

7 *Model Forms, Guides, and Other Aids*

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The documents provided in this Annex are intended to facilitate adoption of the Food Code and the application of its provisions as they relate to conditional employees' and food employees' health and to food establishment inspections.

Forms 1-A through 1-C are designed to assist those responsible for managing employees in order to prevent foodborne disease. The Food Code specifies that the **permit holder is responsible** for requiring conditional employees or food employees to report certain symptoms, diagnoses, and past illnesses, as they relate to diseases transmitted through food by infected workers. The **conditional employee or food employee is personally responsible** for reporting this information to the person in charge.

Form 1-D is a user-aid for a regulatory agency when considering a request to allow bare hand contact with ready-to-eat food.

Forms 2-A and 2-B can be used for the Code adoption process and Form 3-A is provided for use in recording HACCP information and inspectional observations. Guide 3-B is a compressed outline of the Code to use as a tool in locating and citing Code provisions. Guide 3-C is intended to be used during inspections to ensure that observations of the provisions of the Code are accurately recorded on the Food Code Establishment Inspection Report form.

FORM 1-A	Conditional Employee and Food Employee Interview Preventing Transmission of Diseases through Food by Infected Food Employees or Conditional Employees with Emphasis on illness due to Norovirus, Salmonella Typhi , Shigella spp., Enterohemorrhagic (EHEC) or Shiga toxin-producing Escherichia coli (STEC), or hepatitis A Virus
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The purpose of this interview is to inform conditional employees and food employees to advise the person in charge of past and current conditions described so that the person in charge can take appropriate steps to preclude the transmission of foodborne illness.

Conditional employee name (print) _____
 Food employee name (print) _____
 Address _____
 Telephone Daytime: _____ Evening: _____
 Date _____

Are you suffering from any of the following symptoms? (Circle one)

		If YES, Date of Onset
Diarrhea?	YES / NO	_____
Vomiting?	YES / NO	_____
Jaundice?	YES / NO	_____
Sore throat with fever?	YES / NO	_____

Or

Infected cut or wound that is open and draining, or lesions containing pus on the hand, wrist, an exposed body part, or other body part and the cut, wound, or lesion not properly covered? YES / NO
 (Examples: *boils and infected wounds, however small*)

In the Past:

Have you ever been diagnosed as being ill with typhoid fever (*Salmonella Typhi*)? YES / NO
 If you have, what was the date of the diagnosis? _____
 If within the past 3 months, did you take antibiotics for *S. Typhi*? YES / NO
 If so, how many days did you take the antibiotics? _____
 If you took antibiotics, did you finish the prescription? YES / NO

History of Exposure:

1. Have you been suspected of causing or have you been exposed to a confirmed foodborne disease outbreak recently? YES / NO
 If YES, date of outbreak: _____
 - a. If YES, what was the cause of the illness and did it meet the following criteria?
 Cause: _____

i. Norovirus (last exposure within the past 48 hours)	Date of illness outbreak _____
ii. <i>E. coli</i> O157:H7 infection (last exposure within the past 3 days)	Date of illness outbreak _____
iii. Hepatitis A virus (last exposure within the past 30 days)	Date of illness outbreak _____
iv. Typhoid fever (last exposure within the past 14 days)	Date of illness outbreak _____
v. Shigellosis (last exposure within the past 3 days)	Date of illness outbreak _____

FORM 1-A (continued)

b. If YES, did you:

- i. Consume food implicated in the outbreak? _____
- ii. Work in a food establishment that was the source of the outbreak? _____
- iii. Consume food at an event that was prepared by person who is ill? _____

2. Did you attend an event or work in a setting, recently where there was a confirmed disease outbreak? YES / NO

If so, what was the cause of the confirmed disease outbreak? _____

If the cause was one of the following five pathogens, did exposure to the pathogen meet the following criteria?

- a. Norovirus (last exposure within the past 48 hours) YES / NO
- b. *E. coli* O157:H7 (or other EHEC/STEC (last exposure within the past 3 days) YES / NO
- c. *Shigella* spp. (last exposure within the past 3 days) YES / NO
- d. *S. Typhi* (last exposure within the past 14 days) YES / NO
- e. hepatitis A virus (last exposure within the past 30 days) YES / NO

Do you live in the same household as a person diagnosed with Norovirus, Shigellosis, typhoid fever, hepatitis A, or illness due to *E. coli* O157:H7 or other EHEC/STEC?

YES / NO Date of onset of illness _____

3. Do you have a household member attending or working in a setting where there is a confirmed disease outbreak of Norovirus, typhoid fever, Shigellosis, EHEC/STEC infection, or hepatitis A?

YES / NO Date of onset of illness _____

Name, Address, and Telephone Number of your Health Practitioner or doctor:

Name _____

Address _____

Telephone – Daytime: _____ Evening: _____

Signature of Conditional Employee _____ Date _____

Signature of Food Employee _____ Date _____

Signature of Permit Holder or Representative _____ Date _____

FORM 1-B	Conditional Employee or Food Employee Reporting Agreement
Preventing Transmission of Diseases through Food by Infected Conditional Employees or Food Employees with Emphasis on illness due to Norovirus, Salmonella Typhi , Shigella spp., Enterohemorrhagic (EHEC) or Shiga toxin-producing Escherichia coli (STEC), or hepatitis A Virus	

The purpose of this agreement is to inform conditional employees or food employees of their responsibility to notify the person in charge when they experience any of the conditions listed so that the person in charge can take appropriate steps to preclude the transmission of foodborne illness.

