



TEXAS
Health and Human
Services

**Texas Department of State
Health Services**

Marking Instructions Guide

Instructions for Marking DSHS Food Establishment Inspection Report (EH-06)

Including Texas Food Establishment Rules and Food Code References for Risk Factors/Interventions & Good Retail Practices

Marking Instructions Guide is intended to be used during inspections to ensure that observations of the provisions of the rules are not overlooked during the inspection and accurately recorded on the DSHS Food Establishment Inspection Report.

The major headings from the DSHS Food Establishment Inspection Report form are condensed in Marking Instructions Guide into key word phrases to assist the person conducting inspections in locating the citation that corresponds to a given violation and recording inspectional observations. The risk designations (Priority (P), Priority Foundation (Pf) and Core (C)) have been added to each applicable code section for reference when recording observations in the inspection report.

All references and code sections in these marking instructions are based on the Texas Administrative Code Chapter 228 (TFER) and the 2017 FDA Food Code (Food Code).

A. GENERAL MARKING INSTRUCTIONS

HEADER Information:

Establishment Complete this section using the "usual/common name" or "Doing Business As" name of the business. This information should be the same as the permit application completed at the initiation of the business.

Address	Street address of the actual business location
Zip Code	Actual business location
Telephone	Contact phone number for establishment
License/Permit #	Permit number or tracking identification
Permit Holder	Name of Owner or Operator as shown on application
Purpose	The reason for the inspection – routine, re-inspection, complaint, or follow-up, etc.
Est. Type	Description or code for describing the type of facility (e.g. restaurant, market, mobile food unit, temporary food establishment)
Risk Category	Designation of risk/priority level for determining frequency of inspection (High, Medium, Low).
Number of Repeat Violations and COS	The number of boxes marked R (repeat) and Correction on Site (COS) in items #1-56 should be counted and the total number placed here.
Score (optional)	If a jurisdiction has a scoring system, it should be incorporated into the inspection form and the score of an inspection placed here.
Date	The date of the inspection including month, day, and year
Time In	The actual time the inspection begins
Time Out	The actual time the inspection ends

B. RISK FACTORS AND INTERVENTIONS

Risk factors are food preparation practices and employee behaviors most commonly reported to the Centers for Disease Control and Prevention (CDC) as contributing factors in foodborne illness outbreaks. Risk factors include: Food from Unsafe Sources, Improper Holding Temperatures, Inadequate Cooking, Contaminated Equipment, and Poor Personal Hygiene. These items are prominent on the Food Establishment Inspection Report because maintaining these items in compliance is vital to preventing foodborne illness. Additionally, five key public health interventions were introduced in the 1993 Food Code that supplemented the other interventions long-established by the Food and Drug Administration (FDA) model codes and guidances to protect consumer health. The five key 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.

For each item on the inspection report form in the Foodborne Illness Risk Factors and Public Health Interventions section, the inspector should indicate one of the following for **COMPLIANCE STATUS: "IN"** which means that the item is in compliance; **"OUT"** which means that the item is not in compliance; **"N.O."** which means that the item was not observed during the inspection; or **"N.A."** which means that the item is not applicable for the facility. If N.A. or N.O. is not listed as an option for a particular item, this means that this item must be evaluated during the inspection and a compliance status must be determined. **If the item is marked "OUT", document details of each violation for the item number in the "Observations and Corrective Actions" section on the second page of the inspection report.** Compliance status should be determined as a result of observations that establish a pattern of non-compliance. Consideration should be given to the seriousness of the observation with regard to prevention of foodborne illness.

For items marked **"OUT,"** further indicate the status of the violation by marking an **"X"** in the corresponding box for Corrected On-Site (**COS**) during the inspection and/or Repeat violation (**R**). 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 "Observations and Corrective Actions" section of the inspection report. *For example, Item #10 Adequate handwashing facilities supplied & accessible is marked out of compliance because the establishment does not have soap and paper towels at the handwashing sink. The person in charge 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 #10 because all violations under that item were not corrected. Marking **R** indicates that the same violation under a particular item number was cited on the last inspection report. Using the same scenario, on the subsequent inspection if the provision of soap and paper towels is not in violation, but employees are not washing hands in the correct sink (which is cited under Item #8 *Hands clean and properly washed*), **R** would **not** be marked because this is a new violation which was not cited on the previous inspection report.*

C. MARKING INSTRUCTIONS FOR EACH RISK FACTOR AND INTERVENTION ON THE INSPECTION REPORT

Supervision

1. PIC present, demonstrates knowledge, and performs duties

IN/OUT This item must be marked IN or OUT of compliance. The person in charge (PIC) has three assigned responsibilities – Presence; Demonstration of Knowledge; and Duties. This item is marked **OUT** of compliance if any one of the responsibilities is not met.

- A. Person in charge is present. This item is marked OUT of compliance if there is no PIC per 2-101.11(A) and (B).
- B. Demonstration of Knowledge. The PIC has three options for demonstrating knowledge. This item is marked IN compliance if the PIC meets at least one of the options. The three options for demonstration of knowledge allowed by the Food Code are:
1. Certification by an ACCREDITED PROGRAM as specified in 2-102-20.
 2. Complying with this Code by having no violations of priority items during the current inspection; or
 3. Correct responses to the inspector's questions regarding public health practices and principles applicable to the operation. The inspector should assess this item by asking open-ended questions that would evaluate the PIC's knowledge in each of the areas enumerated in ¶2-102.11(C)(1), (4)-(16). 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 enable the inspector to make an informed decision concerning the PIC's knowledge of the Code requirements and public health principles as they apply to the operation. The dialogue should be extensive enough to reveal whether or not that person is enabled by a clear understanding of the Code and its public health principles to follow sound food safety practices and to produce foods that are safe, wholesome, unadulterated, and accurately represented.
- C. Duties of the PIC. This item must be marked IN or OUT of compliance based on the interaction and observation with 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) verified 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.

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

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

Applicable Code Section:

2-101.11

2-102.11(A), B) and (C)(1), (4)-(16)

2-103.11 (A)-(P)

Assignment, PIC is present during all hours of operation. (Pf)

Demonstration (Pf)

Person-In-Charge-Duties (Pf)

1a. Permit to Operate

- IN/OUT** This item must be marked IN or OUT of compliance. This item is marked IN compliance when it is observed that the PIC has obtained a necessary permit (Retail, Mobile, Temporary...etc.). This item is marked **OUT** when it is observed that there is no valid Permit for the food operation has been obtained.
- N.A.** This item may be marked N.A. if the establishment is not required to obtain a permit as deemed by the Regulatory Authority according to Chapter 229, or due to the minimal risk of causing, or contributing to foodborne illness based on the nature of the operation and extent of food operation.
- N.O.** **Do NOT MARK** this item N.O.

Applicable Code Section:

- 8-301.11.1 Prerequisite for Operation, valid permit issued by Regulatory Authority (Pf)
- 8-304.11 Responsibilities of the Permit Holder (Pf)
- 8-404.11(A) Imminent Health Hazard. Ceasing Operations and Reporting (Pf)
- 8-405.11(A) Timely Correction (Pf)
- 228.221(a)(3) MOBILE FOOD UNIT. Readily moveable (Pf)
- 228.221(a)(4) MOBILE FOOD UNIT. Initial Permitting Inspection – criteria (Pf)
- 228.223(a)(2) BED AND BREAKFAST. Food Establishment criteria (Pf)
- 228.225(b) Self-Service Food Markets criteria (Pf)

2. Certified Food Protection Manager and Food Handler Certification

- IN/OUT** This item must be marked IN or OUT of compliance. This item is marked IN compliance when it is observed that the person in charge is a certified food protection manager, and food employees have obtained an accredited Food Handler certification. This item is marked **OUT** when it is observed:
- that there is no person in charge that is deemed a certified food protection manager
 - the certified food protection manager/ food handler certificate is deemed not to be from an accredited program
 - the certified food protection manager/ food handler certificate is expired
 - food handler certification not obtained by food employees within the necessary 30 days.
- N.A.** This item may be marked N.A. if the establishment is deemed by the Regulatory Authority to not apply due to the minimal risk of causing, or contributing to foodborne illness based on the nature of the operation and extent of food operation.
- N.O.** **Do NOT MARK** this item N.O.

Applicable Code Section:

- 2-102.12(A) Certified Food Protection Manager (C)
- 228.31(a) Original CFM certificate shall be posted in the food establishment (C)
- 228.31 (b) Certified food protection manager shall be present at the food establishment during all hours of operation (Pf)
- 228.31(d) All food employees shall successfully complete an accredited FOOD HANDLER training course, within 30 days of employment (Pf)
- 228.31(e) Maintain on premises a certificate of completion of the food handler training course for each food employee (C)
- 228.221(a)(4)(A) MOBILE FOOD UNIT. Certified Food Protection Manager Certification (Pf)
- 228.222(a)(2) TEMPORARY FOOD ESTABLISHMENT. Food handler certification criteria (IF Required) (Pf)
- 228.223(b) BED AND BREAKFAST--Certified food protection manager (Pf)
- 228.224(l) OUTFITTER OPERATION--Certified food protection manager (Pf)

Employee Health/Responding to Contamination Events

3. Management and food employee knowledge, and conditional employee; responsibilities and reporting

IN/OUT This item must be marked IN or OUT of compliance. This item is marked IN compliance when the following criteria are met:

1. The PIC is aware of his or her responsibility to inform food employees and conditional employees of their responsibility to report certain symptoms or diagnosed diseases to the person in charge and for the PIC to report to the regulatory authority as specified under Food Code ¶2-103.11 (O) and ¶¶2-201.11 (A),(B), (C), and (E); **and**
2. The PIC provides documentation or otherwise satisfactorily demonstrates during the inspection, that all food employees and conditional employees are informed of their responsibility to report to management information about their health and activities as it relates to diseases that are transmissible through food, as specified under ,i 2-201.11(A). Satisfactory compliance may be documented by completion of Form 1-B, Conditional Employees or Food Employees Reporting Agreement, in Annex 7 of the 2009 Food Code for each employee or other similar State or local form containing the same information; **or**
3. In lieu of Form 1-B, compliance may be demonstrated by:
 - a) Presenting evidence such as a curriculum and attendance rosters documenting that each employee has completed a training program which includes all the information required on Form 1-B regarding their reporting responsibilities; **or**
 - b) Implementation of an employee health policy which includes a system of employee notification using a combination of training, signs, pocket cards, or other means to convey all of the required information on Form 1-B to all food employees and conditional employees. A signed acknowledgement by the employee should be part of any employee health policy.

