Making Snow Cones

1. Count out 100 cups and write the number on the inventory sheet.

2. Place one generous scoop of ice in the cup. (If there is a great deal of water in the ice, drain it.)

3. Cover with desired flavor of syrup.

Cleaning Bliz-Wiz

1. Empty ice from machine.

2. Empty water pan.

3. Wipe the entire unit clean and sanitize.

Set-Up of Potato Chips.

1. Fill the chip racks completely full. Make sure there is a variety of chips.

2. Count the number of chips there are on the rack, and write that number on the inventory sheet.

Set-Up of Candy

1. Make sure there is at least one box of each type of candy that is in stock.

2. Count the total number of bars and write that total on the inventory sheet.
Set up for Beverage.
1. Count out 150 small 16 oz. cups and 75 large 32 oz. cups.
2. Write the totals on the inventory sheets.
3. Turn on machine. (Start Up)
4. Fill the cup half full with ice.
5. Fill the rest of the cup up with the desired beverage.

Cleaning the Drink Machine.
1. Empty out the ice.
2. Turn machine off.
3. Remove the nozzles and tray.
4. Wash and sanitize nozzles and tray.
5. Wipe the machine clean.
Appendix I

The agreement that both the supervisor and the employee sign is a benefit to both parties. It will protect the Recreational Center from employees who have not read the manual and destroy equipment out of ignorance. And the employee will read to see what is expected and he is guaranteed a chance to ask any questions over the procedures that are unfamiliar. This should be updated to provide all employees a chance to become familiar with any change in policy that does occur.
Employee Agreement

I hereby certify that I have read the employee manual. All areas that were unclear or for which I had questions were explained by the director of the food service.

I also agree to follow the procedures that were outlined in the manual and follow the rules specified.

If procedures are not followed, I understand I could be held accountable.

............................ Employee's Name

............................ Date

............................ Food Service Director

............................ Date
Appendix J

These are the blueprints that were used in the redesigning of the concession stand. There are two sets of drawings, Original and the revised. The revised show what the concession stand could look like. Also included is the justification of what the different drawings do include.
Justification of the Blueprints

Page 1 of 8

The original plan of the concession stand and equipment schedule.
This is what the concession stand looks like and where the equipment is placed.

Page 2 of 8

The dimension plan of the original concession stand.
These are the measurements of the present space for the concession stand.

Page 3 of 8

The evaluation of the original traffic flow.
The traffic patterns and space arrangement used when both food and beverage is obtained by patrons using the original equipment plan.

Page 4 of 8

The arrangement of work areas by color.
The work areas are broken down into five component parts. These parts are color coded to see how congested this area becomes during serving time.

Page 5 of 8

The proposed plan for rearrangement of the equipment.
This is a suggestion of how the equipment maybe set up to
be more accessible and to speed up service.

Page 6 of 8

Revised dimension plan.
Shows the proposed space plan for the concession stand.
The major changes will be the added door and the rearrangement for efficiency.

Page 7 of 8

Evaluation of the traffic flow for the revised concession stand.
This shows the traffic patterns and space arrangements of the revised concession stand.

Page 8 of 8

The arrangement of space by color.
This shows work areas broken down again in the five component parts. This shows how this area can become more efficient.
Appendix K

These are the local health regulations that were used in the paper. They were very helpful in giving direction on how to help improve the concession stand and still keep the building in the accepted regulations, so food could be served to the patrons.

These are the main rules that all food service places must follow so they may obtain and keep a license to serve the public food.
Section 3732.03. Prior to conducting a food service operation in this state, every person or governmental agency shall procure a license for the food service operation and shall renew the license on or before the first day of March each year; however, a mobile food service operation or a temporary food service operation may obtain or renew its license at any time before it begins conduct of its food service operation during the licensing year. If a license fee as prescribed by section 3732.04 of the Revised Code is not received by the licensor on or before the date it is due, a penalty of twenty-five percent of any such fee shall be imposed and paid. Except as provided in this section, no food service operation shall be maintained and conducted in this state without such a license. A person or governmental agency that has received a license, except for a license to operate a temporary food service operation, upon the sale or disposition of the food service operation or the removal to a new location may, upon obtaining consent of the licensor, have its license transferred, but no license shall be transferred without such consent, nor more than once. In no event, shall licenses to operate a temporary food service operation be transferred. A person or governmental agency shall obtain a separate license for each temporary food service operation which it intends to operate; provided, that no person or governmental agency shall operate temporary food service operations for more than twenty days or parts of a day in any year.

Section 3732.04.

(A)(1) An annual license fee shall be levied upon each food service operation for the purpose of enforcing and paying the expense of the inspection. Any fee or portion of any fee retained by the licensor shall be paid into a special fund and used only for the purpose of administering and enforcing sections 3732.02 to 3732.08 of the Revised Code.

