves being used
- lack of clean, washable outer garments or other clean uniforms
- inadequate hair confinement

- multiple/uncleanable rings worn by food handler

### **Valid food safety certification. Demonstration of knowledge.**

All food employees shall have adequate knowledge of, and shall be properly trained in food safety as it relates to their assigned duties. Each food facility shall have an owner or employee who has successfully passed an approved and accredited food safety certification examination.

This subcategory will be marked if the facility lacks a person with a valid food safety certification. This subcategory will also be marked if a food employee doesn't know the requirements of their assigned task as it relates to food health and safety.

#### Violation Examples:

- owner or employee not certified in food safety
- food safety certificate not available for review
- food safety certificate has expired
- dishwasher does not know the procedure for manually washing, rinsing and sanitizing dishes
- the cook does not know the minimum cooking temperatures for the items on the grill

## **Imminent Health Hazard – Requires Immediate Closure**

**(35 points)**

### **Inadequate or nonfunctioning refrigeration equipment.**

Equipment for cooling and heating food and for holding cold and hot food shall be sufficient in number and capacity to ensure proper food temperature control during transportation and operation.

This subcategory will be marked when all refrigeration units are not maintaining food at 41°F or less and no other cold holding equipment is available.

#### Violation Example:

- holding food in walk-in refrigeration, preparation units, or display cases, that are not maintaining food at 41°F or less and no other refrigeration units are available

### **No operable toilet facilities.**

A food facility shall provide clean toilet facilities maintained in good repair for Employees and/or for customers (when required).

This subcategory will be marked when a facility has no operable toilets.

#### Violation Examples:

- no operable toilets available for employee use
- toilet facilities have been removed or are completely inaccessible

### **Sewage overflow at facility.**

Liquid waste shall be disposed of through the approved plumbing system and shall discharge into the public sewerage or into an approved private sewage disposal system. All plumbing and plumbing fixtures shall be maintained so as to prevent any contamination, and shall be kept fully operative, and in good repair.

This subcategory will be marked when a facility's liquid wastes are not disposed through an approved plumbing system and pose an immediate danger to the public's health and safety.

Violation Examples:

- sewage overflow contaminates the interior or exterior public areas, the utensil area, food preparation area, or storage area
- overflowing toilets
- overflowing floor drains/sinks in food preparation area, utensil area or storage area

**No potable, pressurized hot and cold water supply.**

An adequate, protected, pressurized, potable (drinkable) supply of hot and cold water shall be provided at all times.

This subcategory will be marked when a facility lacks an adequate, protected, pressurized, potable supply of hot and cold water.

Violation Examples:

- no water available throughout the facility
- no hot water throughout the facility
- no water at any critical sink (handwashing, 3 compartment sink, food preparation, utensil washing)

**Severe vermin infestation.**

The premises of each food facility shall be kept free of vermin.

This subcategory will be marked when there is the presence of vermin within the food facility that contaminate food contact surfaces, food packaging, utensils or food equipment. Signs of infestation include live bodies, dead carcasses, fresh droppings, vomitus, urine stains, gnaw marks or fecal matter.

Violation Examples:

- observed live vermin contaminating food contact surfaces, food packaging, utensils, food equipment
- fresh droppings, gnaw marks, nesting, rub marks, or live rodents observed in critical area(s) such as food preparation, food storage, and utensil washing/storage areas
- signs of an active infestation of cockroaches observed in critical areas

**Additional Imminent Health Hazards:**

Fire

Power Outage

Gross Unsanitary Conditions

Communicable Disease Transmission Confirmation

Positive Food-borne Illness investigation

## *FOOD-BORNE ILLNESS RISK FACTORS – Non-Critical (1 to 5 points)*

### **Food Handler Health and Hygiene**

#### **Handwashing sink - warm water, accessible.**

Handwashing facilities shall provide warm water (110°F) under pressure for a minimum of 15 seconds through a mixing valve or combination faucet. The hand washing sinks shall be clean, unobstructed and accessible at all times for employee use.