The regulatory authority is encouraged to establish a policy of selecting one employee at random during each inspection and requesting the PIC verify, by one of the previously listed methods, that the selected employee has been **informed** of his or her responsibility to report symptoms, exposures, and diagnosed illnesses to management. The PIC is not expected to quote symptoms and diseases from memory, but should be able to locate that information on Form 1-B or similar documents used to demonstrate compliance.

Additional information is provided in Annex 3 of the Public Health Reasons for Subpart 2-201, including a number of questions, which may be used as a reference to assist the regulatory authority in determining compliance with this item.

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

Applicable Code Sections:

2-102.11(C)(2),(3) and (17)	Demonstration (Pf)
2-103.11 (O)	Person in Charge-Duties (Pf)
2-201.11(A), (B), (C), & (E)	Responsibility of Permit Holder, Person in Charge, and Conditional Employees (P,Pf)
228.32	Reporting Symptoms and Diagnosis Signage (C)

4. Proper use of restriction and exclusion

IN/OUT This item must be marked IN or OUT of compliance. Compliance must be based on firsthand observations or information and cannot be based solely on responses from the PIC to questions regarding hypothetical situations or knowledge of the Food Code. This item is marked IN when the following criteria are observed at the time of the inspection:

- There are no ill employees.
- There are no employees experiencing symptoms with or without a diagnosis that require reporting, or reason for the PIC to exclude or restrict an employee
- A food employee who works in a food establishment serving a HSP or non-HSP, is restricted due to diagnoses with an infection from nontyphoidal *Salmonella* and is asymptomatic

This item should be marked **OUT** of compliance when:

- The inspector observes a working employee with specific reportable symptoms (subparagraph 2-201.11 (A)(1)); **or**
- 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/exclude an employee as required by the Food Code (§2-201.12 & §2-201.13); **or**
- The inspector becomes aware that the PIC has not notified the Regulatory Authority that an employee is jaundiced or diagnosed with an illness due to a pathogen as specified under subparagraphs 2-201.11 (A)(2)(a)-(f) of the Food Code.
- There are food employees working in the food establishment that have been diagnosed with an illness as specified in paragraphs 2-201.11(A)(2-5); 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.

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

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

Applicable Code Sections:

2-201.11(D)	Responsibility of the person in charge to exclude or restrict. Symptoms and diagnosed illness (P)
2-201.11(F)	A food employee shall comply with an exclusion or restriction (P)
2-201.12	Conditions of exclusion and restriction (P)
2-201.13	Managing Exclusions and Restrictions (P)

5. Clean-up of Vomiting and Diarrheal Events

IN/OUT This item should be marked IN or OUT of compliance. This item is marked IN compliance when it is demonstrated that the food establishment has written procedures available for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the food establishment. Refer to the Public Health Reasons (§2-501.11 Clean up of Vomiting and Diarrheal Events) for suggested recommendations as to what the food establishment can include within their plan (this is not an exhaustive list). This item is marked **OUT** of compliance if the establishment does not demonstrate the ability to provide written procedures for employees to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the food establishment.

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

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

Applicable Code Section:

2-501.11	Clean-up of Vomiting and Diarrheal Events (Pf)
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Good Hygienic Practices

6. Proper eating, tasting, drinking, or tobacco use

IN/OUT This item should be marked IN or OUT of compliance based on direct observations or discussions of the appropriate hygienic practices of food employees. This item should be marked IN compliance when a food employee is 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 **OUT** of compliance 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 OUT. 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.

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

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

Applicable Code Sections:

- 2-401.11 Eating food, chewing gum, drinking beverages, or using tobacco (C)
- 3-301.12 Preventing Contamination When Tasting (P)

7. No discharge from eyes, nose, and mouth

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food employees. This item should be marked IN compliance when no food employees are observed having persistent sneezing, coughing, or a runny nose that causes discharge from the eyes, nose or mouth. This item should be marked **OUT** of compliance when a food employee has persistent sneezing, coughing, or a runny nose that causes discharges from the eyes, nose or mouth, subjecting food and food-contact surfaces to potential contamination.

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

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

Applicable Code Sections:

- 2-401.12 Discharges from the Eyes, Nose, and Mouth (C)

Control of Hands as a Vehicle of Contamination

8. Hands clean and properly washed

IN/OUT This item should be marked IN or OUT of compliance. This item is marked IN compliance only when employees are observed using proper handwashing techniques at appropriate times and places. Hands are not required to be washed between each change of gloves, if it is observed that there was no change in the task being performed and no activities which could potentially result in cross contamination.

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

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

Applicable Code Sections:

2-301.11	Clean condition-Hands and Arms (P)
2-301.12	Cleaning Procedure (P)
2-301.14	When to Wash (P)
2-301.15	Where to Wash (Pf)
2-301.16	Hand Antiseptics (Pf)
228.223(f)	BED AND BREAKFAST--Personal hygiene practices. Criteria (Pf)

9. No bare hand contact with RTE foods or a pre-approved alternate properly followed

IN/OUT This item should be marked IN or OUT of compliance. This item is marked IN compliance only when food employees are observed using suitable utensils **or** gloves to prevent bare hand (or arm) contact with ready-to-eat foods **or** if the food employee contacts exposed RTE food with bare hands at the time the RTE food is being added as an ingredient to a food that:

- Contains a raw animal food and is to be cooked in the food establishment to heat all parts of the food to minimum temperatures specified in ¶3-401.11(A)-(B) or §3-401.12; **or**
- Does not contain a raw animal food but is to be cooked in the food establishment to heat all parts of the food to a temperature of at least 63°C (145°F).

This item is also marked IN compliance when food employees are observed properly following a pre- approved alternative procedure to no bare hand contact.

This item should be marked **OUT** of compliance if one food employee is observed touching ready-to-eat food with their bare hands in the absence of a prior approval and written procedures for bare hand contact. Refer to subparagraph 3-301.11 (E)(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 to bare hand contact is allowed. This item is also marked **OUT** when food employees contact exposed RTE food with bare hands that is to be added as ingredients to a food that is not properly heat treated as specified in Sub-¶3-301.11(D)(1)-(2).

N.A. This item may be marked N.A. for establishments that provide only packaged, or bulk food items that are not ready-to-eat.

N.O. This item may be marked N.O. for establishments that prepare ready-to-eat foods only, but no food preparation is performed at the time of inspection.

Applicable Code Sections:

3-301.11 No Bare hands contact with ready-to-eat foods or Pre-approved Procedure (P, Pf, C)

3-801.11(D) No Bare hands contact with ready-to-eat foods serving a Highly Susceptible Population (P)

10. Adequate handwashing sinks, properly supplied and accessible

IN/OUT This item must be marked IN or OUT of compliance based on observations in determining that handwashing sinks are properly equipped and conveniently located for employee use in food preparation, food dispensing and warewashing areas as well as in or immediately adjacent to toilet rooms. This item must be marked **OUT** of compliance when the facility is not stocked with soap, hand drying provisions or equipped with the required signage. In addition, if the handwashing sink is not located to be available to employees who are working in a food preparation area, food dispensing and warewashing areas and is blocked by portable equipment or stacked full of soiled utensils or other items, or the facility is unavailable for regular employee use, this item must be marked OUT of compliance.

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

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

Applicable Code Sections:

5-202.12 Handwashing Sinks, Installation (Pf, C)

5-203.11 Handwashing Sinks-Numbers and Capacities (Pf)

5-204.11 Handwashing Sinks-Location and Placement (Pf)

5-205.11 Using a Handwashing Sink-Operation and Maintenance (Pf)

6-301.11 Handwashing Cleanser, Availability (Pf)

6-301.12 Hand Drying Provision (Pf)

6-301.13 Handwashing Aids and Devices, Use Restrictions (C)

6-301.14 Handwashing Signage (C)

228.221(a)(6)(C) MOBILE FOOD UNIT-- At least one handwashing sink (Pf)

228.222(i) TEMPORARY FOOD ESTABLISHMENT--Handwashing facilities criteria (Pf)

228.223(i) BED AND BREAKFAST -- Hand sinks (Pf)

228.224(h) OUTFITTER OPERATION -- Handwashing facility criteria (Pf)

Approved Source

11. Food obtained from approved source

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food products, food labels and packaging, water analyses, and discussion with the PIC or other food employees. This item should be marked IN compliance when the regulatory authority is able to determine approved food sources. 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. Wild harvested mushrooms if sold or served have been approved by the regulatory authority. Milk and milk products must comply with Grade A Standards. This item should be marked **OUT** of compliance when an approved food source cannot be determined and if the regulatory authority did not approve the sale or service of wild harvested mushrooms and it is observed in the food establishment for sale and service.

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

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

Applicable Code Sections:

3-201.11	Compliance with Food Law (P, Pf, C)
3-201.12	Food in a Hermetically Sealed Container (P)
3-201.13	Fluid Milk and Milk Products (P)
3-201.14	Fish (P)
3-201.15	Molluscan Shellfish (P)
3-201.16	Wild Mushrooms (P)
3-201.17	Game Animals (P, C)
3-202.14(A), (B), and (D)	Eggs and Milk Products, Pasteurized (P)
3-202.110	Juice Treated-Commercially Processed (P, Pf)
5-101.13	Bottled Drinking Water (P)
228.61(a)	Approved Sources for Exotic Game Animals (P)
228.62(b)	Chicken Eggs Grading criteria (P)
228.62(c)	Frozen Milk Products (P)
228.222(a)(1)	TEMPORARY FOOD ESTABLISHMENT--Foods not prepared on site, require preparation, or cooking prepared at licensed establishment (P)
228.223(c)	BED AND BREAKFAST--Food shall be obtained from approved sources (P)
228.224(b)	OUTFITTER OPERATION--Food supplies, ice, shall be obtained from approved sources (P)
228.224(d)(2)	OUTFITTER OPERATION--commercially prepackaged or packaged ready to eat food no cooking may be served (P)
228.225(c)	Self-Service Food Markets--Pre-packaged food sold at a self-service food market (P)

12. Food received at proper temperature

IN/OUT This item should be marked IN or OUT of compliance based on actual food temperature measurements of TCS foods being received. This item should be marked IN compliance when food is received and found at proper temperatures during the inspection (i.e. catered meal for child care center arrives during the inspection and the regulatory authority verifies receiving temperature). This item should be marked OUT of compliance if food is received and accepted, but an actual food temperature measurement of a TCS food by the regulatory authority at the time of delivery exceeds the temperature specifications for receiving as prescribed by the Code.