The license fee for a food service operation as defined in divisions (A)(1) and (3) of section 3732.01 of the Revised Code is fifty dollars for each food service operation having a seating capacity of forty-nine persons or less; sixty-seven dollars for each food service operation having a seating capacity of fifty but less than seventy-five persons; ninety-three dollars for each food service operation having a seating capacity of seventy-five but less than one hundred persons; and one hundred thirteen dollars for each food service operation having a seating capacity of one hundred persons or more.

III
The sum of ten dollars of each such license fee shall be transmitted by the licensor to the Treasurer of State, to be deposited in the food service operations special account which is hereby created in the state special revenue fund. The Director of Health shall use money from the food service operations special account for purposes of administering and enforcing Chapter 3732. of the Revised Code.

(2) The annual license fee for a food service operation as defined by division (A)(2) of section 3732.01 of the Revised Code is fourteen dollars. The sum of two dollars and fifty cents of each license fee shall be transmitted by the licensor to the Treasurer of State, to be deposited in the food service operations special account. The portion of the fee retained by the licensor shall be paid into a special fund and used only for the purpose of administering and enforcing sections 3732.02 to 3732.08 of the Revised Code.

(3) The local board of health shall establish the license fee for a food service operation as defined in division (A)(4) of section 3732.01 of the Revised Code with the maximum not to exceed twenty-five dollars, except that in the case of a temporary food service operation operated by a nonprofit youth group whose membership consists primarily of persons aged eighteen or younger, the maximum fee shall not exceed three dollars.

(4) Churches, hospitals, schools, nonprofit youth groups whose membership consists primarily of persons aged eighteen or younger, and governmental operations shall pay only the sum of twenty-five dollars for a food service operation license, which the licensor shall retain.

(B) A food service operation's current license shall be displayed in a conspicuous and public manner in the licensed place. A license may be canceled by the licensor at any time for the violation of any law covered by sections 3732.02 to 3732.08 of the Revised Code.

(C) Application for a food service license shall be made on a form prescribed and furnished by the Director of Health, who shall also prescribe and furnish the license to the licensor.

(D) Within thirty days after the issuance of the license, certification by the licensor of applicant's compliance with sections 3732.02 to 3732.08 of the Revised Code and the rules made under those sections, and the licensor's inspection of a new food service operation, shall be made to the Director of Health on a form prescribed by him.

IV
(E) Any holder of a license under this section whose principal business is a food service operation, including but not limited to the preparation and complete baking of pizza pies for consumption on or off the premises, is exempt from the [bakery] registration requirement under section 911.02 and the [frozen desserts] licensure requirement under section 3717.52 of the Revised Code.

(F) Fees authorized or charged under this section shall be in lieu of all food service operation license and inspection fees required by the licensor on or with respect to the operation of, ownership of, or employment by food service operations within this state, except that the licensor may charge additional reasonable fees, not to exceed five dollars, for the collection and bacteriological examination of any necessary water samples taken from a food service operation.

Section 3732.05. It is hereby made a duty of the department of health or city or general health districts to inspect or cause to be inspected and recorded on a form prescribed by the department of health at least once annually, every food service operation which comes within the provisions of sections 3732.02 to 3732.08, inclusive, of the Revised Code and for that purpose to have the right of entry thereto at any reasonable time.

Section 3732.06. The Director of Health shall survey each of the city and general health districts to determine their adequacies for carrying out the provisions of sections 3732.02 to 3732.07, inclusive, of the Revised Code and upon determining that a district is so qualified, shall place such district upon an approved list. The Director of Health may resurvey any approved district when, in his opinion, such resurvey is necessary and remove from such approved list any district found not to be adequately carrying out the provisions of sections 3732.02 to 3732.07, inclusive, of the Revised Code.

The inspections, acts, and records of those districts appearing on the approved list shall be given full faith and credit by all other districts in this state. If, after a survey as provided for in this section, the Director of Health determines that a city or general health district is not qualified to carry out the provisions of sections 3732.02 to 3732.06, inclusive, of the Revised Code, he may take any necessary steps to cause the food service operations in the district to be adequately inspected. All necessary costs resulting from such inspection shall be paid by the said health district; provided
that such costs shall not exceed the amount of tax money collectible annually in said health district under the provisions of sections 3732.02 to 3732.08, inclusive, of the Revised Code.

Section 3732.061. Within thirty days of the convening of the first annual session of each General Assembly, the Director of Health shall submit a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate. In each report, the Director shall set forth the total costs and expenses of operating and administering the food service operations program and the total amount of license fees received under the program, and shall include his recommendations, if any, for changes to the program.