This subcategory will be marked when handwashing sink is available/accessible to food handlers; however, there are problems that limit adequate handwashing.

#### **Violation Examples:**

- warm water pressure is not adequate
- water heater is inadequate to provide warm water to all hand wash sinks at the same time
- handwashing sink temporarily blocked by a movable item such as a cart or mop bucket

### **Equipment and Utensils**

#### **Food contact surfaces clean, sanitized as required.**

Food shall be prepared with suitable utensils and on surfaces that, prior to use, have been cleaned, rinsed and sanitized. Equipment, food contact surfaces and multiservice utensils shall be effectively washed to remove or completely loosen soils by the use of manual or mechanical methods 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. Food contact surfaces sanitized between types of animal products, between raw food of animal origin and ready-to-eat food; between raw fruits or vegetables and potentially hazardous food, before using a food temperature measuring device, at any time contamination occurs, and throughout the day at least every 4 hours.

This subcategory will be marked for violations involving the improper sanitization of kitchen utensils or food contact surfaces as required and the activity poses a minor risk.

#### **Violation Examples:**

- soap and sanitizer combined for use rather than used separately
- clean linens are stored with dirty linens
- soiled linens are not kept in designated containers
- linens are found on the floor

#### **Sanitizer concentration and test kit.**

Wiping cloths that are used for cleaning food spills shall not be used for any other purpose; shall be dry and used for cleaning food spills from tableware and carry-out containers. Dry or wet cloths that are used with raw foods of animal origin shall be kept separate from cloths used for other purposes, and wet cloths used with raw foods of animal origin shall be kept in a separate sanitizing solution. Cloths in direct contact with food shall be used only once until laundered, or if held in a sanitizing solution, when not wiping, may be used repeatedly.

This subcategory will be marked for violations involving the improper storage and use of wiping cloths that pose a minor risk.

Violation Examples:

- wet wiping cloths kept on counter and not in sanitizer bucket
- wiping cloth kept in sanitizing bucket; however, sanitizer concentration is present but below required concentration and can be adjusted.

**Food received in good condition.**

Food shall be inspected upon receipt and prior to any use, storage, or resale. Food shall be accepted only if the inspection conducted determined that the food: was prepared and received from approved source; is in containers that are not contaminated or damaged; is in containers and on pallets that are not infested with vermin. Potentially hazardous food shall be inspected for signs of spoilage. Upon receipt, potentially hazardous food shall be free of evidence of previous temperature abuse.

This subcategory will be marked for the improper inspection of nonpotentially hazardous food upon delivery and the improper transportation of food items.

Violation Examples:

- supplier delivers load at peak activity time and the manager accepts the food without inspecting cans or bulk items for wholesome conditions
- delivered non-potentially hazardous foods are received in containers that are dented or slightly damaged

**Protection from Contamination**

**Food protected from environmental contamination.**

Food prepared, stored, displayed, dispensed, placed, transported, sold and served as to be protected from environmental contamination, such as, dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, customer contamination, or other contamination.

This subcategory will be marked when food is being prepared and conditions or actions place the food at risk for contamination and present a minor risk to public health.

Violation Examples:

- potential contamination of food as a result of proximity to the splash area of sinks
- food stored in unapproved interior areas of the food facility
- unapproved/inadequately constructed sneeze guard
- cracked or soiled sneeze guard
- food stored less than 6" off the floor except large pressurized cylinders
- food and food contact utensils, shelves, stored outside the food facility

**Facility free of vermin infestation**

The premises of each food facility shall be kept free of vermin.

This subcategory will be marked when there is the presence of vermin within the food facility. There is no contamination of food contact surfaces. Signs of infestation include bodies, fresh dropping, vomitus, urine stains, gnaw marks or fecal matter.

Violation Examples:

- observed vermin in non-critical areas such as restrooms, or non-food contact surfaces such as walls and floors

- droppings, gnaw marks, nesting, rub marks, or other evidence of vermin
- flies noted in the food preparation areas

**Chemicals properly packaged, used, labeled, stored.**

All poisonous or toxic materials shall be properly stored in containers labeled as to contents, hazard and use, and shall be stored in a separate location to prevent contamination of food, equipment, utensils, linens, and single-use articles. A container previously used to store poisonous or toxic materials shall not be used to store, transport, or dispense food, utensils, or single-use.