N.A. This item may be marked N.A. for retail operations when the establishment receives only foods that are not TCS food and that are not frozen.

N.O. This item may be marked N.O. if food is not received during the inspection.

Applicable Code Sections:

- 3-202.11 Specifications for TCS food - Receiving temperature at 41°F or below (P, Pf)
- 228.62(a) Specifications for Receiving. Grade A Milk and Molluscan Shellfish – TX (P)

13. Food in good condition, safe and unadulterated

IN/OUT This item must be marked IN or OUT of compliance based on direct observations of the **integrity of product packaging, wholesomeness, and signs of adulteration**. This item must be marked IN compliance 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 **OUT** of compliance when the integrity of food packaging has been compromised or the true appearance, color, or quality of a food has been intentionally altered.

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

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

Applicable Code Sections:

- 3-101.11 Safe, Unadulterated and Honestly Presented (P)
- 3-202.15 Package Integrity (Pf)

14. Required records available: shellstock tags, parasite destruction

IN/OUT This item should be marked IN or OUT of compliance. based on direct observations of fish in storage, shellstock tags, and/or records of freezing of fish for parasite destruction. This item should be marked IN compliance if the permit holder provides a statement from supplier(s) identifying that fish sold as raw, raw-marinated or undercooked is frozen by supplier for parasite destruction; or there are freeze records maintained by the permit holder when fish are frozen for parasite destruction on the premises. This item should be marked **OUT** of compliance 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 found in paragraph 3-402.11(B).

N.A. 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 as exempted from freezing in the Food Code.

N.O. 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.

Applicable Code Sections:

- 3-202.18(A)(1) and (A)(2) Shellstock Identification (Pf, C)
- 3-203.12 Shellstock, Maintaining Identification (Pf)
- 3-402.11 Parasite Destruction (P, C)
- 3-402.12 Records, Creation, & Retention (Pf)
- 228.62(d) Shellstock Identification (Pf)

Protection from Contamination

15. Food separated and protected

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food storage and food handling practices. This item should be marked **OUT** of compliance 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 in separate containers; unpackaged comminuted or otherwise non intact meats are stored above unpackaged whole muscle intact cuts of meat; food is not packaged or covered during storage (unless in the process of cooling); or food is in contact with soiled equipment and utensils; or single-use gloves used for more than one task.

N.A. This item may be marked N.A. when there are no raw animal foods used in the facility and only prepackaged foods are sold.

N.O. This item is marked N.O. when raw animal foods are used or served seasonally and you are unable to determine compliance.

Applicable Code Sections:

3-302.11	Packaged and Unpackaged Food-Separation, Packaging, and Segregation (P, C)
3-304.11	Food Contact with Equipment, Utensils, and Linens (P)
3-304.15(A)	Gloves, Use Limitation (P)
3-306.13(A)	Consumer Self-Service Operations (P)
228.222(g)	TEMPORARY FOOD ESTABLISHMENT--Packaged food not stored in direct contact with ice or water if food is subject to entry of water (P)
228.223(d)(1)	BED AND BREAKFAST--Food shall be prepared and protected (P)
228.224(d)(1)	OUTFITTER OPERATION--All food shall be prepared and protected in Central Preparation Facility (P)
228.224(d)(4)	OUTFITTER OPERATION--All food must be stored to protect from contamination (P)

16. Food-contact surfaces: cleaned and sanitized

IN/OUT This item must be marked IN or OUT of compliance based on direct observations of food- contact surfaces of equipment and utensils; actual measurements/readings of chemical sanitizer concentration, hot water sanitizing temperature, pH, hardness, water pressure, etc. using test strips, heat-sensitive tapes, and equipment gauges; observations of cleaning and sanitizing procedures; and discussion of cleaning and sanitizing procedures and frequency with the PIC or other food employees. This item must be marked IN compliance when manual and/or mechanical 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 in clean storage and in use to determine compliance. For example, this item could be marked **OUT** of compliance based on one visibly soiled utensil, such as a plate or knife, however risk must be based on the general loss of cleaning and sanitizing of utensils and equipment. This item must be marked **OUT** of compliance 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. This item is also marked **OUT** if it is observed that equipment or utensils that have come into contact with a major food allergen such as fish was not cleaned and sanitized prior to use for other types of raw animal foods.

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

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

Applicable Code Sections:

- 4-501.111 Manual Warewashing Equipment, Hot Water Sanitization Temperatures (P)
- 4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperatures (Pf)
- 4-501.113 Mechanical Warewashing Equipment, Sanitization Pressure (C)
- 4-501.114 Manual and Mechanical Warewashing Equipment, Chemical Sanitization-Temperature, pH, Concentration and Hardness (P, Pf)
- 4-501.115 Manual Warewashing Equipment, Chemical Sanitization Using Detergent-Sanitizers (C)
- 4-601.11(A) and (B) Food-contact surfaces clean to sight and touch (Pf,C)
- 4-602.11 Equipment Food-Contact Surfaces and Utensils-Frequency (P, C)
- 4-602.12 Cooking and Baking Equipment (C)
- 4-702.11 Before Use After Cleaning (P)
- 4-703.11 Hot Water and Chemical-Methods (P)

17. Proper disposition of returned, previously served, reconditioned, and unsafe food

IN/OUT This item must be marked IN or OUT of compliance. This item is marked **OUT** of compliance if food is found 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.

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

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

Applicable Code Sections:

- 3-306.14 Returned Food and Re-service of Food (P)
- 3-701.11 Discarding or Reconditioning Unsafe, Adulterated, or Contaminated Food (*shall be discarded*) (P)
- 228.64 Donation of Foods (P)
- 228.224(d)(6) OUTFITTER OPERATION--Leftovers. Leftover food shall not be re-heated or re-served (P)

Time Temperature Control for Safety Food (TCS Food)

18. Proper cooking time and temperatures

NOTE: The cooking temperatures of foods must be measured to determine compliance or noncompliance. Do not rely upon discussions with managers or cooks to make a determination of compliance or noncompliance. 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. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the "Observations and Corrective Actions" section on the second page of the inspection report. The time of inspections should be varied so that cooking can be observed.

IN/OUT This item should be marked IN or OUT of compliance. This item should be marked **OUT** of compliance 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 the product to the cooking process. If a food is cooked below the required temperature but the facility has an approved Consumer Advisory or an approved variance with HACCP plan for that food item, mark the item IN compliance, record the temperature and document the reason it is IN compliance. Foods cooked with a non-continuous cooking process are marked **OUT** of compliance if the food item does not meet the time/temperature requirements for cooking as specified in 3-401.11(A)-(C) and if written procedures describing how the foods are prepared and stored after initial heating but prior to cooking for sale or service are not available for review.

N.A. This item may be marked N.A. when no raw animal foods are cooked in the establishment.

N.O. This item may be marked N.O. when you are 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.

Internal Cooking Temperature Specifications for Raw Animal Foods

Internal Cooking Temperature	Raw Animal Foods
145°F for 15 seconds:	<ul style="list-style-type: none"> • Raw eggs cooked for immediate service • Fish, except as listed below • Intact Meat • Commercially raised game animals, rabbits
155°F for 17 seconds:	<ul style="list-style-type: none"> • Ratites (Ostrich, Rhea and Emu) • Injected meats • Mechanically tenderized meats • Raw eggs not for immediate service • Comminuted meat, fish, or commercially raised game animals
165°F for <1 second (instantaneous):	<ul style="list-style-type: none"> • Wild game animals • Poultry • Stuffed fish, meat, pork, pasta, ratites & poultry • Stuffing containing fish, meat, ratites & poultry

* **Whole Meat Roasts:** Refer to cooking charts in the *Food Code* ¶3-401.11(B)

Applicable Code Sections:

3-401.11	Raw Animal Foods-Cooking (P, Pf)
3-401.12	Microwave Cooking (P, C)
3-401.14	Non-Continuous Cooking of Raw Animal Foods (P, Pf)
228.61(b)	Cooking. Exotic animals (P)
228.224(d)(3)	OUTFITTER OPERATION-- onsite cook and serve requirements (P)

19. Proper Reheating Procedures for Hot Holding

NOTE: *The reheating temperatures of foods must be taken to determine compliance or noncompliance. Do not rely solely upon discussions with managers or cooks to determine compliance or noncompliance. Temperatures IN and OUT of compliance should be recorded in the "Temperature Observations" section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the "Observations and Corrective Actions" section of the inspection report.*

IN/OUT This item should be marked IN or OUT of compliance based on actual temperature measurements of foods upon completion of the reheating process and prior to being placed in hot holding using a calibrated food temperature measuring device. This item should be marked **OUT** of compliance if the items checked are not reheated to the required temperatures or within 2 hours prior to hot holding.

N.A. This item may be marked N.A. when foods are not held over for a second service and/or reheating for hot holding is not performed in the establishment.

N.O. This item may be marked N.O. such as when foods are held over for a second service, but no foods are reheated during the time of inspection.