I AGREE TO REPORT TO THE PERSON IN CHARGE:

Any Onset of the Following Symptoms, Either While at Work or Outside of Work, Including the Date of Onset:

1. Diarrhea
2. Vomiting
3. Jaundice
4. Sore throat with fever
5. Infected cuts or wounds, or lesions containing pus on the hand, wrist , an exposed body part, or other body part and the cuts, wounds, or lesions are not properly covered (*such as boils and infected wounds, however small*)

Future Medical Diagnosis:

Whenever diagnosed as being ill with Norovirus, typhoid fever (*Salmonella Typhi*), shigellosis (*Shigella* spp. infection), *Escherichia coli* O157:H7 or other EHEC/STEC infection, or hepatitis A (hepatitis A virus infection)

Future Exposure to Foodborne Pathogens:

- 1. Exposure to or suspicion of causing any confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other EHEC/STEC infection, or hepatitis A.**
- 2. A household member diagnosed with Norovirus, typhoid fever, shigellosis, illness due to EHEC/STEC, or hepatitis A.**
- 3. A household member attending or working in a setting experiencing a confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other EHEC/STEC infection, or hepatitis A.**

I have read (or had explained to me) and understand the requirements concerning my responsibilities under the **Food Code** and this agreement to comply with:

1. Reporting requirements specified above involving symptoms, diagnoses, and exposure specified;
2. Work restrictions or exclusions that are imposed upon me; and
3. Good hygienic practices.

I understand that failure to comply with the terms of this agreement could lead to action by the food establishment or the food regulatory authority that may jeopardize my employment and may involve legal action against me.

Conditional Employee Name (please print) _____

Signature of Conditional Employee _____ **Date** _____

Food Employee Name (please print) _____

Signature of Food Employee _____ **Date** _____

Signature of Permit Holder or Representative _____ **Date** _____

FORM

1-C

Conditional Employee or Food Employee Medical Referral

Preventing Transmission of Diseases through Food by Infected Food Employees with Emphasis on Illness due to Norovirus, Typhoid fever (***Salmonella Typhi***), **Shigellosis (*Shigella* spp.)**, ***Escherichia coli* O157:H7** or other Enterohemorrhagic (EHEC) or Shiga toxin-producing ***Escherichia coli* (STEC)**, and hepatitis A Virus

The **Food Code** specifies, under **Part 2-2 Employee Health Subpart 2-201 Disease or Medical Condition**, that Conditional Employees and Food Employees obtain medical clearance from a health practitioner licensed to practice medicine, unless the Food Employees have complied with the provisions specified as an alternative to providing medical documentation, whenever the individual:

1. Is chronically suffering from a symptom such as **diarrhea**; or
2. Has a **current illness** involving Norovirus, typhoid fever (***Salmonella Typhi***), shigellosis (***Shigella* spp.**) ***E. coli* O157:H7** infection (or other EHEC/STEC), or hepatitis A virus (hepatitis A), or
3. Reports **past illness** involving typhoid fever (***S. Typhi***) within the past three months (while salmonellosis is fairly common in U.S., typhoid fever, caused by infection with ***S. Typhi***, is rare).

Conditional employee being referred: (Name, please print) _____

Food Employee being referred: (Name, please print) _____

4. Is the employee assigned to a food establishment that serves a population that meets the Food Code definition of a **highly susceptible population** such as a day care center with preschool age children, a hospital kitchen with immunocompromised persons, or an assisted living facility or nursing home with older adults?

YES **NO**

Reason for Medical Referral: The reason for this referral is checked below:

- Is chronically suffering from vomiting or diarrhea; or (specify) _____
- Diagnosed or suspected Norovirus, typhoid fever, shigellosis, ***E. coli* O157:H7** (or other EHEC/STEC) infection, or hepatitis A. (Specify) _____
- Reported past illness from typhoid fever within the past 3 months. (Date of illness) _____
- Other medical condition of concern per the following description: _____

Health Practitioner's Conclusion: (Circle the appropriate one; refer to reverse side of form)

- Food employee is free of **Norovirus** infection, typhoid fever (***S. Typhi*** infection), ***Shigella* spp.** infection, ***E. coli* O157:H7** (or other **EHEC/STEC** infection), or **hepatitis A** virus infection, and may work as a food employee without restrictions.
- Food employee is an asymptomatic shedder of ***E. coli* O157:H7** (or other **EHEC/STEC**), ***Shigella* spp.**, or Norovirus, and is restricted from working with exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles in food establishments that do not serve highly susceptible populations.
- Food employee is not ill but continues as an asymptomatic shedder of ***E. coli* O157:H7** (or other **EHEC/STEC**), ***Shigella* spp.** and should be excluded from food establishments that serve highly susceptible populations such as those who are preschool age, immunocompromised, or older adults and in a facility that provides preschool custodial care, health care, or assisted living.
- Food employee is an asymptomatic shedder of **hepatitis A** virus and should be excluded from working in a food establishment until medically cleared.
- Food employee is an asymptomatic shedder of **Norovirus** and should be excluded from working in a food establishment until medically cleared, or for at least 24 hours from the date of the diagnosis.
- Food employee is suffering from Norovirus, typhoid fever, shigellosis, ***E. coli* O157:H7** (or other **EHEC/STEC** infection), or **hepatitis A** and should be excluded from working in a food establishment.

FORM 1-C (continued)

COMMENTS: (In accordance with Title I of the Americans with Disabilities Act (ADA) and to provide only the information necessary to assist the food establishment operator in preventing foodborne disease transmission, please confine comments to explaining your conclusion and estimating when the employee may be reinstated.)