Section 3732.07. Whenever grounds exist for suspending or revoking a license, such suspension or revocation shall not take place until the licensor shall have first notified such licensee, calling specific attention to the infractions of sections 3732.03 to 3732.05, inclusive, of the Revised Code or to the infractions of regulations adopted pursuant thereto, and affording a reasonable time and opportunity to correct the same. If such notice is not complied with, then the licensor may suspend or revoke such license. Any person, firm, association, or corporation whose license has been suspended, revoked or who has been refused the issuance or transfer of a license, shall have the right to an appeal as provided in sections 2506.01 to 2506.04, inclusive, of the Revised Code.

Section 3732.08. The prosecuting attorney of any county in which a violation of Chapter 3732 of the Revised Code occurs, upon complaint of the department of health or a general health district, or the legal advisor of a city in which such violation occurs, upon complaint of a city health district, shall prosecute to termination in any court of record a proper action or proceeding against any person or persons violating any provisions of Chapter 3732 of the Revised Code.

Section 3732.09.

(A) The Director of Health shall study and approve instructions detailing first aid techniques designed and intended for use by a person without medical training in removing food which has become lodged in the throat of a choking victim.
(B) The Director of Health shall publish the approved instructions and make them available to food service operations.

(C) Each food service operation shall post the instructions in a place or in places conspicuous to persons employed by or connected with the management of such food service operation in order that such persons may become familiar with the techniques and may consult the instructions to provide relief to a choking victim.

(D) Failure of a food service operation to post instructions as required by this section shall not subject such food service operation, any of its employees, or any persons connected with its management to any criminal penalty or to civil liability in an action for damages for personal injury or wrongful death arising from any choking emergency.

(E) Nothing in this section shall impose or be construed to impose a duty or obligation upon any food service operation, any of its employees, or any person connected with its management, or any other person to remove, attempt to remove, or assist in removing food which has been lodged in the throat of a choking victim.

(F) No food service operation, employees of a food service operation, or person connected with its management, or any other person shall be liable in any civil action for damages for personal injury or wrongful death for not removing, not attempting to remove, or not assisting in the removal of food which has become lodged in the throat of a choking victim.

(G) No food service operation, employee of a food service operation, person connected with its management, or any other person shall be liable in any civil action for damages for personal injury or wrongful death for any acts or omissions of any individual removing, attempting to remove, or assisting in the removal of food lodged in the throat of a choking victim in accordance with instructions published by the Director of Health.

Section 3732.99. Whoever violates sections 3732.03 or 3732.05 of the Revised Code shall be fined not more than one hundred dollars for each day that such violation is continued.
FOOD SERVICE OPERATIONS
CHAPTER 3701-21

Rules Governing Food Service Operations And Providing Uniform Sanitation Standards, Approval Of Plans, Equipment, and Supplies By The Department Or City Or General Health Districts

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3701-21-01 Definitions.

As used in Chapter 3701-21 of the Administrative Code:

(A) "Approved chemical sanitizer product" is a product that has been registered with the United States environmental protection agency, does not require use of a final potable water rinse, and bears a label claiming that it will sanitize food contact surfaces.

(B) "Approved detergent-sanitizer product" is a product in which all chemicals are compatible, which is registered with the United States environmental protection agency, does not require use of a final potable water rinse, and bears a label claiming that it will clean and sanitize food contact surfaces.

(C) "Board of health" means the board of health of any city or general health district, or the authority having the duties of a board of health as authorized by section 3709.05 of the Revised Code.

(D) "Catering food service operation" means a food service operation, as defined in section 3732.01 of the Revised Code where meals or lunches or portions thereof are prepared and/or served for luncheons, banquets, or similar events for a consideration at a central location or an off-premise site. The consideration is contracted for on the basis of the entire luncheon, banquet, or event and not on the basis of an individual meal or lunch.

(E) "Community care home" means a facility licensed, certified or otherwise, approved by the Ohio department of human services, the Ohio department of mental retardation and developmental disabilities, the Ohio department of mental health, the Ohio department of youth services, or another government agency which provides room and board, personal care, habilitation services, and supervision in a family setting for more than five and not more than sixteen clients.

(F) "Consideration," as used in section 3732.01 of the Revised Code, means anything of value or of a benefit to the operator.

(G) "Department" means the department of health.

(H) "Director" means the director of health.
"Easily cleanable" means that surfaces are readily accessible and made of such materials and finish and so fabricated that residue may be effectively removed by normal cleaning methods.

"Employee" means any person who works in a food service operation.

"Equipment" means stoves, ovens, ranges, hoods, slicers, meat slicers, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items other than utensils.