This subcategory will be marked for violations involving the improper storage of pesticides or chemicals that pose a low risk to public health.

**Violation Examples:**

- an unapproved insect light trap found in an area where there is unprotected food or utensils
- unlabeled spray bottle in the kitchen
- an unapproved pesticide found in the janitorial closet

**Observed eating, drinking, or tobacco use.**

(a) An employee shall eat and/or drink only in designated areas where contamination of nonprepackaged food; clean equipment, utensils, and linens; unwrapped 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 the employee's hands, the container, nonprepackaged food, and food-contact surfaces.

This subcategory will be marked if an inspector observes a food employee eating or drinking in areas that may contaminate nonprepackaged food; clean equipment, utensils, and linens; unwrapped single use articles, or food contact surfaces.

(c) Smoking is not allowed in food establishments and observed evidence of smoking such as discarded smoked cigarettes or ashtrays will constitute a violation.

**Violation Examples:**

- food employee eating sandwich in food preparation area rather than breakroom
- food employee drinking from an open cup and placing cup on top of clean linens
- food employee using chewing tobacco while mixing bread dough and expectorating into nearby cup

**Packaged food, self-service bulk, properly labeled.**

Packaged food, self-service bulk food, and any food containing two or more ingredients must be properly labeled. Any food is misbranded if its labeling is false or misleading, if it is offered for sale under the name of another food, or if it is an imitation of another food for which a definition and standard of identity has been established by regulation. Food facility's or manufacturer's dating information on foods may not be concealed or altered.

This subcategory will be marked for violations regarding the proper labeling of foods and/or violations regarding truth in advertising.

**Violation Examples:**

- out-of-date baby formula being sold
- multiple prepackaged foods not properly labeled

- bulk food containers are not labeled or are improperly labeled

**Ready-to-eat food less than thoroughly cooked notification.**

Ready-to-eat food containing raw egg, comminuted meat, or single pieces of meat, beef veal, lamb, pork, poultry or fish, and seafood may be served less than thoroughly cooked if the facility notifies the consumer; unpackaged confectionary food containing more than ½% alcohol may be served if the facility notifies the consumer.

This subcategory will be marked if the customer was not notified that the food contains a specific ingredient.

**Violation Examples:**

- facility offers undercooked eggs for breakfast; however, menu does not indicate the risk associated with eating raw eggs
- facility sells confectionary items containing more than ½% alcohol without informing customer

**Accurate probe thermometer required for testing PHF.**

An accurate metal probe thermometer suitable for measuring the temperature of potentially hazardous food shall be readily available to the food handler.

This subcategory will be marked if an accurate metal probe thermometer is not available at the time of inspection.

**Violation Examples:**

- inaccurate probe thermometer
- no probe thermometer available or in use
- thermometer not appropriate to measure food such as a bi-metal stem thermometer is used for measuring the temperature of hamburger patties

**Accurate thermometer required for each refrigeration unit.**

A thermometer accurate to +/- 2°F shall be provided for each refrigeration unit and shall be located in the warmest part of the unit.

This subcategory will be marked if accurate thermometers are missing or broken in refrigeration units.

**Violation Examples:**

- broken thermometer in walk-in refrigerator
- missing/inoperable/inaccurate thermometers in any refrigeration units

**Chemical test kit for monitoring sanitizing solution.**

Testing equipment and material shall be available to adequately measure the sanitizer solution for the applicable sanitization method.

This subcategory will be marked if sanitizer testing equipment is lacking or not appropriate.

**Violation Examples:**

- lack of sanitizer test strips
- sanitizer test kit is wrong type for sanitizer used

**Employee change/storage facilities present/properly used.**

Lockers or other suitable facilities shall be located in a separate room or designated area where contamination of food, equipment, utensils, linens, and single-use articles cannot occur. Lockers or other suitable facilities shall be provided for employees to store their clothing and personal effects. Dressing rooms shall be provided for

employees that regularly change their clothes in the facility.