Applicable Code Sections:

3-403.11	Reheating for Hot Holding (P)
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20. Proper cooling time and temperatures

NOTE: *The requirement for cooling cooked TCS food, is that the food must be cooled from 135°F to 41°F or less in 6 hrs. provided that the food is cooled from 135°F to 70°F within the first 2 hours. For example, if a facility cools chili from 135°F to 70°F in 1.5 hours; they then have 4.5 hours to get it from 70°F to 41°F or less. There are two critical limits that must be met with cooling. Discussions with the person in charge along with observations should be used to determine compliance. For instance, during discussion the person in charge says that a food product was cooled overnight in the walk-in cooler. The product is checked and the temperature is 50°F. Eight hours have elapsed from closing to opening. This item should be marked OUT because the product did not cool from 135°F to 70°F within two hours and from 135°F to 41°F or less within a total of 6 hours. Temperatures IN compliance and OUT of compliance should be recorded in the "Temperature Observations" section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the "Observations and Corrective Actions" section of the inspection report. Because the entire cooling process is difficult to observe during an inspection, at the onset of the inspection a determination of whether foods are currently being cooled should be made. If cooling is taking place, temperatures should be taken to make a determination of whether proper cooling is possible with procedures being used.*

IN/OUT This item should be marked IN or OUT of compliance based on actual temperatures of TCS foods in the cooling process. The basis for determining IN or OUT of compliance can also be supported through discussion and/or record review which would provide the inspector reliable data of the "start time" for cooling from 135°F. See above NOTE for an example of using actual temperature and discussion with the PIC in determining OUT of compliance without actually being at the establishment during the entire cooling of TCS process, from start to finish.

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

N.O. This item may be marked N.O. when the establishment does cool TCS food, but proper cooling per the prescribed temperature and time parameters cannot be determined during the length of the inspection.

Applicable Code Sections:
3-501.14 Cooling (P)

21. Proper hot holding temperatures

NOTE: *Temperatures IN compliance and OUT of compliance should be recorded in the "Temperature Observations" section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the "Observations and Corrective Action" section of the inspection report.*

IN/OUT This item should be marked IN or OUT of compliance based on actual food temperature measurements using a calibrated food temperature measuring device. This item should be marked IN compliance when the regulatory authority determines that, of the TCS food temperature measurements taken during the inspection, no hot holding temperatures are less than prescribed by the Code. This item is marked **OUT** of compliance if one TCS food is found out of temperature, unless Time as a Public Health Control (TPHC) is used for that TCS food.

N.A. This item may be marked N.A. when the establishment does not hot hold food.

N.O. 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 inspection. Inspections should be conducted during a time when hot holding temperatures can be taken.

Applicable Code Sections:
3-501.16(A)(1) Hot Hold (135°F or higher) (P)

22. Proper cold holding temperatures

NOTE: Temperatures *IN* compliance and *OUT* of compliance should be recorded in the "Temperature Observations" section of the inspection report. If there is insufficient space for the number of temperatures taken, additional temperatures should be documented in the "Observations and Corrective Action" section of the inspection report.

IN/OUT This item should be marked IN or OUT of compliance based on actual food temperature measurements 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 TCS food. This item should be marked IN compliance when the regulatory authority determines that, of the temperature measurements taken during the inspection, no cold holding temperatures are greater than prescribed by the Code. This item should be marked **OUT** of compliance if one TCS food is found out of temperature, with supportive evidence, unless TPHC is used for that TCS food.

N.A. This item may be marked N.A. when the establishment does **not** cold hold food.

N.O. This item may be marked N.O. when the establishment does cold hold food, but no foods are being held cold during the time of inspection. Inspections should be conducted during a time when hot holding temperatures can be taken.

Applicable Code Sections:

3-501.16(A)(2)	Cold Hold (41°F or below) (P)
3-501.16(B)	Eggs not treated to destroy Salmonellae stored in refrigerator maintains an ambient air temperature 7°C (45°F) or less. (P)
228.225(f)	Self-Service Food Market--Cold hold condition (Pf)
228.225(g)(2)	Self-Service Food Market--Cold hold temperatures (Pf)

23. Proper date marking and disposition

IN/OUT This item should be marked IN or OUT of compliance. This item would be IN compliance when there is a system in place for date marking all foods that are required to be date marked and 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. For disposition, mark IN when foods are all within date marked time limits or food is observed being discarded within date marked time limits or **OUT** of compliance, such as when date marked food exceeds the time limit or date-marking is not done.

N.A. This item may be marked N.A. when there is no ready-to-eat, TCS food prepared on-premise and held, or commercial containers of ready-to-eat, TCS food opened and held, over 24 hours in the establishment.

N.O. 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.

Applicable Code Sections:

3-501.17	Ready-To-Eat Time/Temperature Control for Safety Food, Date Marking (Pf)
3-501.18	Ready-To-Eat Time/Temperature Control for Safety Food, Disposition (P)
228.225(d)	Self-Service Food Market, discard TCS if date mark exceeds the time limit or does not bear an expiration date (P)

24. Time as a Public Health Control: procedures and records

IN/OUT This item should be marked IN or OUT of compliance based on direct observations, record review, a discussion with the PIC, and the review of any standard operating procedures to determine if the intent of the Code for use of TPHC is met. This provision only applies if it is the actual intention or conscious.. decision by the PIC to store TCS food out of temperature control using TPHC; otherwise, it may be a cold or hot holding issue. This item should be marked IN compliance 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 food items (marked or identified) do not exceed the 4-hour limit at any temperature or 6-hour limit at 70°F or less. This item should be marked **OUT** of compliance when the PIC implies the use of TPHC but does not have an effective mechanism for indicating the point in time when the food is removed from temperature control to the 4 or 6-hour discard time, or a written procedure or an effective mechanism for using TPHC is not present at the facility.

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

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

Applicable Code Sections:

3-501.19	Time as a Public Health Control (P, Pf, C)
228.224(d)(5)	OUTFITTER OPERATION, TCS complex preparation, served within the first 24 hours excursion departure time (P)

Consumer Advisory

25. Consumer advisory provided for raw or undercooked food

IN/OUT This item should be marked IN or OUT of compliance 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 are used as an ingredient or 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 should be marked IN compliance if the establishment provides an advisory that meets the intent of the Food Code for both the disclosure and reminder components. This item should be marked OUT of compliance 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.

N.A. 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.

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

Applicable Code Sections:

3-603.11	Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise Processed to Eliminate Pathogens - Consumer Advisory (Disclosure & Reminder) (Pf)
228.63	Buffet Notification -- salad bar or buffet - use of clean tableware to return (Pf)

Highly Susceptible Population

26. Pasteurized foods used; prohibited foods not offered

NOTE: Discussions with the PIC and employees regarding whether or not certain foods are served or certain practices occur in the establishment, along with observations should be used to determine compliance.

IN/OUT This item should be marked IN or OUT of compliance based on direct observations and discussions with the PIC and food employees regarding whether or not certain foods are served or certain practices occur in an establishment serving a highly susceptible population. Violations of bare hand contact by food employees serving a highly susceptible population 13-801.11(D) is marked under Item #9. This item should be marked IN compliance if only treated/pasteurized juices/juice beverages are served; only pasteurized eggs are used in recipes if eggs are undercooked and if eggs are combined, unless there is a cook step or HACCP plan to control *Salmonella* enteritidis; no raw or partially cooked animal foods or raw seed sprouts are served; and no unopened packaged food is re-served following service to patients in medical isolation or quarantine.

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

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

Applicable Code Sections:

- 3-801.11(A) HSP Juice criteria (P)
- 3-801.11(B) Pasteurized eggs substitute, criteria (P)
- 3-801.11(C) Foods Not Allowed (P)
- 3-801.11(E) No 'time only' used for raw eggs (P)
- 3-801.11(G) Re-service of Food in HSP (C)

Food/Color Additives and Toxic Substances

27. Food additives: approved and properly used

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food ingredients in storage and listed as product ingredients supplemented by discussion with the PIC. This item is marked IN compliance if approved food and color additives are on site and used properly or if sulfites are on the premises, and they are not applied to fresh fruits/vegetables for raw consumption. Approved food additives are listed and have threshold limits in accordance with the CFRs, and does not apply to food additives that are considered Generally Recognized as Safe (GRAS), such as salt, pepper, etc. This item is marked **OUT** of compliance if unapproved additives are found on the premises or approved additives are improperly used, such as sulfites being applied to fresh fruits or vegetables.

N.A. This item may be marked N.A. if the food establishment does **not** use any additives or sulfites on the premises.

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

Applicable Code Sections:

- 3-202.12 Food may not contain UNAPPROVED food additives or additives (Receiving) (P)
- 3-302.14 Protection from Unapproved Additives (P)

28. Toxic substances properly identified, stored, and used; held for retail sale, properly Stored

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food labeling, storage, reconstitution, and application of bulk and working containers of cleaning agents and sanitizers, personal care items, first aid supplies, medicines, pesticides, and potential toxic and poisonous substances. This item should be marked IN compliance when bulk and working containers of cleaning agents and sanitizers are labeled; sanitizing solutions are not exceeding 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 **OUT** of compliance if a cleaning agent or sanitizer is not properly identified and stored; if a sanitizing solution has a higher concentration than prescribed and medicines and first aid kits are improperly labeled and stored. Violations of solutions exceeding the recommended concentration in chemical washes for fruits and vegetables (§7-204.12) would be marked under Item #42.

N.A. This item may be marked N.A. if the establishment does not hold poisonous or toxic materials for retail sale.