"Food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale, in whole or in part, for human consumption.

"Food contact surfaces" means those surfaces of equipment and utensils which, under normal conditions, come into contact with food and those surfaces from which food may drain, drip, or splash back onto surfaces normally in contact with food.

"Food processing establishment" means a commercial establishment in which food is manufactured or packaged for human consumption under government supervision.

"Food service operation" means an operation as defined in section 3732.01 of the Revised Code. Two or more food serving areas, each supplied by separate kitchens, are considered two or more separate food service operations and must be licensed individually even though located in the same building or structure. This definition shall not apply to operations serving only ice cream, frozen dessert novelties, beverages, nuts, popcorn, candy and similar confections, bakery products as defined in section 911.01 of the Revised Code, or any combination of the above.

"Health district" means each city and general health district established by section 3709.01 of the Revised Code.

"Hermetically sealed container" means a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its contents after processing.

"Kitchenware" means pots, pans, and all multi-use utensils other than tableware.
"Licensor means the board of health of any city or general health district, or the authority having the duties of a board of health as authorized by section 3709.05 of the Revised Code.

"Mobile food service operation" means an operation as defined in division (C) of section 3732.01 of the Revised Code.

"Operator" means the person, firm, association, corporation, or governmental operation that is in responsible charge of conducting a food service operation.

"Portion of premises utilized for the food service operation" means and includes those portions of the structure or building and any parts of the property used for food preparation, food serving, food storage, and related purposes, as well as places where meals or lunches or portions thereof are prepared for consumption elsewhere.

"Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, tofu, baked or boiled potatoes, cooked rice, cooked beans, or other ingredients including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include clean, whole, uncracked, uncooked, odor-free shell eggs, or foods which have a pH level of 4.6 or below, or a water activity (aw) value of 0.85 or less.

"Reconstituted" means dehydrated food products recombined with water or other liquids.

"Safe materials" means articles manufactured from or composed of materials that may not reasonably be expected to directly or indirectly affect the characteristics of any food.

"Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level on utensils and equipment.

"Sealed" means free of cracks or other openings that permit the entry or passage of moisture or any deleterious substance or compound.
"Single-service articles" means cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, toothpicks, and similar articles intended for one-time, one-person use and then discarded.

"Single-use container" means any container into which food has been packaged by the manufacturer or packer which is of such construction as to render it difficult to clean, and, when empty, is to be discarded. Examples of single-use containers include number ten cans, crinkled aluminum pie pans, bread wrappers, plastic jugs with difficult-to-clean interiors, and similar containers.

"Tableware" means multi-use eating and drinking utensils.

"Temporary food service operation" means an operation as defined in division (D) of section 3732.01 of the Revised Code.

"Unwholesomeness" means adulteration, as defined in divisions (A) to (F) of section 3715.59 of the Revised Code.

"Utensils" means and includes kitchenware, tableware, and any other implement coming in contact with food during storage, preparation, transportation or serving.

In the administration and enforcement of Chapter 3732. of the Revised Code and Chapter 3701-21 of the Administrative Code, all adjectives and adverbs such as adequate, approved, clean, convenient, effectively, good, sanitary, satisfactory, sufficient, safe, or suitable shall be interpreted in a manner consistent with the published interpretation and recommendations in the usage of the words, as they relate to food service operations, by the food and drug administration, public health service, of the United States department of health and human services, or consistent with the usage and understanding of the words by the food service industry and the food service regulatory agencies or other appropriate regulatory agencies, to the extent that these interpretations are not in conflict with the laws of this state.
3701-21-02 License.

(A) Application for a license. During the month of February of each year, except as hereinafter provided, every operator of a food service operation proposing to operate during any part of the licensing year shall apply for a license for that year from the board of health of the health district in which the food service operation is located.

This provision shall apply to all food service operations except mobile food service operations, temporary food service operations, and new food service operations opened for business subsequent to March first of each year.

(B) An application for a license to operate a new food service operation during any part of the year shall be filed as hereinafter provided not less than ten days before the food service operation is opened for business. If proper application has been made, all plans have been approved and complied with on the final inspection, and all items are in compliance with Chapter 3732. of the Revised Code and Chapter 3701-21 of the Administrative Code, the ten-day waiting period may be waived and the license issued.

(C) The operator of a mobile food service operation shall make application for a license to the board of health of the health district in which the operator's business headquarters are located. The operator of a mobile food service operation whose business address is located outside of Ohio shall make application for a license to the board of health having jurisdiction over the operator's first Ohio location in any one licensing year. A food service license issued to an operator of a mobile food service operation by an approved health district, as provided in section 3732.06 of the Revised Code, shall be given full faith and credit by all other health districts in the state.