This subcategory will be marked for violations related to change rooms, enclosures or storage of personal items.

Violation Examples:

- living/sleeping quarters within the facility
- bedding observed
- employee clothing/personal belongings stored outside designated areas
- changing room cluttered or unclean
- changing room has been converted to another use

**Equipment maintains holding temperatures.**

Equipment for cooling and heating food and for holding cold and hot food shall be sufficient in number and capacity. All food equipment and utensils shall be kept clean, fully operative, and in good repair.

This subcategory will be marked when equipment units are not maintaining food at approved holding temperatures.

Violation Examples:

- refrigeration units that are not maintaining food at 41°F or less
- display cases units that are not maintaining food at 41°F or less
- rotisserie chicken display case maintaining food at 125°F

**Equipment/utensils approved, cleaned, good repair.**

All utensils and equipment shall be approved for use, made of nontoxic, nonabsorbent, non-corrosive materials, constructed, installed and maintained to be easily cleaned. All equipment, and utensils shall be kept clean, fully operative and in good repair.

This subcategory will be marked for violations involving the condition of the equipment, utensils, shelving or cabinets.

Violation Examples:

- broken/cracked handles on utensils
- using a cup without a handle to dispense bulk food
- a cracked sink
- chipped dishes and glassware
- rusty shelving
- missing refrigerator handle
- inoperable ice machine
- unclean utensils/equipment
- missing/dirty/moldy fan guard in refrigerators
- dirty food storage containers
- moldy refrigerator gaskets
- shelves lined with cardboard or aluminum foil
- pots/pans stored directly on the floor
- utensils stored in a mop sink

**Exhaust hoods/filters present, clean, good repair.**

Exhaust hoods and filters shall be properly installed, maintained clean, and in good repair.

This subcategory will be marked for violations with the maintenance of a mechanical ventilation system over food equipment.

#### Violation Examples:

- interior of hood and/or filters have an accumulation of grease
- filters are missing
- hood, although operable, is not on during cooking
- hood not functioning adequately
- hood is not clean

#### **Floors, walls, ceilings approved, clean, good repair.**

All food facilities and all equipment, utensils, and facilities shall be kept clean and in good repair.

This subcategory will be marked when floors/walls/ceilings, including those of walk-in refrigerators, are not clean.

#### Violation Examples:

- peeling paint/plaster on walls or ceilings
- missing/deteriorated ceilings surfaces as a result of active water intrusion
- gross accumulation of mold, grease, and/or filth on walls, ceilings and/or floors
- damaged walls such as gaps/holes in walls
- ceiling panel soiled with accumulated dust/grease
- make-up air vent/ceiling vent accumulated with grease
- buildup of decomposed food products/grease on floors
- missing base coving or floor tiles, missing or deteriorated grout between floor tiles or carpet on floors in unapproved areas
- loose metal flashing
- cardboard used on the floor
- rusty ceiling in walk-in cooler

#### **Lighting provided as required and/or shielded.**

Adequate lighting shall be provided in all areas to facilitate cleaning and inspection.

Light fixtures in areas where all open food is stored, served, prepared, and where utensils are washed shall be of shatterproof construction or protected with light shields.

This subcategory will be marked for inadequate lighting or lack of required shatterproof lights or light shields.

#### Violation Examples:

- inoperable/missing light in walk-in refrigerator, freezer, food preparation area, utensil washing area, or display cases
- inadequate lighting in food preparation and utensil washing areas
- missing light shields or non-shatterproof bulbs

#### **Premises clean, free of litter, rubbish, used articles.**

The premises of a food facility shall be kept free of litter and equipment that is unnecessary to the operation or maintenance of the facility. Non-food items shall be stored and displayed separate from food and food-contact surfaces. All food waste and rubbish containing food waste shall be kept in leakproof, non-absorbent, and rodent proof containers.

This subcategory will be marked for violations involving the cleanliness of the interior and exterior of the food establishment, including rubbish, litter and accumulations of inoperable items.