Signature of Health Practitioner _____ **Date** _____

Paraphrased from the FDA Food Code for Health Practitioner's Reference

From Subparagraph 2-201.11(A)(2)

Organisms of Concern:

Any foodborne pathogen, with special emphasis on these 5 organisms:

1. **Norovirus**
2. **S. Typhi**
3. **Shigella** spp.
4. **E. coli** O157:H7 (or other EHEC/STEC)
5. **Hepatitis A** virus

From Subparagraph 2-201.11(A)(1)

Symptoms:

Have any of the following symptoms:

Diarrhea

Vomiting

Jaundice

Sore throat with fever

From Subparagraph 2-201.11(A)(4)-(5)

Conditions of Exposure of Concern:

- (1) Suspected of causing a foodborne outbreak or being exposed to an outbreak caused by 1 of the 5 organisms above, at an event such as a family meal, church supper, or festival because the person:
 - Prepared or consumed an implicated food; or
 - Consumed food prepared by a person who is infected or ill with the organism that caused the outbreak or who is suspected of being a carrier;
- (2) Lives with, and has knowledge about, a person who is diagnosed with illness caused by 1 of the 5 organisms; or
- (3) Lives with, and has knowledge about, a person who works where there is an outbreak caused by 1 of the 5 organisms.

From Subparagraph 2-201.12

Exclusion and Restriction:

Decisions to exclude or restrict a food employee are made considering the available evidence about the person's role in actual or potential foodborne illness transmission. Evidence includes:

Symptoms Diagnosis Past illnesses Stool/blood tests

In facilities serving highly susceptible populations such as day care centers and health care facilities, a person for whom there is evidence of foodborne illness is almost always excluded from the food establishment.

In other establishments such as restaurants and retail food stores, that offer food to typically healthy consumers, a person might only be restricted from certain duties, based on the evidence of foodborne illness.

Exclusion from any food establishment is required when the person is:

- Exhibiting or reporting diarrhea or vomiting;
- Diagnosed with illness caused by *S. Typhi*; or
- Jaundiced within the last 7 days.

For *Shigella* spp. or *Escherichia coli* O157:H7 or other EHEC/STEC infections, the person's stools must be negative for 2 consecutive cultures taken no earlier than 48 hours after antibiotics are discontinued, and at least 24 hours apart or the infected individual must have resolution of symptoms for more than 7 days or at least 7 days have passed since the employee was diagnosed.

FORM
2-A

Adoption by Reference

This "short form" may be used by governmental bodies adopting the Food Code where authorized by law. Use of the adoption by reference form may substantially reduce the cost of publishing and printing.

The description of the Food Code, below, includes Chapter 8 and the Chapter 8 annex (Annex 1). Modifications to the description may be necessary, based on what provisions are being adopted and whether they are being adopted as law or regulation.

Section 2 lists provisions that may require modifications to be consistent with existing law or that require insertion of dollar amounts.

(JURISDICTION) FOOD CODE

(statute/regulation/ordinance) Number

ADOPTING THE 2005 EDITION OF THE "FOOD CODE" REGULATING THE RETAIL SALE, COMMERCIAL AND INSTITUTIONAL SERVICE, AND VENDING OF FOOD; DEFINING PERMIT HOLDER, PERSON IN CHARGE, EMPLOYEE, FOOD, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), FOOD ESTABLISHMENT, SAFE MATERIAL, SANITIZATION, AND OTHER TERMS; AND PROVIDING STANDARDS FOR EMPLOYEE FOOD SAFETY KNOWLEDGE, HEALTH, AND PRACTICES; FOOD SOURCES, PREPARATION, HOLDING TEMPERATURES, AND PROTECTION; EQUIPMENT DESIGN, CONSTRUCTION, INSTALLATION, CLEANING, AND SANITIZATION; WATER, AND LIQUID AND SOLID WASTES; FACILITIES CONSTRUCTION AND MAINTENANCE, AND STORAGE AND USE OF POISONOUS AND TOXIC MATERIALS; REQUIRING A PERMIT TO OPERATE A FOOD ESTABLISHMENT; AND PROVIDING FOR THE RESTRICTION OR EXCLUSION OF EMPLOYEES, THE EXAMINATION AND CONDEMNATION OF FOOD, AND THE ENFORCEMENT OF THIS CODE INCLUDING THE SETTING OF PENALTIES.

The (governing body) of the (jurisdiction) does ordain as follows:

SECTION 1. ADOPTION OF FOOD CODE

That a certain document, three copies of which are on file in the office of the (jurisdiction's keeper of records) of the (type of jurisdiction) of (name of jurisdiction) being marked and designated as the *Food Code, 2005 Recommendations of the United States Public Health Service/Food and Drug Administration* as published by the U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration be, and is hereby adopted as, the Food Code of (type of jurisdiction) of (name of jurisdiction) in the State of (state name); for regulating the design, construction, management, and operation of food establishments, and providing for plans submission and approval and the issuance of permits and collection of fees therefore.

SECTION 2. INSERTIONS AND CHANGES

That the following provisions are hereby revised as follows:

Paragraph 8-811.10(B)(1) and (2) Insert **(Dollar Amount)**

Paragraph 8-813.10(B) Insert **(Dollar Amounts)**

Subparagraph 8-811.10(B)(2) Insert **(Number of Year(s))**

SECTION 3. INCONSISTENT CODES REPEALED

That (statute/regulation/ordinance) number (present code number) of the (jurisdiction) titled, (complete title of the food code[s] in effect at the present time so they will be repealed by definite mention) and all other codes or portions of codes in conflict herewith are hereby repealed in that respect only.