(D) The operator of a food service operation shall make written application for a license to the licensor on an application form prescribed by the director which shall contain all pertinent information related to the portions of the premises utilized for the food service operation.
(E) The operator of a catering food service operation shall make application for a license to the board of health of the health district in which the operator's kitchen is located. A food service license issued to an operator of a catering food service operation by an approved health district, as provided in section 3732.06 of the Revised Code, shall be given full faith and credit by all other health districts in the state. The operator of a catering food service operation, upon the request of an authorized representative of any health district in which the caterer operates, shall present a copy of the license.

(F) A food service operation's current license shall be displayed in a conspicuous and public manner in the licensed place.
3701-21-03 Approval of plans and equipment.

(A) Approval of plans required. No person, firm, association, organization, corporation, or government operation shall construct, install, provide, equip, or extensively alter a food service operation until the plans therefor have been submitted to and approved in writing by the licensor or its authorized representative. If the department is responsible for inspections, as provided in section 3732.06 of the Revised Code, plans shall be submitted to and must be approved by the department. When plans are submitted to either the board of health, its authorized representative, or the department, they shall be acted upon within thirty days after date of receipt.

(B) Application for approval of plans. The plans and specifications submitted for the approval of the licensor or the department shall clearly confirm that the applicable provisions of rules 3701-21-04 to 3701-21-19 of the Administrative Code can be met adequately. The plans and specifications shall be legible, be drawn reasonably to scale, and shall include:

1. The type of operation proposed and foods to be prepared and served;
2. The total area to be used for the food service operation;
3. All portions of the premises in which the food service operations are to be conducted;
4. Entrances and exits;
5. Location, number and types of plumbing fixtures, including all water supply facilities;
6. Plan of lighting, both natural and artificial, with foot-candles indicated for critical surfaces;
7. A floor plan showing the general layout of fixtures and other equipment;
8. Building materials and surface finishes to be used; and
9. An equipment list with equipment manufacturers and model numbers.
(C) Approval of equipment. All equipment used in a food service operation shall be of a type approved by the department or a recognized food service equipment testing agency, or, if not addressed by these entities, approved by the licensor. All equipment shall be of such material and so constructed and installed as to readily conform with rules 3701-21-04 to 3701-21-21 of the Administrative Code. The licensor shall permit community care homes, as defined in rule 3701-21-01 of the Administrative Code, to use noncommercial equipment, in order to provide a family-style home environment.

(D) The licensor of a mobile food service operation or its authorized representative, after issuance of the food service license, shall post on the back of the food service license, in indelible ink, pertinent information concerning the structure, facilities, and equipment of the operation. This information shall include the type of operation and food served, a drawing showing the general operation layout, the location and type of major equipment, and a general description of the structure.
3701-21-04 Food.

(A) Wholesome and approved source.

(1) Food shall be wholesome, in sound condition free from spoilage, filth, or other contamination, and shall be safe for human consumption.

(2) Food shall be obtained from sources that comply with all laws relating to food and food products.

(3) The use of food in hermetically sealed containers that were not prepared in a food processing establishment is prohibited.

(4) Milk and milk products used or served shall be pasteurized and meet the standards contained in rules adopted under section 3707.372 of the Revised Code and shall be from sources licensed under section 3707.374 of the Revised Code. Dry milk and dry milk products shall be made from pasteurized milk and milk products.

(5) Only clean, whole eggs, with shells intact and without cracks or checks, pasteurized liquid, frozen, or dry eggs, or pasteurized dry egg products shall be used, except that hardboiled, peeled eggs, commercially prepared and packaged, may be used.

(6) Only government-inspected meat shall be served in a food service operation.

(7) Samples of food and other substances may be taken and examined by the licensor or its authorized representative as often as necessary for the detection of un wholesomeness. The licensor or its authorized representative shall notify the operator that food service operations are prohibited by law from using unwholesome food and of measures that are necessary for the operator to achieve compliance.
(B) Properly labeled.

(1) All oysters, clams, and mussels shall be packaged in nonreturnable packages identified with the name and address of the original processor or packer. All oysters, clams and mussels, if shucked, shall be kept in the original containers in which they were received until they are used.

(2) Unless its identity is unmistakable, bulk food such as cooking oil, syrup, salt, or flour not stored in the product container or package in which it was obtained shall be stored in a container identifying the food by common name.
3701-21-05  **Food protection.**

(A) Potentially hazardous foods - temperature requirements.

(1) Potentially hazardous foods shall be kept at an internal temperature of forty-five degrees Fahrenheit (seven and two-tenths degrees Celsius) or below or at an internal temperature of one hundred forty degrees Fahrenheit (sixty degrees Celsius) or above during storage, display, and transportation, except that rare roast beef shall be held at an internal temperature of at least one hundred thirty degrees Fahrenheit (fifty-four and four-tenths degrees Celsius).