#### Violation Examples:

- widespread accumulation of filth that does not pose a direct risk of food

contamination

- exterior refuse/grease container lids left open or missing
- leaking/overflowing refuse containers (i.e. dumpsters and barrels)
- janitorial sink in disrepair and/or has an accumulation of filth
- broom stored in food preparation area, mop bucket in food area
- nonfunctioning equipment stored in a facility

**Toilet facilities present, equipped, maintained.**

Toilet facilities shall be maintained clean, sanitary and in good repair. Toilet rooms shall be separated by a well-fitting self-closing door. Toilet tissue shall be provided in a permanently installed dispenser at each toilet.

This subcategory will be marked for violations related to the condition of the toilet facilities and its accessories.

**Violation Examples:**

- unclean restroom facilities
- inoperable ceiling fan in restroom
- toilet is not secured to wall or floor
- restroom door is damaged or not self-closing
- no public restrooms accessible when required

**Facility equipped to prevent harborage of vermin.**

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

This subcategory will be marked for violations involving the possible entrance of vermin, including rodents and insects.

**Violation Examples:**

- de-activated air curtain
- inadequate air curtain to prevent the entrance of flies
- pass-thru window left open
- a gap under the door
- missing window screens or screens have holes that will allow entrance of insects

**Evidence of eating, drinking or tobacco use.**

(a) An employee shall eat or drink only in designated areas where contamination of nonprepackaged food; clean equipment, utensils, and linens; unwrapped 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 the employee's hands, the container, nonprepackaged food, and food-contact surfaces.

(c) Smoking is not allowed in food establishments and observed evidence of smoking such as discarded smoked cigarettes or ashtrays will constitute a violation.

This subcategory will be marked if an inspector observes evidence that a food employee was/is eating, drinking or using tobacco products in areas that may contaminate nonprepackaged food; clean equipment, utensils, and linens; unwrapped single use articles, or food contact surfaces.

**Violation Examples:**

- half eaten sandwich in food preparation area rather than breakroom
- an open cup containing coffee on top of clean linens

- ashtray with cigarette butts next to prep table

**Hot water between 111°F and 119°F.**

Adequate, protected, pressurized, potable supply of hot water (120°F) and cold water shall be provided at all times.

The subcategory will be marked if the facility is involved with food preparation or uses multi-use consumer utensils and the hot water temperature is between 111°F and 119°F inclusive.

Violation Examples:

- food facilities that handle open food or multi-use utensils and the hot water temperature is 111°F and 119°F inclusive at sinks except hand wash sinks
- lack of potable hot water to a limited area at less critical locations within a food facility permitted to sell open food
- no available hot water at the mop sink

**Critical sinks present, accessible, good repair.**

Critical sinks such as, handwashing, food preparation, janitorial sink, or utensil washing sinks, shall be present and supplied with hot and cold water under pressure.

All plumbing fixtures shall be properly installed of approved materials, clean and in good repair. Sinks shall be accessible.

This subcategory will be marked when a critical sink is not clean or in good repair.

Violation Examples:

- cracked sink
- lack of janitorial/mop sink
- unclean restroom sink
- food prep sink not secured to wall

**Plumbing fixture – backflow protection device.**

The potable water supply shall be protected with a backflow protection device.

This subcategory will be marked for violations involving cross connections.

Violation Examples:

- a hose, attached to any outlet fixture, that extends below the flood level rim of a sink without an approved backflow prevention device
- a missing or damaged atmospheric vacuum breaker on a garbage grinder or mechanical dishwasher
- a missing or damaged atmospheric vacuum breaker on a mop sink

**Plumbing fixture – air gap into approved receptor.**

Equipment used for preparation of food shall drain by means of an indirect waste pipe to an open floor sink.

This subcategory will be marked for violations involving equipment required to drain to an indirect connection.

Violation Examples:

- ice machine condensate draining to an exterior flower bed
- drain line without an air gap
- soda dispensing machine draining to a bucket

**Person in charge present.**

The permit holder shall be the person in charge or shall designate a person in charge

and shall ensure that a person in charge is present at the food facility during all hours of operation.