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

Applicable Code Sections:

- 7-101.11 Identifying Information, Prominence-Original Containers (Pf)
- 7-102.11 Common Name-Working Containers (Pf)
- 7-201.11 Separation-Storage (P)
- 7-202.11 Restriction-Presence and Use (Pf)
- 7-202.12 Conditions of Use - manufacturer's label, RESTRICTED USE PESTICIDE (P,Pf,C)
- 7-203.11 Poisonous or Toxic Material Containers-Container Prohibition No re-use w/food (P)
- 7-204.11 Sanitizers, Criteria-Chemicals (P)
- 7-204.12 Chemical Washing, Treatment, Storage and Processing Fruits & Veg Criteria (P)
- 7-204.13 Boiler Water Additives, Criteria (P)
- 7-204.14 Drying Agents, Criteria (P)
- 7-205.11 Incidental Food Contact, Criteria-Lubricants (P)
- 7-206.11 RESTRICTED Use Pesticides, Criteria (P)
- 7-206.12 Rodent Bait Stations (P)
- 7-206.13 Tracking Powders, Pest Control and Monitoring (P, C)
- 7-207.11 Restriction and Storage-Medicines (P, Pf)
- 7-207.12 Refrigerated Medicines, Storage (P)
- 7-208.11 First Aid Supplies, Storage and Labeling (P, Pf)
- 7-209.11 Storage-Other Personal Care Items (C)
- 7-301.11 RETAIL Separation-Storage and Display, Stock and Retail Sale (P)
- 228.211 First Aid Supplies, Availability (C)
- 228.223(k)(2) BED AND BREAKFAST-Pesticides and rodenticides application criteria (P)

Conformance with Approved Procedures

29. Compliance with variance, specialized process, reduced oxygen packaging criteria or HACCP plan

NOTE Except for fish a HACCP plan is not required when a TCS food is packaged using a reduced oxygen packaging method and is labeled with production time and date, held at required cold holding temperature, and removed from ROP packaging within 48 hours after packaging at the food establishment.

IN/OUT This item should be marked IN or OUT of compliance based on direct observations of food preparation and storage, 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 TCS food, cook chill, sous vide, etc.] and the record review of standard operating procedures and HACCP documentation. This item should be marked IN compliance when observations of food operations and review of available records indicate compliance is being met with regards to specialized food processes and HACCP plans were submitted to the regulatory authority prior to conducting a ROP operation that conforms to procedures within §3-502.12. This item should be marked **OUT** of compliance if the inspection reveals specialized food processes that are not approved by the regulatory authority are performed or not conducted in accordance with the approved variance or a HACCP plan was not submitted to the regulatory authority prior to engaging in a ROP operation without a variance.

N.A. This item may be marked N.A. if 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.

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

Applicable Code Sections:

- 3-404.11 Treating Juice, Label WARNING (P, Pf)
- 3-502.11 Variance Requirement (Pf)
- 3-502.12 Reduced Oxygen Packaging, Criteria- without Variance (P, Pf)
- 4-204.110(B) Molluscan Shellfish Tanks - Life support system (Pf)
- 8-103.12 Conformance with Approved Procedures (P, Pf)
- 8-201.13 When a HACCP Plan is Required (C)
- 8-201.14 Contents of a HACCP Plan (Pf)
- 228.241 Facility and Operating Plans.(Pf)

GOOD RETAIL PRACTICES (GRPs)

D. MARKING INSTRUCTIONS FOR EACH GOOD RETAIL PRACTICE (GRP) ON THE INSPECTION REPORT

Good Retail Practices (GRPs) are systems to control basic operational and sanitation conditions within a facility, and if not controlled, they could be contributing factors to foodborne illness by introducing hazards (biological, chemical and physical), into the end product, either directly or indirectly. For example, equipment in disrepair, such as a cutting board with deep grooves/cuts, makes effective cleaning difficult or impossible, and thereby could introduce a bacterial hazard onto food that comes into contact with the board. In addition, in assessing GRPs, it is important to make an overall assessment of the conditions by looking for trends versus an isolated incident; and the potential public health impact. For example, a few missing floor tiles in a dry area may not rise to the level of a "violation"; however, missing floor tiles in an area where equipment is subject to in-place manual cleaning without the use of an enclosed clean in place (CIP) system, i.e., using pressure hoses over band saws, slicers, or mixers, could create conditions whereby a bacterial hazard could be introduced on to the food equipment. These items usually require judgment, and if uncorrected, the regulatory authority must decide whether or not these conditions would lead to potential contamination.

GRPs are the methods used in, or the facilities or controls used for, the receiving, preparation, storage, serving, packaging or holding of food which are designed to assure unsanitary conditions do not lead to the introduction of hazards or unintentional substances into the end product. The intention of this inspection form is to focus the inspector's attention on those factors that have been shown to be most often linked with causing foodborne illness. Since the major emphasis of an inspection should be on the Risk Factors that cause foodborne illness and the Public Health interventions that have the greatest impact on preventing foodborne illness, the GRPs have been given less importance on the inspection form and a differentiation between IN, OUT, N.A. and N.O. is not made in this area, with a few exceptions noted below. For marking the GRPs section, circle designated compliance status to the left of the item if a code provision under that item is **IN or OUT** (N/A, N/O - #30, 32, 34, and 35) of compliance. Document each violation of the code provision for the item number in the "Observations and Corrective Actions" section on the second page of the inspection report. For items marked **OUT** of compliance, further indicate the **VIOLATION STATUS** by marking an **"X"** in the corresponding box: **COS** = Corrected on site during inspection and **R** = Repeat violation per the same instructions as given in the Risk Factor section. References to the appropriate Food Code provisions that can be debited under each numbered GRP item are listed in Guide.

Note: Items 30, 32, 34 and 35 will allow for either three or four marking options. Item 30 and 32 allows for IN OUT or N.A., and item 34 and 35 allow for IN, OUT, N.A. or N.O. For marking in the GRP Section, inspectors may place an "A" in the box to the left of the numbered item if the code provision under that item is **not applicable** or and "O" for **not observed**.

E. TEMPERATURE OBSERVATIONS

Item/location

Record the common name of the food as well as the condition, process, and location of the food at the time of monitoring e.g. hot holding, refrigerator, prep-table. Temperatures in compliance and out of compliance should be documented. If there is insufficient space for the number of temperatures taken, record the additional temperatures in the "Observations and Corrective Actions" section of the inspection report.

Food Temperature

Record the temperature indicated on the inspector's thermometer. Specify the measurement in °F or °C. (Note: Food temperature measuring devices that are scaled only in Fahrenheit should be accurate to ± 2 F in the intended range of use. Food temperature measuring devices that are scaled only in Celsius or dually scaled in Celsius and Fahrenheit should be accurate to ± 1 °C in the intended range of use.)

F. OBSERVATIONS AND CORRECTIVE ACTIONS

Include here specific descriptions of violations observed and recorded in the Risk Factors and Interventions section and Good Retail Practices check boxes. Also include corrective actions for the noted violations and temperatures if there is insufficient space in the allotted section for temperature recordings.

G. SIGNATURE BLOCK

Received by: The PIC is the individual present at a food establishment who is responsible for the operation at the time of the inspection.

Person in Charge/ Owner: Title of Received by.

Inspected by: The Inspector is the individual conducting the inspection.

Business Email: The email used by the food establishment for correspondence with the regulatory authority.

Safe Food and Water

30. Pasteurized eggs used where required

Certain menu items use eggs as an ingredient in the preparation of RTE foods, such as Caesar salad, Hollandaise sauce, etc. This is verified by discussion with the PIC and food employees regarding the substitution of pasteurized egg products for raw eggs in uncooked foods, unless allowed under ¶3-401.11(D)(2).

N.A. This item may be marked N.A. if the establishment is not using eggs as an ingredient for RTE foods.

Applicable Code Section:

3-302.13 Pasteurized Eggs Substituted for Raw Eggs for Certain Recipes (P)

31. Water and ice from approved source

There are two types of systems: Public Water System (community & noncommunity water systems) or Non-Public Water System. Regardless of its source, it must meet drinking water standards established by EPA and applicable state drinking water quality standards. If a non-public system is used as Drinking water, the water is sampled / tested at least monthly (*Bacteriology Analysis or documentation of free chlorine residual*) and once every 3 years for Nitrates/ Nitrites and Secondary Constituent Levels; records retained on file at the food establishment or per state regulations. Consideration must be given to the supply containers, piping, hoses, etc., connected to the APPROVED source when water is made available for mobile and/or temporary food establishment without a permanent supply.

Applicable Code Sections:

- 3-202.16 Ice (P)
- 5-101.11 Approved System-Source (P)
- 5-102.12 Nondrinking Water (P)
- 5-104.12 Alternative Water Supply (Pf)
- 228.141 A water source obtained from other than a community public water system (P)
- 228.142 Water Quality Standards (P)
- 228.222(c) TEMPORARY FOOD ESTABLISHMENT--Ice consumed or contacts food shall have been made under rules (pertaining to Food). (P)
- 228.222(f) TEMPORARY FOOD ESTABLISHMENT--Water from an approved source shall be made available(P)
- 228.223(o)(1) and (2) BED AND BREAKFAST--Water supply, from an approved source (P)
- 228.224(b) OUTFITTER OPERATION -- Ice, shall be obtained from approved sources (P)
- 228.224(g)(1) OUTFITTER OPERATION--Potable water shall be used on excursions for human consumption, food preparation, handwashing, and for cleaning and sanitizing utensils and equipment (P)

32. Variance obtained for specialized processing methods

When a Food Establishment wants to deviate from a requirement in the code, utilizes Specialized Processing Methods as specified in §3-502.11 such as Smoking Food for Preservation, curing food etc. 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.

N.A. This item may be marked N.A. if the establishment is not engaged in a specialized processing method, other operation requiring a variance and a HACCP plan or a process or processing method determined by the regulatory authority to require a variance and a HACCP plan.

Applicable Code Section:

- 8-103.11 Documentation of Proposed Variance and Justification (Pf)

Food Temperature Control

33. Proper cooling methods used; adequate equipment for temperature control

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 used in cooling foods. There should be enough equipment with sufficient capacity used for the cooling, heating and hot/cold holding 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. Frozen food is solid to the touch.

Applicable Code Sections:

3-501.11	Frozen Food (C)
3-501.15	Cooling Methods (Pf, C)
4-301.11	Cooling, Heating, and Holding Capacities-Equipment (Pf)
228.221(a)(6)(A)	MOBILE FOOD UNIT--Cooling, heating, and holding capacities. Equipment (Pf)
228.222(d)(3)	TEMPORARY ESTABLISHMENTS--Hot and cold holding equipment. Equipment (Capacity) (Pf)
228.223(l)	BED AND BREAKFAST -- Equipment capacity (Pf)
228.225(e)(1)	Self-Service Food Market--Automatic shut-off control (Pf)

34. Plant food properly cooked for hot holding

In determining compliance, observation along with an actual cooking temperature must be obtained.