SECTION 4. CERTIFICATION OF ADOPTION AND PUBLISHING

That the (jurisdiction's keeper of records) shall certify the adoption of this (statute/regulation/ordinance) and cause the same to be published as required by law.

SECTION 5. EFFECTIVE DATE

That this Code and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect (time period) from and after the date of its final passage and approval.

PASSED AND APPROVED BY (name of adopting authority) on this (day) of (month, year).

BY:

Examples of how some jurisdictions have set fines, sentences, and penalties:

California law provides:

A. For Wholesale Food Violations:

Criminal fines and sentence for violations of up to **\$1,000** and up to **one** year imprisonment if there is shown an intent to defraud or mislead, and

Civil penalties of up to **\$1,000** per day for certain violations.

B. For Retail Food Violations:

Criminal fines and sentence for violations of not less than twenty-five dollars (\$25) or more than one thousand dollars (\$1000) for each offense, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment.

Maryland law provides:

Criminal fines and sentence for certain misdemeanors of up to **\$10,000** and **one** year imprisonment, and in the case of repeat code violation convictions, up to **\$25,000** and **three** years imprisonment; and

Civil penalties of up to **\$5,000** for each violation and for each day the violation continues.

Texas law provides:

Criminal fines and sentence for certain violations of up to **\$10,000** and **two** years imprisonment; and

Assessment of five "severity" levels of administrative or civil penalties with base amounts ranging from **\$1,250** through **\$10,000**. Base amounts can be decreased or increased by as much as 50% considering factors such as past performance, good faith, direct impact on health and safety, high-risk populations involved, etc.

Though rarely used with retail food establishments, **Federal** law provides under the *Criminal Fine Enforcement Act of 1984* for a fine up to **\$100,000** for a misdemeanor by a corporation or individual not resulting in death and, for misdemeanors resulting in death, a fine of up to **\$250,000** for individuals and **\$500,000** for corporations.

FORM
2-B

Adoption by Section-by-Section Reference

This "long form" may be used by governmental bodies adopting the Food Code section-by-section.

The description of the "Food Code," below, includes Chapter 8 and the Chapter 8 annex (Annex 1). Modifications to the description may be necessary, based on what provisions are being adopted and whether they are being adopted as law or regulation.

Section 2 lists provisions that may require modifications to be consistent with existing law or that require insertion of dollar amounts.

(JURISDICTION) FOOD CODE

(statute/regulation/ordinance) Number

ADOPTING A CODE REGULATING THE RETAIL SALE, COMMERCIAL AND INSTITUTIONAL SERVICE, AND VENDING OF FOOD; DEFINING PERMIT HOLDER, PERSON IN CHARGE, EMPLOYEE, FOOD, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), FOOD ESTABLISHMENT, SAFE MATERIAL, SANITIZATION, AND OTHER TERMS; AND PROVIDING STANDARDS FOR EMPLOYEE FOOD SAFETY KNOWLEDGE, HEALTH, AND PRACTICES; FOOD SOURCES, PREPARATION, HOLDING TEMPERATURES, AND PROTECTION; EQUIPMENT DESIGN, CONSTRUCTION, INSTALLATION, CLEANING AND SANITIZATION; WATER, AND LIQUID AND SOLID WASTES; FACILITIES CONSTRUCTION AND MAINTENANCE, AND STORAGE AND USE OF POISONOUS AND TOXIC MATERIALS; REQUIRING A PERMIT TO OPERATE A FOOD ESTABLISHMENT; AND PROVIDING FOR THE RESTRICTION OR EXCLUSION OF EMPLOYEES, THE EXAMINATION AND CONDEMNATION OF FOOD, AND THE ENFORCEMENT OF THIS CODE INCLUDING THE SETTING OF PENALTIES.

The (governing body) of the (jurisdiction) does ordain as follows:

(REPRINT THE *FOOD CODE*, (date) *RECOMMENDATIONS OF THE UNITED STATES PUBLIC HEALTH SERVICE/FOOD AND DRUG ADMINISTRATION, SECTION-BY-SECTION*)

SECTION 2. INSERTIONS AND CHANGES

That the following provisions may need to be completed as follows:

Paragraph 8-811.10(B)(1) and (2) Insert **(Dollar Amount)**

Paragraph 8-813.10(B) Insert **(Dollar Amounts)**

Subparagraph 8-811.10(B)(2) Insert **(Number of Year(s))**

SECTION 3. INCONSISTENT CODES REPEALED

That (statute/regulation/ordinance) number (present code number) of the (jurisdiction) titled, (complete title of the food code[s] in effect at the present time so they will be repealed by definite mention) and all other codes or portions of codes in conflict herewith are hereby repealed in that respect only.

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Civil penalties of up to **\$5,000** for each violation and for each day the violation continues.

Texas law provides:

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Assessment of five "severity" levels of administrative or civil penalties with base amounts ranging from **\$1,250** through **\$10,000**. Base amounts can be decreased or increased by as much as 50% considering factors such as past performance, good faith, direct impact on health and safety, high-risk populations involved, etc.

Though rarely used with retail food establishments, **Federal** law provides under the *Criminal Fine Enforcement Act of 1984* for a fine up to **\$100,000** for a misdemeanor by a corporation or individual not resulting in death and, for misdemeanors resulting in death, a fine of up to **\$250,000** for individuals and **\$500,000** for corporations.