The subcategory will be marked when there is not a person in charge present during operating hours.

**Signs – handwashing, no smoking, inspection report.**

The employer shall post and maintain legible handwashing and no smoking signs in appropriate areas of the facility. The food facility shall post a notice advising patrons that a copy of the most recent inspection report form is available for review.

The subcategory will be marked if the following signs are not posted:

- handwashing sign(s)
- no smoking sign(s)
- public notification that the recent inspection report form is available upon request

**Food Permit posted.**

A food facility shall not be open for business without a valid Food permit. The permit shall be posted in a conspicuous place in the food facility. This subcategory will be marked if the establishment has failed to post a Food Permit from the City of Lynn, ISD, Health Division.

## SELF INSPECTION CHECKLIST

This checklist is provided so that you may perform periodic reviews of your food facility's operation and to assist you in identifying areas that may need improvement. Since the items listed in this checklist are considered to be related to the transmission of Food-borne illness it can also be used as a training resource for your employees. The ISD, Health Division is dedicated to working with the food operator to assure that their patrons are protected from Food-borne illnesses. The use of this self-inspection checklist is one method that will help you provide a safe and healthy dining experience for your patrons.

### FOOD

- 1. Food is purchased from an approved source (licensed by the county, state, or federal government).
- 2. Food is inspected and found to be free from contamination, adulteration, and spoilage.
- 3. Unpackaged foods which have been served or returned from the dining area are discarded.
- 4. All foods are stored a minimum of 6" off the floor.
- 5. Restrooms are not used for the storage of food, equipment, or supplies.
- 6. All paper products are stored in a manner so as to protect them from contamination.
- 7. Food, and food related products, is being protected from dirt, unnecessary handling, overhead leakage, and other forms of contamination.
- 8. All food storage containers have tight fitting lids and are properly labeled.
- 9. Foods are dispensed in the self-serve area in an approved manner.
- 10. The use of sulfites is prohibited.
- 11. Food products are labeled in an approved manner.
- 12. Food products with an alcohol content exceeding 0.5% are properly labeled.
- 13. Shellfish tags kept for 90 days; warning signs posted.

### TEMPERATURE CONTROL

- 1. Potentially hazardous foods are maintained at or below 41°F or at or above 135°F at all times.
- 2. A thermometer, accurate to + or -2°F, is provided to all refrigerators and freezers, located inside each unit at its warmest point, readily visible.
- 3. An accurate metal probe thermometer, suitable for measuring food temperatures, is readily available, sanitized between each temp check and is being used correctly to check food temperatures.
- 4. Food products are thawed in one of the following methods only: a) in refrigeration units; b) under cold running, potable water of sufficient velocity to flush loose food particles; c) in a microwave oven; d) as part of the cooking process.
- 5. Thawed food items are not refrozen.
- 6. Cooked or processed foods may be refrozen.
- 7. Rapid cooling and reheating procedures used for all potentially hazardous foods.

## PERSONNEL

- 1. An owner or employee has successfully passed an approved and accredited food safety certification examination.
- 2. Employees wash their hands with soap and warm water for the following reasons: a) before starting work; b) immediately after using the restroom; c) any time needed to prevent food contamination.
- 3. Employees handling food or utensils have no open sores, and are not sick.
- 4. Employees are wearing clean outer garments.
- 5. Tongs or other implements are used for serving food products.
- 6. Hair of employees is properly confined.
- 7. Employees do not smoke or use tobacco inside the facility.

## WATER AND SEWAGE

- 1. All sinks are fully operable with warm and cold water at each faucet.
- 2. All sinks drain properly. Floor drains and floor sinks are in good working order.
- 3. Plumbing is in good repair.
- 4. Grease traps and septic tanks are routinely serviced and logged.