(2) Potentially hazardous foods requiring cooking shall be cooked to heat all parts of the food to a temperature of at least one hundred forty degrees Fahrenheit (sixty degrees Celsius), except that:

(a) Poultry, poultry stuffings, stuffed meats, and stuffings containing meat shall be cooked to heat all parts to at least one hundred sixty-five degrees Fahrenheit (seventy-three and eight-tenths degrees Celsius) with no interruption of the cooking process;

(b) Pork and any product containing pork shall be cooked to heat all parts of the food to one hundred fifty degrees Fahrenheit (sixty-five and five tenths degrees Celsius) or, if cooked in a microwave oven, to at least one hundred seventy degrees Fahrenheit (seventy-six and seven-tenths degrees Celsius);

(c) Rare roast beef shall be cooked to an internal temperature of at least one hundred thirty degrees Fahrenheit (fifty-four and four-tenths degrees Celsius) or, if cooked in a microwave oven, to an internal temperature of at least one hundred forty-five degrees Fahrenheit (sixty-three degrees Celsius);

(d) Raw or rare potentially hazardous food may be served if so ordered by the consumer.
(3) Potentially hazardous foods requiring refrigeration shall be rapidly cooled to an internal temperature of forty-five degrees Fahrenheit (seven and two-tenths degrees Celsius) utilizing such methods as shallow pans, mechanical agitation, quick chilling, or water circulation external to the food container so that the cooling period does not exceed four hours.

(4) Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to one hundred sixty-five degrees Fahrenheit (seventy-three and eight-tenths degrees Celsius) or higher throughout before being served or before being placed in a hot food storage facility, except that rare roast beef may be reheated to one hundred thirty degrees Fahrenheit (fifty-four and four-tenths degrees Celsius). Steam tables, bains-marie, warmers, and similar hot food holding facilities not designed for rapid reheating are prohibited for the rapid reheating of potentially hazardous foods.

(5) Non-dairy creaming, whitening, or whipping agents may be reconstituted on the premises only when they do not exceed one gallon in capacity and are cooled to forty-five degrees Fahrenheit (seven and two-tenths degrees Celsius) or below within four hours after preparation.

(B) Sufficient facilities to maintain product temperature.

Enough conveniently located hot holding facilities, refrigeration facilities, or effectively insulated facilities shall be provided to assure maintenance of potentially hazardous foods at the required temperature during storage, transporation, and display.

(C) Thermometers.

(1) Each refrigerated facility, excluding freezers, storing potentially hazardous food shall be provided with a numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit (plus or minus one and seven-tenths degrees Celsius), located to measure the air temperature in the warmest part of the facility and located to be easily readable. Recording thermometers, accurate to plus or minus three degrees Fahrenheit (plus or minus one and seven-tenths degrees Celsius),
may be used in lieu of indicating thermometers.

(2) Each hot food facility storing potentially hazardous food shall be provided with a numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit (plus or minus one and seven-tenths degrees Celsius), located to measure the air in the coolest part of the facility and located to be easily readable. Recording thermometers, accurate to plus or minus three degrees Fahrenheit (plus or minus one and seven-tenths degrees Celsius), may be used in lieu of indicating thermometers. If is impractical to install thermometers on equipment such as bains-marie, steam tables, steam kettles, heat lamps, cal-rod units, or insulated food transport carriers, a metal stem-type, numerically scaled product thermometer must be available and used to check the internal food temperature.

(3) Metal stem-type, numerically scaled product thermometers, accurate to plus or minus two degrees Fahrenheit (plus or minus one and one-tenth degrees Celsius), shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods.

(D) Thawing of foods. Potentially hazardous foods shall be thawed:

(1) In refrigerated units at a temperature not to exceed forty-five degrees Fahrenheit (seven and two-tenths degrees Celsius); or

(2) Under cold potable running water with sufficient water velocity to agitate and float off loose particles into the overflow; or

(3) In a microwave oven, only when the food will be immediately transferred to conventional cooking facilities as part of a continuing cooking process or when the entire uninterrupted cooking process takes place in the microwave oven; or

(4) As a part of the conventional cooking process.
(E) Re-serving of food. Once served to a consumer, portions of leftover food shall not be served again, except in a community care home, as defined in rule 3701-21-01 of the Administrative Code. Packaged food, other than potentially hazardous food, that is still packaged and is still in sound condition may be re-served.

(F) Storage, preparation, display, and transportation.

(1) At all times, including while being stored, prepared, displayed, or transported, food shall be protected from potential contamination, including dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, hair, flooding, drainage, and overhead leakage or overhead drippage from condensation.