N.A. This item may be marked N.A. if vegetables and fruits are **not** cooked for hot holding in the establishment.

N.O. This item may be marked N.O. when plant foods are cooked for hot holding, but are not available for observation during the inspection.

Applicable Code Section:

3-401.13	Plant Food Cooking for Hot Holding (Pf)
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35. Approved thawing methods used

Observing and then gaining an understanding of the establishment's thawing method(s) will help in determining whether a violation exists from the approved thawing methods found under §3-501.13 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.

N.A. This item may be marked N.A. if TCS food are **not** thawed.

N.O. This item may be marked N.O. if this food is thawed, but thawing was not observed during the inspection.

Applicable Code Sections:

3-501.12	Time/Temperature Control for Safety Food, Slacking (C)
3-501.13	Thawing, Methods (C)

36. Thermometers provided and accurate

Thermometers provide a means for assessing active managerial control of 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 Code Sections:

- 4-203.11 Temperature Measuring Devices, Food-Accuracy (Intended range of use) (Pf)
- 4-203.12 Temperature Measuring Devices, Ambient Air and Water-Accuracy (Pf)
- 4-204-112 Temperature Measuring Devices-Functionality (Required Location) (Pf, C)
- 4-302.12 Food Temperature Measuring Devices (Required for Food Temperatures) (Pf)
- 4-502.11(B) Calibration in accordance with manufacturer's specifications (Pf)
- 228.224(j) OUTFITTER OPERATION – Thermometers (Pf)

Food Identification

37. Food properly labeled; original container

Packaged foods are required to conform to specific labeling laws. Foods packaged within the food establishment must also conform to the appropriate labeling laws, with considerations given to accuracy as well as 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 by its common name. Molluscan shellfish and vended TCS foods must specifically be assessed based on their specific packaging and labeling requirements.

Applicable Code Sections:

- 3-202.17 Shucked Shellfish, Packaging and Identification (Pf,C)
- 3-203.11 Molluscan Shellfish, Original Container (C)
- 3-302.12 Food Storage Containers Identified with Common Name of Food (Bulk Food) (C)
- 3-305.13 Vended Time/Temperature Control for Safety Food, Original Container (C)
- 3-601.11 Standards of Identity (Packaged Food) (C)
- 3-601.12 Honestly Presented (C)
- 3-602.11 Food Labels (Pf, C)
- 3-602.12 Other Forms of Information (C)

Prevention of Food Contamination

38. Insects, rodents and animals not Present

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 removal of pests and its evidence. Insect trapping devices must not be located over food preparation areas.

Applicable Code Sections:

- 2-403.11 Handling Prohibition-Animals (Pf)
- 6-202.13 Insect Control Devices, Design and Installation (C)
- 6-202.15 Outer Openings, Protected (C)
- 6-202.16 Exterior Walls and Roofs, Protective Barrier (C)
- 6-501.111 Controlling Pests (Pf, C)
- 6-501.112 Removing Dead or Trapped Birds, Insects, Rodents and other Pest (C)
- 6-501.115 Prohibiting Animals. Live animals may not be allowed on the premises of a establishment (Pf)
- 228.172 Dogs in Outdoor Dining Areas of a Food Establishment (Pf)
- 228.222(k)(2) TEMPORARY EVENT--Outer openings. The outer openings shall be protected against entry of insects and rodents (C)
- 228.223(k)(1) BED AND BREAKFAST—Construction (C)

39. Contamination prevented during food preparation, storage and display

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).

Applicable Code Sections:

- 3-202.19 Shellstock, Condition (Free of mud, dead shellfish, broken shells) (C)
- 3-303.11 Ice Used as Exterior Coolant, Prohibited as Ingredient (P)
- 3-303.12 Storage or Display of Food in Contact with Water or Ice (C)
- 3-304.13 Linens and Napkins, Use Limitations (C)
- 3-305.11 Food Storage-Preventing Contamination from the Premises (6-inches above the floor) (C)
- 3-305.12 Food Storage, Prohibited Areas (C)
- 3-305.14 Food Preparation (C)
- 3-306.11 Food Display-Preventing Contamination by Consumers (P)
- 3-306.12 Condiments, Protection (C)
- 3-306.13(B) and (C) Consumer Self-Service Operations (RTE utensils, buffet monitored) (Pf)
- 3-307.11 Miscellaneous Sources of Contamination (C)
- 6-404.11 Segregation and Location-Distressed Merchandise (Pf)
- 228.222(d)(4) TEMPORARY ESTABLISHMENTS --Protection from contamination. Food-contact surfaces of equipment shall be protected from contamination by consumers and other sources (C)
- 228.224(f)(1) OUTFITTER OPERATION--Ice that is used for cooling food may not be used for human consumption (P)

40. Personal cleanliness

Observation of facility personnel for clean outer clothing, effective hair restraints, prohibited jewelry and the condition or protection of fingernails must be made. This includes the use of single-use gloves over an impermeable bandage, finger cot or finger stall.

Applicable Code Sections:

- 2-302.11 Maintenance-Fingernails (Pf)
- 2-303.11 Prohibition - Jewelry (C)
- 2-304.11 Clean Condition - Outer Clothing (C)
- 2-401.13 Use of Bandages, Finger Cots, or Finger Stalls (Covered with glove) (C)
- 2-402.11 Effectiveness - Hair Restraints (C)

41. Wiping cloths; properly used and stored

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 would be marked on the Inspection Form under item #28, Toxic substances properly identified, stored, and used. Sponges, if present, are not to be used in contact with clean/sanitized food contact surfaces.

Applicable Code Sections:

- 3-304.14 Wiping Cloths, Use Limitation (C)
- 4-101.16 Sponges Use Limitation (C)
- 4-901.12 Wiping Cloths, Air Drying Location (Laundered in Food Establishment) (C)

42. Washing fruits and vegetables

Raw fruits and vegetables are to be washed prior to their preparation or offered as RTE. Chemicals are allowed for washing fruits and vegetables, along with simply washing them in water. Chemicals that are used in the wash water for fruits and vegetables must be listed and approved with threshold limits in accordance with the CFR's. Refer to the label or labeling of the additive for adequate directions and to assure safe use. Discussion with the PIC and food employees will help determine the establishment's practice.

Applicable Code Sections:

- 3-302.15 Washing Fruits and Vegetables (Washed in Water) (Pf, C)
- 7-204.12 Chemicals for Washing, Treatment, Storage and Processing Fruits and Vegetables, Criteria (P)

Proper Use of Utensils

43. In-use utensils; properly stored

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 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 handles up in an ice bin except for an ice machine.

Applicable Code Sections:

- 3-304.12 In-Use Utensils, Between-Use Storage (Handle above food, container of water 135F) (C)

44. Utensils, equipment and linens; properly stored, dried, handled

An assessment is made of the overall storage practices and handling of clean equipment and utensils, including tableware located in the various areas within an establishment, including the basement, wait station and dining room. Equipment must be air dried prior to storage, and linens must be properly cleaned and stored.

Applicable Code Sections:

- 4-801.11 Clean Linens (C)
- 4-802.11 Specifications-Laundering Frequency (Linens, cloth gloves, wiping cloths) (C)
- 4-803.11 Storage of Soiled Linens (C)
- 4-803.12 Mechanical Washing (Linens) (C)
- 4-901.11 Equipment and Utensils, Air-Drying Required (C)
- 4-903.11(A), (B) and (D) Equipment, Utensils, Linens and Single-Service and Single-Use Articles- Storing (C)
- 4-903.12 Prohibitions (May not be stored) (C)
- 4-904.11 Kitchenware and Tableware-Preventing Contamination (Handling) (C)
- 4-904.12 Soiled and Clean Tableware (C)
- 4-904.13 Preset Tableware (C)
- 4-904.14 Rinsing Equipment and Utensils after Cleaning and Sanitizing (Not Rinsed) (C)

45. Single-use/single-service articles; properly stored, used

These items are not designed to be cleaned and re-used; therefore, they must be properly stored and protected to prevent from possible contamination. Food establishments without facilities for cleaning and sanitizing kitchenware and tableware shall provide only single-use and single-service articles.

Applicable Code Sections:

- 4-502.12 Single-Service and Single-Use Articles, Required Use (P)
- 4-502.13 Single-Service and Single-Use Articles-Use Limitations (Single Use) (C)
- 4-502.14 Mollusk and Crustacea - Shells, Use Limitations (C)
- 4-903.11(A) and (C) Single-Service and Single-Use Articles - Storing (C)
- 4-903.12 Prohibitions (May not be stored) (C)
- 4-904.11 Kitchenware and Tableware-Preventing Contamination (Handling) (C)
- 228.221(a)(5) MOBILE FOOD UNIT--Single-service articles. (C)
- 228.222(e) TEMPORARY FOOD ESTABLISHMENT--Single-service articles. (C)
- 228.224(e)(2) OUTFITTER OPERATION--Operation without effective facilities for cleaning and sanitizing tableware shall only provide single-service articles for use by food employees and consumers (P)

46. 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. Gloves may serve as a source of cross-contamination if misused. Single-Use Gloves, used for more than one task shall be marked in #15 Food separated and protected.

Applicable Code Sections:

- 3-304.15(B) Slash-resistant—use (C)
- 3-304.15(C) Slash-resistant--use (RTE) (C)
- 3-304.15(D) Cloth glove—use (C)

Utensils, Equipment and Vending

47. Food and non-food-contact surfaces cleanable, properly designed, constructed and used

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 preventing accumulation 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 must be properly used and in proper adjustment.