## EQUIPMENT

- 1. All equipment (i.e. stoves, grills, refrigerators, tables, sinks, etc.) is clean and well maintained; food contact surfaces are properly washed and sanitized.
- 2. Inoperable equipment has been repaired or replaced (removed from the facility).
- 3. Equipment is listed or certified by NSF International or equivalent.
- 4. No equipment has been replaced, moved, or added without prior approval from the City of Lynn ISD Health Division.

## UTENSILS

- 1. Multi-service utensils are being washed using one of the following methods: a) in a three compartment sink (wash-rinse-sanitize); b) dishwasher, conforming to NSF International standards, using a chemical sanitizing rinse; c) dishwasher, conforming to NSF International standards, using rinse water that reaches at least 180°F for 30 seconds, or as specified by the manufacturing specifications..
- 2. All utensils are clean and well maintained.
- 3. Damaged or unapproved utensils have been repaired or replaced.
- 4. Utensils are properly protected during storage.

## FLOORS / WALLS / CEILINGS

- 1. Floors are clean, well maintained and in good repair.
- 2. Walls, ceilings and windows are clean, well maintained and in good repair.

## TOILET / DRESSING ROOM / HANDWASHING SINKS

- 1. Toilet facilities are clean, well maintained and in good repair.
- 2. Self-closing doors in toilet and dressing rooms are working properly.
- 3. Single service soap and towel dispensers for all handwash sinks are operable and full.
- 4. Toilet tissue dispensers are full.
- 5. Legible handwashing signs are properly posted.
- 6. Either mechanical ventilation or an openable window with a screen is provided in each restroom and are in proper working order.

## LIGHT AND VENTILATION

- 1. Adequate lighting and ventilation is provided throughout the facility.
- 2. Exhaust ventilation filters are clean and well maintained.
- 3. Light fixtures have approved safety covers.

## PEST CONTROL

- 1. Facility is free from insect and rodent infestations.
- 2. Live animals, birds, or fowl are not located in the facility.
- 3. Outside doors and screen doors are self-closing and closures are in working order.
- 4. Air curtains are operating properly.
- 5. Only approved pesticides are used and stored in the proper manner.

## REFUSE

- 1. Trash containers are leak-proof and covered.
- 2. Outside trash bin lids are closed.
- 3. Outside premises and refuse areas are clean and well maintained.

## OPERATION

- 1. Hazardous substances (example: chemicals, cleaning supplies, etc.) are properly labeled and stored away from food products.
- 2. No smoking and first aid signs (choking) are properly posted.
- 3. Cleaning equipment and soiled linens are properly stored.
- 4. Returned, damaged, or unlabeled food products are properly stored.
- 5. Facility has a current Food Permit to operate.

## THE FOLLOWING CONDITIONS ARE CONSIDERED SERIOUS. YOUR FACILITY MUST CLOSE UNTIL CORRECTIONS ARE MADE.

- 1. Overflowing sewage inside the facility.
- 2. No potable water and/or No hot water
- 3. A fire and excessive smoke has occurred
- 4. No electricity.
- 5. No operating refrigeration equipment.
- 6. Severe vermin infestation

# Departmental Policies

The ISD Health Division has policies and procedures that are in conformance with the state law or local ordinance and are used to protect the public's health and safety. These policies ensure that we perform our job in a consistent and fair manner. The following information is provided to help the food operator understand the most common policies and procedures that may apply to a food facility.

## **Suspension of Food Permits**

Suspension of a Food Permit is also commonly referred to as 'Notice of Closure' of a food facility and may occur without prior notification. A permit is suspended when:

- there is an immediate danger to the public health and safety
- the inspection score is less than 65 points

Some examples of the conditions that are an immediate danger to the public's health and safety:

- Sewage overflowing in the facility.
- Lack of potable, pressurized hot and cold water supply (e.g. presence of contaminated water or no water).
- The water temperature at any critical sink (handwashing, food preparation, utensil washing) is 110°F or less.
- Unsafe food temperatures (e.g. all refrigeration units are inoperable).
- Gross unsanitary conditions.
- Communicable disease transmission (e.g. Hepatitis A, Shigella).