(2) Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean, covered, approved container except during necessary periods of preparation or service. Container covers shall be impervious and nonabsorbent, except that clean linens or napkins may be used for moisture retention in raising dough or lining or covering bread or roll containers. Solid cuts of meat shall be protected by being covered in storage, except that primal cuts, quarters, or sides of meat may be hung uncovered on clean, sanitized hooks if no food product is stored beneath the meat.

(3) Containers of food shall be stored a minimum of six inches above the floor in a manner that protects the food from splash and other contamination and that permits easy cleaning of the storage area, except that containers may be stored on dollies, racks, or pallets if the equipment is easily movable.

(4) Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law. The storage and handling of food in toilet rooms or vestibules is prohibited.

(5) Food not subject to further washing or cooking before serving shall be stored in a way that protects it against cross-contamination from food requiring washing or cooking.
(6) Food, food containers, or food utensils shall not be stored in ice intended for human consumption, except that the ice may be used for cooling tubes conveying beverages or beverage ingredients to a dispenser head.

(7) Packaged food shall not be stored in contact with water or undrained ice.

(8) Raw fruits and raw vegetables shall be thoroughly washed with potable water before being cooked or served.

(9) Reconstituted dry milk and milk products may be used only in instant desserts and whipped products or for cooking and baking purposes.

(10) Uncooked liquid, frozen, or dry eggs and egg products shall be used only for cooking and baking purposes.

(11) Milk and milk products shall be provided to the consumer from:

   (a) A commercially filled container stored in a mechanically refrigerated bulk milk dispenser;

   (b) A commercially filled container of not more than one gallon capacity; or

   (c) An unopened, commercially filled package.

(12) Dairy creamers and non-dairy lighteners shall be provided:

   (a) In an individual service container;

   (b) In a protected pour-type pitcher; or

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

(13) Condiments, seasonings, and dressings for counter service and self-service use shall be provided in individual packages, from dispensers, or from containers protected in accordance with this rule, except that catsup and other sauces may be served in the original container or a pour-type dispenser.
(14) Food on display shall be protected from consumer contamination by the use of packaging or protected display cases or by the use of easily cleanable counter serving line food shields.

(G) Handling of food.

(1) Food shall be prepared and served with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed, and sanitized to prevent cross-contamination.

(2) Employees shall use scoops, tongs, or other ice dispensing utensils when serving ice to consumers. Consumers may obtain ice for use only through approved automatic self-service ice dispensing equipment or at locations equipped with suitable food shields and ice dispensing utensils.

(H) In-use storage of dispensing utensils.

(1) Between uses during service, dispensing utensils shall be:

(a) Stored in the food with the dispensing utensil's handle extended out of the food;

(b) Stored clean and dry;

(c) Stored in potable running water with sufficient water velocity to agitate and float-off loose particles into the overflow; or

(d) Dispensing utensils and malt collars used in preparing frozen desserts shall be stored either in a potable running water dipper well or clean and dry.

(2) Ice dispensing utensils shall be stored on a clean surface or in the ice storage bins with the dispensing utensil's handle extended out of the ice. No utensil shall be stored inside an ice-making machine unless the machine is equipped for its storage.

(3) Between uses, ice transfer receptacles shall be stored off the floor in a way that protects them from contamination.
3701-21-06 Personnel.

(A) Employee health.

(1) No person, while infected with a disease in a communicable form that can be transmitted by foods while a carrier of organisms that cause such a disease, or while afflicted with a boil, an infected wound, or an acute respiratory infection, shall work in a food service operation in any capacity in which there is a likelihood of the person contaminating food or food contact surfaces with pathogenic organisms or transmitting disease to other persons.

(2) When the licensor or its authorized representative has reasonable cause to suspect possible disease transmission by an employee of a food service operation, the licensor or authorized representative may secure a morbidity history of the suspected employee or make any other investigation indicated. The licensor or its authorized representative shall notify the operator of measures that are necessary for the operator to achieve compliance with paragraph (A)(1) of this rule.

(B) Personal cleanliness and employee practices.

(1) Employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods in the food service operation.

(2) Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, immediately prior to handling single-service utensils packaged in bulk containers, and after smoking, eating, drinking, or using the restroom facilities. Employees shall keep their fingernails clean and trimmed.

(3) Employees shall consume food only in designated dining areas. An employee dining area shall not be so designated if consuming food there may result in contamination of other food, equipment, utensils, or other items needing protection.
(4) Employees shall not use tobacco in any form while engaged in food preparation or service or while in areas used for equipment or utensil washing or for food preparation, nor shall there be any evidence of tobacco use in these areas. Employees shall use tobacco only in designated areas. An employee tobacco use area shall not be designated for that purpose if the use of tobacco there may result in contamination of food, equipment, utensils, or other items needing protection.