Applicable Code Sections:

- 3-304.16 Using Clean Tableware for Second Portions and Refills (C)
- 3-304.17 Refilling Returnables (Food and Beverage) (P)
- 4-101.11 Characteristics-Materials for Construction and Repair (Safe, Durable, Smooth) (P, C)
- 4-101.12 Cast Iron, Use Limitations (C)
- 4-101.13 Lead, Use Limitation (P, C)
- 4-101.14 Copper Use Limitation (P)
- 4-101.15 Galvanized Metal, Use Limitation (P)
- 4-101.17 Wood, Use Limitation (C)
- 4-101.18 Nonstick Coatings, Use Limitation (C)
- 4-101.19 Nonfood-Contact Surfaces of Equipment (corrosion-resistant, nonabsorbent, and smooth material) (C)

MARKING INSTRUCTIONS GUIDE: Instructions for Marking the DSHS Food Establishment Inspection Report – page 31

- 4-102.11 Characteristics-Single-Service and Single-Use (Safe, Impart color, odor, or taste, Clean) (P, C)
- 4-201.11 Equipment and Utensils-Durability and Strength (Normal Use Conditions) (C)
- 4-201.12 Food Temperature Measuring Devices (No Glass) (P)
- 4-202.11 Food-Contact Surfaces-Cleanability (Smooth, Free of breaks) (Pf)
- 4-202.12 CIP Equipment (Pf, C)
- 4-202.13 "V" Threads, Use Limitation (C)
- 4-202.14 Hot Oil Filtering Equipment (C)
- 4-202.15 Can Openers (Readily removable for cleaning and for replacement) (C)
- 4-202.16 Nonfood-Contact Surfaces, Cleanability (Smooth, Free of breaks) (C)
- 4-202.17 Kick Plates Removable (C)
- 4-204.12 Equipment Openings, Closures and Deflectors (C)
- 4-204.13 Dispensing Equipment, Protection of Equipment and Food (delivery tube, chute) (P, C)
- 4-204.14 Vending Machine Vending Stage Closure (self-closing door) (C)
- 4-204.15 Bearings and Gear Boxes, Leakproof (C)
- 4-204.16 Beverage Tubing, Separation (Tubing, Cold-plate) (C)
- 4-204.17 Ice Units, Separation of Drains (C)
- 4-204.18 Condenser Unit, Separation (C)
- 4-204.19 Can Openers on Vending Machines (C)
- 4-204.110(A) Molluscan Shellfish Tanks (P)
- 4-204.111 Vending Machines, Automatic Shutoff (P)
- 4-204.120 Equipment Compartments, Drainage (Sloped to an outlet) (C)
- 4-204.121 Vending Machines, Liquid Waste Products (C)
- 4-204.122 Case Lot Handling Apparatuses, Movability (dollies, pallets, racks, and skids) (C)
- 4-204.123 Vending Machine Doors and Openings (C)
- 4-302.11 Utensils, Consumer Self-Service, Dispensing UTENSIL for each container buffet or salad bar (Pf)
- 4-401.11 Equipment, Clothes Washers, Dryers and Storage Cabinets, Contamination Prevention- Location (C)
- 4-402.11 Fixed Equipment, Spacing or Sealing-Installation (Fixed, Counter-Mounted) (C)
- 4-402.12 Fixed Equipment, Elevation or Sealing (C)
- 4-501.11 Good Repair and Proper Adjustment-Equipment (C)
- 4-501.12 Cutting Surfaces (cutting blocks and boards) (C)
- 4-501.13 Microwave Ovens (C)
- 4-502.11(A) and (C) Good Repair and Calibration-Utensils and Temperature and Pressure Measuring Devices (C)
- 4-603.11 Dry Cleaning-Methods (C)
- 4-902.11 Food-Contact Surfaces-Lubricating (C)
- 4-902.12 Equipment-Reassembling (C)
- 228.221(c)(1)(E) MOBILE FOOD UNIT--Potable water servicing equipment shall be installed in the servicing area and stored and handled in a way that protects the water and equipment from contamination (Pf)
- 228.222(d)(1) TEMPORARY EVENT--Design and construction. Equipment/utensils durable (Pf)
- 228.222(d)(2) TEMPORARY EVENT--Location and installation. Equipment shall be located and installed and cleaned in a way that prevents food contamination (C)
- 228.223(h) BED AND BREAKFAST-Equipment and utensil design and construction. safe materials and maintained in good repair (Pf)
- 228.223(j) BED AND BREAKFAST-Food-contact surfaces. smooth, non-absorbent and easily cleanable (Pf)
- 228.224(f)(2) OUTFITTER OPERATION-Ice storage container criteria (Pf)
- 228.224(g)(2) OUTFITTER OPERATION-Potable water storage criteria (Pf)
- 228.224(i) OUTFITTER OPERATION-Equipment and utensils approved for food use. (Pf)
- 228.225(g)(1) Self-Service Food Market--Self closing door (Pf)

48. Warewashing facilities, installed, maintained, used, test strips

Adequate warewashing facilities must be available and used for the cleaning and sanitization of food- contact surfaces, including the availability of means to monitor its use and the effectiveness of sanitization. For example, an irreversible registering temperature indicator is provided and readily accessible for measuring the utensil surface temperature for establishments that have a hot water mechanical warewashing operation. Observation of manual and mechanical warewashing methods are made to **assess** the procedure for cleaning and sanitizing equipment and utensils. This item is marked **OUT** of compliance when cleaners and sanitizers are not available for use within the food establishment.

Applicable Code Sections:

- 4-203.13 Pressure Measuring Devices, Mechanical Warewashing Equipment (C)
- 4-204.113 Warewashing Machine, Data Plate Operation Specifications (C)
- 4-204.114 Warewashing Machines, Internal Baffles (Curtains) (C)
- 4-204.115 Warewashing Machines, Temperature Measuring Devices (Pf)
- 4-204.116 Manual Warewashing Equipment, Heaters and Baskets (Pf)
- 4-204.117 Warewashing Machines, Automatic Dispensing of Detergents and Sanitizers (Pf)
- 4-204.118 Warewashing Machines, Flow Pressure Device (C)
- 4-204.119 Warewashing Sinks and Drainboards, Self-Draining (C)

MARKING INSTRUCTIONS GUIDE: Instructions for Marking the DSHS Food Establishment Inspection Report - page 32

4-301.12	Manual Warewashing, Sink Compartment Requirements (3-Comp Sink) (Pf, C)
4-301.13	Drainboards (C)
4-302.13	Temperature Measuring Devices, Manual and Mechanical Warewashing (Pf)
4-302.14	Sanitizing Solutions, Testing Devices (Test Kit - concentration in MG/L of SANITIZING solutions) (Pf)
4-303.11	Cleaning Agents and Sanitizers, Availability (During all hours of operation) (Pf)
4-501.14	Warewashing Equipment, Cleaning Frequency (C)
4-501.15	Warewashing Machines, Manufacturers' Operating Instructions & Data Plate (C)
4-501.16	Warewashing Sinks, Use Limitation (No Handwashing) (C)
4-501.17	Warewashing Equipment, Cleaning Agents (Soap Requirement) (Pf)
4-501.18	Warewashing Equipment, Clean Solutions - maintained clean (C)
4-501.19	Manual Warewashing Equipment, Wash Solution Temperature - 110F (Pf)
4-501.110	Mechanical Warewashing Equipment, Wash Solution Temperature (Pf)
4-603.12	Precleaning (C)
4-603.13	Loading of Soiled Items, Warewashing Machines (C)
4-603.14	Wet Cleaning, washing criteria (C)
4-603.15	Washing, Procedures for Alternative Manual Warewashing Equipment (C)
4-603.16	Rinsing Procedures (C)
228.221(a)(6)(B)	MOBILE FOOD UNIT -- Manual warewashing, sink compartment requirements (Pf)
228.222(d)(5)	TEMPORARY EVENT--Alternative manual warewashing (Pf)
228.223(e)	BED AND BREAKFAST--Cleaning and sanitizing. Manual and Mechanical (Pf)
228.224(e)(1)	OUTFITTER OPERATION--Warewashing. Alternative manual warewashing equipment (C)

49. 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 Code Sections:

4-601.11(C)	Equipment, Nonfood-Contact Surfaces - free of dust, dirt, FOOD residue, and other debris (C)
4-602.13	Nonfood Contact Surfaces, cleaned at a frequency necessary to preclude accumulation of soil (C)

Physical Facilities

50. Hot and cold water available; adequate pressure

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 including the capacity to provide hot water at peak hot water demand.

Applicable Code Sections:

5-103.11	Sufficient Capacity - Quantity and Availability (Pf)
5-103.12	Water Pressure (Pf)
5-104.11(A),(B)(2)-(3)	Water received APPROVED public water, Water transport vehicles, Water containers (Pf)
228.143	Nonpublic water mains, water pumps, pipes, hoses, connections (Pf)
228.223(o)	BED AND BREAKFAST--Hot and Cold water under Pressure (Pf)

51. Plumbing installed; proper backflow devices

The observation of an approved plumbing system, installed and maintained, including the equipment and devices connected to the potable water supply, is necessary to determine whether a violation exists. 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.