If a condition exists that requires the closure of the food facility, the food inspector must inform his/her supervisor. The Food Inspector will then inform the food operator of the suspension of the Food Permit and will direct the food operator to discontinue the operation of the food facility. The food inspector will post a Notice of Closure sign. The food operator will receive the Inspection Report Form. The facility must remain closed until the Food Service Establishment Permit is reinstated.

## **Revocation of a Food Permit**

The revocation of a Food Permit is for more serious reasons, such as repeated serious violations, failure to comply with the orders on the Inspection Report Form or interference with duties of the Food/Health Inspector. The process followed is similar to suspension of a Food Permit.

The Food Inspector must obtain his/her supervisor's approval to close the facility. If the closure is approved, the Food Inspector will inform the food operator of the suspension of the Food Permit and the Board of Health's intentions to revoke the permit.

The Food Inspector will direct the food operator to discontinue the operation of the food facility and will post a Notice of Closure sign. The food operator will receive the Inspection Report Form and A Request for Hearing form. This form allows the food operator to request a hearing to show cause why the Food Permit shall not be revoked. The Lynn Board of Health must determine after a hearing whether a food facility's Food Permit will be revoked. The facility must remain closed until a new permit is issued.

## **Posting Requirements for Retail Food Facilities Inspection Summary Report**

The Inspection Summary Report, which is posted by the Food/Health Inspector, is based on the score on the Inspection Report Form. The Inspection Summary Report must be posted in an area that is clearly visible to patrons of the food facility and the public. The Inspection Summary Report must remain posted until the next routine inspection, when the inspector will post a new Inspection Summary Report.

### **Notice of Closure**

A Notice of Closure sign is posted by the Food Inspector when the Board of Health Food Permit is suspended or revoked. The sign must be posted at the main entrance until it is removed by the Food Inspector.

The facility must achieve a score of at least 66 points upon inspection for the Food Permit to be reinstated. If the facility does not achieve a score equivalent to a "B" grade, but obtains a score of 66 to 75 a C grade will be posted and a mandated re-inspection will be conducted in 7 days to ensure improved food handling practices and overall food facility maintenance and sanitation. The facility will keep the "C" grade until the next routine inspection. No re-score may be requested after a Notice of Closure.

### **Availability of Inspection Reports**

In addition to the posting requirements, the food operator is required to have available the most recent Inspection Report Form that corresponds to the posted Inspection Summary Report. The food operator is required to post a notice advising patrons *"that a copy of the most recent inspection report is available for review by interested parties"*. The inspection report must be available for review by the public when requested.

### **Re-Score Inspection**

The re-score inspection gives the food operator an opportunity to improve the food facility's Inspection Summary Report. Only one re-score inspection may be requested within each fiscal year. To have a re-score inspection, the food operator must request it on a standard form no later than seven (7) days of the original inspection. The re-score inspection will be completed within seven (7) days of the request. Before the inspection is conducted, the food operator must pay a \$50 fee to recover the costs of conducting the inspection and an unannounced routine inspection that will be completed within 60 days from the re-score inspection. At the conclusion of the re-score inspection, a new Inspection Summary Report will be posted. At the conclusion of the unannounced routine inspection, a new Inspection Summary Report will be posted. Only one re-score inspection is allowed each fiscal year.

## Appeal Process

If, after completion of an inspection, the permittee disagrees with the inspection findings or the resulting Inspection Summary Report, the permittee may request an appeal.

1. The permittee may submit a written request for an appeal on a standardized form within five (5) business days following the inspection.
2. The appeal shall be heard within three (3) business days following the receipt of the written appeal request.
3. The appeal shall be heard by the Director and/or Board of Health, at which time the appeal will be considered and a final decision will be issued within one (1) business day.
4. The previously issued Inspection Summary Report shall remain posted until the final decision by the Director and/or the Board of Health. After the final appeal decision, the new Inspection Summary Report shall be posted within one (1) business day.

## QUESTIONS?

For additional information about food permits and/or opening a new food establishment please contact Lisa Tobin, Sanitarian at [ltobin@lynma.gov](mailto:ltobin@lynma.gov) or (781) 586-6794.