**FORM
3-A**

Food Establishment Inspection Report

The food establishment inspection report is the official regulatory authority document regarding compliance of the establishment with agency requirements. The goal of the report is to clearly, concisely, and fairly present the compliance status of the establishment and to convey compliance information to the permit holder or person in charge at the conclusion of the inspection. The Food Establishment Inspection Report form is provided as a model for use during routine, follow-up, and investigative inspections.

Refer to Annex 5 for further information.

Food Establishment Inspection Report

As Governed by State Code Section		No. of Risk Factor/Intervention Violations		Date _____	
		No. of Repeat Risk Factor/Intervention Violations		Time In _____	
		Score (optional)		Time Out _____	
Establishment	Address	City/State	Zip Code	Telephone	
License/Permit #	Permit Holder	Purpose of Inspection	Est. Type	Risk Category	

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item Mark "X" in appropriate box for COS and R
IN=in compliance **OUT**=not in compliance **N/O**=not observed **N/A**=not applicable **COS**=corrected on-site during inspection **R**=repeat violation

Compliance Status				COS	R	Compliance Status				COS	R	
Supervision						Potentially Hazardous Food (TCS food)						
1	IN OUT	Person in charge present, demonstrates knowledge, and performs duties				16	IN OUT N/A N/O	Proper cooking time and temperatures				
Employee Health						Consumer Advisory						
2	IN OUT	Management awareness; policy present				17	IN OUT N/A N/O	Proper reheating procedures for hot holding				
3	IN OUT	Proper use of reporting, restriction & exclusion				18	IN OUT N/A N/O	Proper cooling time and temperatures				
Good Hygienic Practices						Highly Susceptible Populations						
4	IN OUT N/O	Proper eating, tasting, drinking, or tobacco use				19	IN OUT N/A N/O	Proper hot holding temperatures				
5	IN OUT N/O	No discharge from eyes, nose, and mouth				20	IN OUT N/A	Proper cold holding temperatures				
Preventing Contamination by Hands						Chemical						
6	IN OUT N/O	Hands clean and properly washed				21	IN OUT N/A N/O	Proper date marking and disposition				
7	IN OUT N/A N/O	No bare hand contact with ready-to-eat foods or approved alternate method properly followed				22	IN OUT N/A N/O	Time as a public health control: procedures & records				
8	IN OUT	Adequate handwashing facilities supplied & accessible				Conformance with Approved Procedures						
Approved Source						23	IN OUT N/A	Consumer advisory provided for raw or undercooked foods				
9	IN OUT	Food obtained from approved source				Highly Susceptible Populations						
10	IN OUT N/A N/O	Food received at proper temperature				24	IN OUT N/A	Pasteurized foods used; prohibited foods not offered				
11	IN OUT	Food in good condition, safe, and unadulterated				Chemical						
12	IN OUT N/A N/O	Required records available: shellstock tags, parasite destruction				25	IN OUT N/A	Food additives: approved and properly used				
Protection from Contamination						26	IN OUT	Toxic substances properly identified, stored, used				
13	IN OUT N/A	Food separated and protected				Conformance with Approved Procedures						
14	IN OUT N/A	Food-contact surfaces: cleaned & sanitized				27	IN OUT N/A	Compliance with variance, specialized process, and HACCP plan				
15	IN OUT	Proper disposition of returned, previously served, reconditioned, and unsafe food				<p>Risk factors are food preparation practices and employees behaviors most commonly reported to the Centers for Disease Control and Prevention as contributing factors in foodborne illness outbreaks.</p> <p>Public health interventions are control measures to prevent foodborne illness or injury.</p>						

GOOD RETAIL PRACTICES

Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods.
 Mark "X" in box if numbered item is **not** in compliance Mark "X" in appropriate box for COS and/or R **COS**=corrected on-site during inspection **R**=repeat violation

Safe Food and Water				COS	R	Proper Use of Utensils				COS	R	
28		Pasteurized eggs used where required				41		In-use utensils: properly stored				
29		Water and ice from approved source				42		Utensils, equipment and linens: properly stored, dried, handled				
30		Variance obtained for specialized processing methods				43		Single-use/single-service articles: properly stored, used				
Food Temperature Control						44		Gloves used properly				
31		Proper cooling methods used; adequate equipment for temperature control				Utensils, Equipment and Vending						
32		Plant food properly cooked for hot holding				45		Food and nonfood-contact surfaces cleanable, properly designed, constructed, and used				
33		Approved thawing methods used				46		Warewashing facilities: installed, maintained, used; test strips				
34		Thermometers provided and accurate				47		Nonfood-contact surfaces clean				
Food Identification						Physical Facilities						
35		Food properly labeled; original container				48		Hot and cold water available; adequate pressure				
Prevention of Food Contamination						49		Plumbing installed; proper backflow devices				
36		Insects, rodents, and animals not present				50		Sewage and waste water properly disposed				
37		Contamination prevented during food preparation, storage & display				51		Toilet facilities: properly constructed, supplied, cleanec				
38		Personal cleanliness				52		Garbage/refuse properly disposed; facilities maintained				
39		Wiping cloths: properly used and stored				53		Physical facilities installed, maintained, and clean				
40		Washing fruits and vegetables				54		Adequate ventilation and lighting; designated areas use				

Person in Charge (Signature)	Date:
Inspector (Signature)	Follow-up: YES NO (Circle one) Follow-up Date:

GUIDE

3-B

**Food Code References for Risk Factors/Interventions
and Good Retail Practices Specified on the
Food Establishment Inspection Report Form**

The major headings from the Food Establishment Inspection Report form have been extracted and condensed in Guide 3-B to key word phrases to assist the person conducting inspections in locating the Food Code citation that corresponds to a given violation and recording inspectional observations.