Applicable Code Sections:

5-101.12	System Flushing and Disinfection (P)
5-201.11	Approved-Materials (Constructed, Repaired, Safe) (P)
5-202.11	Approved System and Cleanable Fixtures (Design, Constructed, Installed - Law) (P, C)
5-202.13	Backflow Prevention, Air Gap (P)
5-202.14	Backflow Prevention Device, Design Standard (P)
5-202.15	Conditioning Device, Design (C)
5-203.13	Service Sink (At least 1 service sink or 1 curbed cleaning facility) (C)

MARKING INSTRUCTIONS GUIDE: Instructions for Marking the DSHS Food Establishment Inspection Report – page 33

5-203.14	Backflow Prevention Device, When Required (P)
5-203.15	Backflow Prevention Device. Carbonator (P)
5-204.12	Backflow Prevention Device, Location (Serviced, Maintained) (C)
5-204.13	Conditioning Device, Location (Servicing, Cleaning) (C)
5-205.12	Prohibiting a Cross Connection (P, Pf)
5-205.13	Scheduling Inspection and Service for a Water System Device (Pf)
5-205.14	Water Reservoir of Fogging Devices, Cleaning (P)
5-205.15	Plumbing System Maintained in Good Repair (P, C)
5-301.11	Approved-Materials, Mobile Water Tank and Mobile Food Establishment Water Tank (P, C)
5-302.11	Enclosed System, Sloped to Drain (C)
5-302.12	Inspection and Cleaning Port, Protected and Secured - Mobile Water Tank (C)
5-302.13	"V" Type Threads, Use Limitation - Mobile Water Tank (C)
5-302.14	Tank Vent, Protected - Mobile Water Tank (C)
5-302.15	Inlet and Outlet, Sloped to Drain - Mobile Water Tank (C)
5-302.16	Hose, Construction and Identification - Mobile Water Tank (P, C)
5-303.11	Filter, Compressed Air - Mobile Water Tank (P)
5-303.12	Protective Cover or Device - Mobile Water Tank inlet (C)
5-303.13	Mobile Food Establishment Tank Inlet (C)
5-304.11	System Flushing and Sanitization-Operation and Maintenance - Mobile Water Tank (P)
5-304.12	Using a Pump and Hoses, Backflow Prevention - Mobile Water Tank (C)
5-304.13	Protecting Inlet, Outlet and Hose Fitting - Mobile Water Tank (C)
5-304.14	Tank, Pump and Hoses, Dedication - Mobile Water Tank (P)
228.221(a)(8)(A)	MOBILE FOOD UNIT--Fill hose and water holding tank shall be labeled as "Potable Water." (C)
228.221(a)(8)(B)	MOBILE FOOD UNIT--Drinking water in an MFU holding tank shall be tested for contamination by sampling upon request by the regulatory authority (Pf)

52. Sewage and waste water properly disposed

There are two types of systems: public sewage treatment plant and an individual sewage disposal system. Observations of the facilities overall sewage and wastewater system is necessary to determine if a violation exists. Indications that a system is not functioning properly may include the presence of sewage back-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, 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 Code Sections:

5-401.11	Capacity and Drainage - Mobile Holding Tank (C)
5-402.11	Backflow Prevention (Direct Connection) (P)
5-402.12	Grease Trap, Easily accessible for cleaning (C)
5-402.13	Conveying Sewage, criteria (P)
5-402.14	Removing Mobile Food Establishment Wastes (Pf)
5-402.15	Flushing a Waste Retention Tank (C)
5-403.11	Approved Sewage Disposal System (P)
5-403.12	Other Liquid Wastes and Rainwater (C)
228.221(a)(9)	MOBILE FOOD UNIT--Sewage and other liquid waste (P,Pf)
228.221(c)(1)(B)	MOBILE FOOD UNIT--Outdoor servicing area and operations, waste disposal location (P)
228.222(h)	TEMPORARY EVENT--Sewage and waste water disposed properly (P)
228.223(n)	BED AND BREAKFAST--Sewage and waste water disposed properly (P)

53. Toilet facilities: properly constructed, supplied, clean

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 (ladies room only) are provided; fixtures are not being kept clean; and the door self-closes to prevent insect contamination.

Applicable Code Sections:

5-203.12	Toilets and Urinals, Minimum (C)
5-501.17	Toilet Room Receptacle, Covered (C)
6-202.14	Toilet Rooms, Enclosed (C)
6-302.11	Toilet Tissue, Availability (Pf)
6-402.11	Toilet Rooms, Conveniently Located and Accessible (C)
6-501.18	Cleaning of Plumbing Fixtures (Sinks, Toilets, Urinals) (C)
6-501.19	Closing Toilet Room Doors, shall be kept closed (C)

- 228.221(a)(11) MOBILE UNIT--Toilet rooms, convenience and accessibility (C)
- 228.223(g) BED AND BREAKFAST--Employee restrooms (C)

54. Garbage/refuse properly disposed; facilities maintained

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.

Applicable Code Sections:

- 5-501.11 Outdoor Storage Surface (C)
- 5-501.12 Outdoor Enclosure (Construction Materials) (C)
- 5-501.13 Receptacles (Durable, Cleanable, Leakproof) (C)
- 5-501.14 Receptacles in Vending Machines (C)
- 5-501.15 Outside Receptacles (Tight-fitting lids, doors, covers, and on-site compactor) (C)
- 5-501.16(A) Storage Areas, Rooms, Receptacles (Sufficient Capacity) (C)
- 5-501.16(B) Waste Receptacle, Food Establishment Location (C)
- 5-501.16(C) Disposable Towels, Waste Receptacle (Requirement)(C)
- 5-501.18 Cleaning Implements and Supplies (Receptacles) (C)
- 5-501.19 Storage Areas, Redeeming Machines, Receptacles and Waste Handling Units, Location(C)
- 5-501.110 Storage Refuse, Recyclables and Returnables (Inaccessible to Pests) (C)
- 5-501.111 Area, Enclosures and Receptacles, Good Repair (C)
- 5-501.112 Outside Storage Prohibitions (C)
- 5-501.113 Covering Receptacles (C)
- 5-501.114 Using Drain Plugs (C)
- 5-501.115 Maintaining Refuse Areas and Enclosures (Free of Unnecessary Items) (C)
- 5-501.116 Cleaning Receptacles (C)
- 5-502.11 Frequency-Removal (C)
- 5-502.12 Receptacles or Vehicles, Removal (C)
- 5-503.11 Community or Individual Facility - Facilities for Disposal and Recycling (C)
- 6-202.110 Outdoor refuse Areas, Curbed and Graded to Drain (C)
- 228.223(m) BED AND BREAKFAST--Garbage receptacles (C)
- 228.224(k) OUTFITTER OPERATION--Garbage receptacles. Impervious receptacles shall be provided for storage of garbage and refuse (C)

55. Physical facilities installed, maintained, and clean

Observations are made of the overall conditions or practices related to the physical facility (e.g., materials used, 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 public health impact involved if compliance is not met. Storage of maintenance tools, use of laundry facilities, if applicable, and separate living/sleeping quarters are included in this section.

Applicable Code Sections:

- 4-301.15 Clothes Washers and Dryers (Provisions for clothes and linens washed on-site) (C)
- 4-401.11(C) Washer and dryer (Location) (C)
- 4-803.13 Use of Laundry Facilities (C)
- 6-101.11 Surface Characteristics-Indoor Areas (C)
- 6-102.11 Surface Characteristics-Outdoor Areas (C)
- 6-201.11 Floors, Walls and Ceilings-Cleanability (SMOOTH and EASILY CLEANABLE) (C)
- 6-201.12 Floors, Walls, and Ceilings, Utility Lines (C)
- 6-201.13 Floor and Wall Junctures, Coved, and Enclosed or Sealed (C)
- 6-201.14 Floor Carpeting, Restrictions and Installation (C)
- 6-201.15 Floor Covering, Mats and Duckboards (Removable and EASILY CLEANABLE) (C)
- 6-201.16 Wall and Ceiling Coverings and Coatings (EASILY CLEANABLE) (C)
- 6-201.17 Walls and Ceilings, Attachments (C)
- 6-201.18 Walls and Ceilings, Studs, Joists, and Rafters (Not exposed in areas subject to moisture) (C)
- 6-202.17 Outdoor Food Vending Areas. Overhead Protection (C)
- 6-202.19 Outdoor Walking and Driving Surfaces, Graded to Drain (C)
- 6-202.111 Private Homes and Living or Sleeping Quarters, Use Prohibition (P)
- 6-202.112 Living or Sleeping Quarters, Separation (C)
- 6-501.11 Repairing - PHYSICAL FACILITIES shall be maintained in good repair (C)
- 6-501.12 Cleaning, Frequency and Restrictions (C)
- 6-501.13 Cleaning Floors, Dustless Methods (C)
- 6-501.15 Cleaning Maintenance Tools, Preventing Contamination (Pf)

MARKING INSTRUCTIONS GUIDE: Instructions for Marking the DSHS Food Establishment Inspection Report – page 35

6-501.16	Drying Mops(C)
6-501.17	Absorbent Materials on Floors, Use Limitation (C)
6-501.113	Storing Maintenance Tools (mops, brooms, vacuum cleaners, and similar items) (C)
6-501.114	Maintaining Premises, Unnecessary Items and Litter (C)
228.171	Wall and Ceiling Coverings and Coatings (Light in color, Approval of the regulatory authority) (C)
228.221(a)(4)(B)	MOBILE FOOD UNIT--Central Preparation Facility—authorization (C)
228.221(a)(4)(C)	MOBILE FOOD UNIT--Central Preparation Facility Inspection Report (C)
228.221(a)(4)(D)	MOBILE FOOD UNIT--Servicing Area Authorization (C)
228.221(a)(4)(E)	MOBILE FOOD UNIT--Menu. A menu of all food items to be sold (C)
228.221(b)	MOBILE FOOD UNIT--Central preparation facility criteria (C)
228.221(c)(1)(A)	MOBILE FOOD UNIT--Servicing area Overhead Protection (C)
228.221(c)(1)(D)	MOBILE FOOD UNIT--Servicing area surface material (C)
228.222(j)	TEMPORARY EVENT--Floors if graded to drain material criteria (C)
228.222(k)(1)	TEMPORARY EVENT-- walls and ceilings criteria (C)
228.224(m)	OUTFITTER OPERATION--central preparation facility (C)
228.225(h)	Self-Service Market signage (C)

56. Adequate ventilation and lighting; designated areas used

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 and that lights are at an adequate light intensity, and personal belongings are properly stored to maintain clean and sanitary facility and protect food and equipment.

Applicable Code Sections:

4-202.18	Ventilation Hood Systems, Filters (C)
4-204.11	Ventilation Hood Systems, Drip Prevention (C)
4-301.14	Ventilation Hood Systems, Adequacy (Sufficient in number and capacity) (C)
6-202.11	Light Bulbs, Protective Shielding (C)
6-202.12	Heating, Ventilation, Air Conditioning System Vents (C)
6-303.11	Intensity-Lighting (Lux, Foot Candles) (C)
6-304.11	Mechanical-Ventilation (C)
6-305.11	Designation-Dressing Areas and Lockers (C)
6-403.11	Designated Areas-Employee Accommodations for eating/drinking/smoking (C)
6-501.14	Cleaning Ventilation Systems, Nuisance and Discharge Prohibition (C)
6-501.110	Using Dressing Rooms and Lockers (C)