Annex 7, Guide 3-B (continued)
Part 2. Good Retail Practices

<p>42. Utensils, equipment, & linens properly stored, dried, & handled</p> <p>4-801.11 Clean linens free of food residues & soil</p> <p>4-802.11 Based on use, linens laundered at adequate frequency</p> <p>4-803.11 Soiled linens properly stored</p> <p>4-803.12 Linens mechanically washed unless only wiping cloths are laundered on site</p> <p>4-901.11 Equipment/utensils air dried after washing, rinsing, & sanitizing</p> <p>4-903.11 Equipment/utensils/linens stored 6" off floor in clean, dry location</p> <p>4-903.12 Equipment/utensils/linens not stored in prohibited areas</p> <p>4-904.11 Kitchenware/tableware handled to protect food-/lip-contact surfaces</p> <p>4-904.12 Soiled tableware removed from eating areas</p> <p>4-904.13 Preset tableware wrapped/covered; unused settings removed from table</p> <p>43. Single-service & single-use articles properly stored & used</p> <p>4-502.12 Single-service items available if no warewashing facilities present *</p> <p>4-502.13 Single-service/-use items not reused</p> <p>4-502.14 Molluscan/crustacean shells used only once as serving container</p> <p>4-903.11 Single-service/use items stored 6" off the floor in a clean, dry location</p> <p>4-903.12 Single-service/-use items not stored in specified places</p> <p>4-904.11 Single-service/-use items properly handled to protect food-/lip-contact surfaces</p> <p>44. Gloves used properly</p> <p>3-304.15 Single-use gloves only used for one task; Appropriate gloves used for task being performed</p>	<p>45. Food- & nonfood-contact surfaces cleanable, properly designed, constructed, & used (continued)</p> <p>4-202.15 Cutting parts of can opener readily removable for cleaning/replacement</p> <p>4-202.16 Nonfood-contact surfaces</p> <p>4-202.17 Kick plates removable for cleaning</p> <p>4-204.12 Covers/lids for equipment openings overlap the opening & sloped to drain</p> <p>4-204.15 Equipment requiring lubricants designed so that lubricants do not drip into food</p> <p>4-204.16 Beverage tubing not in contact with stored ice</p> <p>4-204.17 Liquid waste drains do not pass through ice storage bins</p> <p>4-204.18 Condenser unit separated from food storage space</p> <p>4-204.19 Can openers on vending machines protected from contamination</p> <p>4-204.110 Molluscan shellfish tanks marked for display only or operated under a HACCP plan</p> <p>4-204.13 Dispensing equipment designed to protect unpackage product</p> <p>4-204.14 Vending machine equipped with self-closing door or cover</p> <p>4-204.111 Vending machines for PHF (TCS Foods) equipped with auto shutoff *</p> <p>4-204.121 Vending machines for liquids equipped with drains, internal waste receptacle, & automatic shutoff</p> <p>4-204.122 Case lot handling equipment movable by hand, hand trucks, or forklifts</p> <p>4-204.123 Vending machine doors/openings tight-fitting</p> <p>4-302.11 Dispensing utensils provided for each container of consumer self-service unit</p> <p>4-401.11 Equipment, washers/dryers, linen, & storage cabinets properly located</p> <p>4-402.11 Fixed or counter-mounted equipment properly spaced or sealed</p> <p>4-402.12 Fixed or counter-mounted equipment properly elevated or sealed</p> <p>4-501.11 Equipment in good repair & adjusted per manufacturer's specs</p> <p>4-501.12 Scratched cutting boards resurfaced or discarded</p> <p>4-501.13 Microwave ovens meeting safety standards specified in CFR</p> <p>4-502.11 Utensils maintained in good repair; thermometers calibrated per manufacturer's specs</p> <p>4-603.11 Dry cleaning methods used with non PHF (non TCS Foods) only</p> <p>4-603.17 Cleaning/refilling of returnables only for non PHF (non TCS Foods) or conducted at a regulated facility*</p> <p>4-902.11 Food-contact surfaces not contaminated during lubricating of equipment</p> <p>4-902.12 Food-contact surfaces not contaminated during reassembly of equipment</p>
<p><u>Utensils, Equipment, and Vending</u></p>	
<p>45. Food- & nonfood-contact surfaces cleanable, properly designed, constructed, & used</p> <p>3-304.16 Clean tableware for seconds provided to</p> <p>3-304.17 Returnables not refilled at food establishment</p> <p>4-101.11 Utensils/food-contact surfaces made of safe, durable, smooth materials*</p> <p>4-101.12 Cast iron not used for food-contact surfaces, unless it meets exemptions</p> <p>4-101.13 Lead, pewter, & solder exceeding limits for lead, not used for food-contact surfaces</p> <p>4-101.14 Copper not used for food-contact surfaces*</p> <p>4-101.15 Galvanized metal not used for food-contact surfaces*</p> <p>4-101.17 Wood used for food-contact surfaces constructed of hard wood</p> <p>4-101.18 Nonscratching utensil used with nonstick coatings</p> <p>4-101.19 Nonfood-contact surfaces made of durable, smooth materials</p> <p>4-102.11 Single-service/-use items made of safe & clean materials*</p> <p>4-201.11 Equipment and Utensil Durability and Strength</p> <p>4-201.12 Food Temperature Measuring Devices*</p> <p>4-202.11-12 Food-contact surfaces smooth & easily accessible for cleaning;* CIP equipment easily cleanable</p> <p>4-202.13 "V" threads only used for hot oil equipment</p> <p>4-202.14 Hot Oil Filtering Equipment</p>	

Annex 7, Guide 3-B (continued)
Part 2. Good Retail Practices

<p>52. Garbage, refuse, recyclables, returnables properly disposed; facilities maintained</p> <p>5-501.11 Outdoor storage surface constructed of nonabsorbent material & sloped to drain</p> <p>5-501.12 Outdoor enclosure for refuse constructed of durable, cleanable materials</p> <p>5-501.13 Receptacles durable, cleanable, insect-/rodent-resistant & leakproof</p> <p>5-501.14 Receptacles not within vending machines</p> <p>5-501.15 Outside receptacles designed with tight-fitting lids/doors/covers & properly installed</p> <p>5-501.16 Sufficient storage capacity – & area/receptacles provided to hold refuse</p> <p>5-501.18 Cleaning implements/supplies provided for effective cleaning of receptacles</p> <p>5-501.19 Refuse storage areas located separate from food/utensils/equipment & not creating a nuisance</p> <p>5-501.110 Receptacles for refuse, recyclables, returnables inaccessible to insects/rodents</p> <p>5-501.111 Storage areas/receptacles in good repair</p> <p>5-501.112 Receptacles, such as plastic bags accessible to rodents, not stored outside</p> <p>5-501.113 Inside receptacles covered if not continually used; Outside receptacles equipped with tight fitting lids</p> <p>5-501.114 Drain plugs provided in receptacles with drains</p> <p>5-501.115 Refuse areas & enclosures maintained clean</p> <p>5-501.116 Cleaning of receptacles done in way not to contaminate food/utensils/equipment</p> <p>5-502.11 -.12 Refuse, recyclables, returnables removed in approved manner & at proper frequency to minimize attracting pests & developing odors</p> <p>5-503.11 Refuse disposed of in an approved public or private facility</p> <p>6-202.110 Outdoor refuse areas curbed & graded to drain</p>	<p>6-201.13 Floor to wall junctures coved; Water-flushed floors provided with drains & graded to drain</p> <p>6-201.14 -.15 Carpeting not in areas subject to moisture; Mats/duckboards removable & easily cleanable</p> <p>6-201.16 -.18 Wall & ceiling coatings/attachments easily cleanable; Studs unexposed in areas subject to moisture</p> <p>6-202.17 -.19 Overhead protection at outdoor vending & servicing areas; Outdoor walking/driving surfaces graded to drain</p> <p>6-202.111 -.112 Living/sleeping quarters not used for food establishment operations; living/sleeping quarters on the premises separated from food operation</p> <p>6-501.11 -.112 Physical facilities maintained in good repair & cleaned as often as necessary to keep them clean</p> <p>6-501.13 Floors cleaned by dustless methods</p> <p>6-501.15 Mop water/maintenance tools not put in prep, handwashing, or warewashing sinks *</p> <p>6-501.16 Mops allowed to air dry after use</p> <p>6-501.17 Sawdust/wood shavings/granular salt/clay not used on floors</p> <p>6-501.113 -.114 Maintenance tools properly stored; premises free of unnecessary items/litter</p>
<p>53. Physical facilities installed, maintained, & clean</p> <p>4-301.15 Clothes washer & dryer provided for laundering conducted on premises</p> <p>4-401.11(C) Washer & dryer properly located away from food/utensils/equipment</p> <p>4-803.13 Laundry facilities used only for items used in the facility</p> <p>6-101.11 Materials for floors/walls/ceilings smooth, durable, & easily cleanable under normal use</p> <p>6-102.11 Outdoor areas surfaced with concrete/asphalt; Exterior surfaces weather-resistant</p> <p>6-201.11 -.12 Floors/walls/ceilings smooth & easily cleanable; Utility lines not unnecessarily exposed</p>	<p>54. Adequate ventilation & lighting; designated areas provided/used</p> <p>4-202.18 Ventilation filters designed for ease of cleaning & maintenance</p> <p>4-204.11 Ventilation hood designed to prevent condensate from dripping onto food/equipment</p> <p>4-301.14 Ventilation hood adequate to prevent grease & condensation build-up</p> <p>6-202.12 Heating/ventilation/air conditioning units properly designed to prevent contamination</p> <p>6-304.11 Mechanical ventilation of adequate capacity to remove steam, heat, vapors, odors, smoke, fumes</p> <p>6-501.14 Ventilation system cleaned in way not to cause contamination or create a public health hazard</p> <p>6-202.11 Protective shielding on light bulbs over exposed food/utensils/equipment</p> <p>6-303.11 Lighting intensity adequate in food prep, storage, & service areas</p> <p>6-305.11 Dressing rooms designated if employees change on-site; Lockers provided for employees</p> <p>6-403.11 Designated areas for employees for eating/drinking/smoking</p> <p>6-501.110 Designated dressing rooms/lockers used by employees</p>

GUIDE**3-C****Instructions for Marking the Food Establishment Inspection Report**

Guide 3-C is intended to be used during inspections to ensure that observations of the provisions of the Code are not overlooked during the inspection, and accurately recorded on the Food Code Establishment Inspection Report form.

Chart 4-A

Summary Chart for Minimum Cooking Food Temperatures and Holding Times Required by Chapter 3

Food	Minimum Temperature	Minimum Holding Time at the Specified Temperature
Raw Eggs prepared for immediate service Commercially Raised Game Animals and Exotic Species of Game Animals Fish, Pork, and Meat Not Otherwise Specified in this Chart or in ¶ 3-401.11(B)	63°C (145°F)	15 seconds
Raw Eggs not prepared for immediate service Comminuted Commercially Raised Game Animals and Exotic Species of Game Animals Comminuted Fish and Meats Injected Meats	70°C (158°F) 68°C (155°F) 66°C (150°F) 63°C (145°F)	< 1 second 15 seconds 1 minute 3 minutes
Poultry Baluts Stuffed Fish; Stuffed Meat; Stuffed Pasta; Stuffed Poultry; Stuffed Ratites Stuffing Containing Fish, Meat, Poultry, or Ratites Wild Game Animals	74°C (165°F)	15 seconds
Food Cooked in A Microwave Oven	74°C (165°F)	and hold for 2 minutes after removing from microwave oven

Chart 4-B**Summary Chart for Minimum Food Temperatures and Holding Times
Required by Chapter 3 for Reheating Foods for Hot Holding**

Food	Minimum Temperature	Minimum Holding Time at the Specified Temperature	Maximum Time to Reach Minimum Temperature
¶ 3-403.11(A) and (D) Food that is cooked, cooled, and reheated	74°C (165°F)	15 seconds	2 hours
¶ 3-403.11(B) and (D) Food that is reheated in a microwave oven	74°C (165°F)	and hold for 2 minutes after reheating	2 hours
¶ 3-403.11(C) and (D) Food that is taken from a commercially processed, hermetically sealed container or intact package	57°C (135°F)	No time specified	2 hours
¶ 3-403.11(E) Unsliced portions of meat roasts cooked as specified under ¶ 3-401.11(B)	Same oven parameters and minimum time and temperature conditions as specified under ¶ 3-401.11(B)		Not applicable
	OR		
	Minimum and maximum time and temperature conditions listed in this chart for ¶ 3-403.11(A), and (D).		

Chart 4-D

FDA Food Code Mobile Food Establishment Matrix

This table is a plan review and inspectional guide for mobile food establishments based on the mobile unit's menu and operation. Mobile units range in type from push carts to food preparation catering vehicles.

To use the table, read down the columns based on the menu and operation in use. For example, if only prepackaged potentially hazardous food (time/temperature control for safety food) is served, then requirements listed in the **Potentially Hazardous (TCS) Menu - *Prepackaged*** column apply. Likewise, if only food that is not potentially hazardous (time/temperature control for safety food) is prepared on board, then requirements listed in the **Not Potentially Hazardous Menu (TCS) - *Food Preparation*** column apply. Note that if a mobile food establishment has available for sale to the consumer both prepackaged potentially hazardous food (time/temperature control for safety food) and potentially hazardous food (time/temperature control for safety food) prepared on board, then the more stringent requirements of the **Potentially Hazardous (TCS) Menu - *Food Preparation*** column apply.

It is important to remember that mobile units may also be subject to all Food Code provisions that apply to food establishments. Consult the local regulatory authority for specific local requirements.

The local regulatory authority's decision to require auxiliary support services such as a commissary or servicing area should be based on the menu, type of operation, and availability of on-board or on-site equipment.

NOTE: The Food Code definition of "Food Establishment" does not include an establishment that offers only prepackaged foods that are not potentially hazardous (time/temperature control for safety foods).

FDA FOOD CODE MOBILE FOOD ESTABLISHMENT MATRIX

Food Code	Potentially Hazardous Food (TCS food) Menu		Not Potentially Hazardous Food (TCS Food) Menu
<i>Areas/Chapter</i>	<i>Food Preparation</i>	<i>Prepackaged</i>	<i>Food Preparation</i>
Personnel	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)	Applicable Sections of Parts 2-2 - 2-4 5-203.11 (C)
Food	3-101.11 3-201.11-.16 3-202.16; Applicable Sections of Part 3-3; 3-501.16 3-501.18(A)	3-101.11 3-201.11-.16 3-303.12(A) 3-501.16 3-305.11; 3-305.12 (Applicable to Service Area or Commissary)	3-101.11; 3-201.11 3-202.16; Applicable Sections of Part 3-3
Temperature Requirements	3-202.11; Applicable Sections of Parts 3-4 & 3-5	3-202.11 3-501.16	NONE
Equipment Requirements	Applicable Sections of Parts 4-1- 4-9 and 5-5	Applicable Sections of Parts 4-1 - 4-2; 4-6 and 5-5	Applicable Sections of Parts 4-1 - 4-2; 4-5 - 4-6 and 5-5
Water & Sewage	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13-.15	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13 -.15	5-104.12 5-203.11(A) & (C) Part 5-3; 5-401.11 5-402.13-.15
Physical Facility	6-101.11; 6-201.11 6-102.11(A) & (B) 6-202.15; 6-501.11 6-501.12; 6-501.111	6-101.11 6-102.11(A) & (B) 6-202.15 6-501.111	6-101.11; 6-201.11 6-102.11(A) & (B) 6-202.15; 6-501.11 6-501.12; 6-501.111
Toxic Materials	Applicable Sections of Chapter 7	Applicable Sections of Chapter 7	Applicable Sections of Chapter 7
Servicing	6-202.18 / As necessary to comply with the Food Code	6-202.18 / As necessary to comply with the Food Code	6-202.18 / As necessary to comply with the Food Code
Compliance and Enforcement	Applicable Sections of Chapter 8 and Annex 1	Applicable Sections of Chapter 8 and Annex 1	Applicable Sections of Chapter 8 and Annex 1