(5) Sinks used for food preparation or for washing equipment or utensils shall not be used for handwashing, except that the dual use shall be permitted in community care homes, as defined in rule 3701-21-01 of the Administrative Code.

(6) The use of lavatories and utensil washing, equipment washing, or food preparation sinks for the disposal of mop water or similar liquid waste is prohibited.

(C) Clothing and hair control.

(1) The outer clothing of all employees shall be clean.

(2) Employees shall keep personal belongings and clothing in appropriate storage areas or facilities.

(3) Employees shall wear their hair clean, neat, and under control at all times. Beards or mustaches shall be neatly trimmed or a snood is to be worn. Employees shall refrain from unnecessary handling of their hair and shall wash their hands after combing or brushing their hair.
3701-21-07  Equipment and utensils.

(A) Food contact surfaces - design, construction, maintenance.

(1) All multi-use equipment and utensils shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, buckling, distortion, pitting, chipping, crazing, scratching, and decomposition.

(2) If solder is used, it shall be composed of safe materials and be corrosion-resistant. Multi-use equipment and utensils shall be smooth and easily cleanable and shall be constructed and repaired with safe materials, including finishing materials that are corrosion-resistant and nonabsorbent.

(3) Food contact surfaces shall be smooth, easily cleanable, free of difficult-to-clean internal corners and crevices, and free of breaks, open seams, cracks, chips, pits, and similar imperfections.

(4) Equipment, utensils, and single-service articles shall not impart odors, color, or taste, or contribute to the contamination of foods. Single-service articles shall be made from clean, sanitary, safe materials.

(5) Safe plastic, rubber, or rubber-like materials that are of sufficient weight and thickness to permit cleaning and sanitizing by normal dishwashing methods and that meet the general requirements set forth in this rule are permitted for repeated use.

(6) Single-use containers not designed for multi-use shall not be reused. Mollusk and crustacea shells may be used only once as a serving container.

(7) Hard maple or equivalently nonabsorbent material that meets the general requirements set forth in this rule may be used for cutting blocks, cutting boards, and similar surfaces. Wood may be used for single-service articles such as chop sticks, stirrers, or ice cream spoons.

(8) Cast iron may be used as a food contact surface only if the surface is heated, such as in grills, griddle tops, and skillets.
(9) Within food contact surfaces, threads shall be designed to facilitate cleaning. Ordinary "V" type threads are prohibited, except that in equipment such as ice makers, hot oil cooking equipment, or hot oil filtering systems, "V" threads shall be minimized.

(10) Equipment containing bearings and gears requiring unsafe lubricants shall be designed and constructed so that the lubricants cannot leak, drip, or be forced into food or onto food contact surfaces. Only safe lubricants shall be used on equipment designed to receive lubrication of bearings and gears on or within food contact surfaces.

(11) Tubing conveying beverages or beverage ingredients to dispensing heads may be in contact with stored ice if the tubing is fabricated from safe materials, is grommeted at entry and exit points to prevent moisture (condensation) from entering the ice-making machine or the ice storage bin, and is kept clean. Drainage or drainage tubes from dispensing units shall not pass through the ice-making machine or the ice storage bins.

(12) Unless designed for in-place cleaning, food contact surfaces shall be accessible for cleaning and inspection:

(a) Without being disassembled;

(b) By disassembling without the use of tools; or

(c) By easy disassembling with the use of only simple tools such as a mallet, a screwdriver, or an open-end wrench kept available near the equipment.

(13) Equipment intended for in-place cleaning shall be so designed and fabricated that:

(a) Cleaning and sanitizing solutions can be circulated throughout a fixed system using an effective cleaning and sanitizing regimen;

(b) Cleaning and sanitizing solutions will contact all interior food contact surfaces; and

(c) The system is self-draining or capable of being completely evacuated.
(14) Fixed equipment designed and fabricated to be cleaned and sanitized by pressure spray methods shall have sealed electrical wiring, switches, and connections.

(B) Non-food contact surfaces - design, construction, maintenance, installation, location.

(1) Surfaces of equipment not intended for contact with food but which are exposed to splash or food debris or which otherwise require frequent cleaning shall be designed and fabricated to be smooth, washable, free of unnecessary ledges, projections, or crevices, readily accessible for cleaning, and shall be of such material and in such repair as to be easily maintained in a clean and sanitary condition.

(2) Ventilation hoods and devices for cooking appliances shall be designed and installed according to Chapter 4101:2-30 of the Administrative Code (article 5 of the mechanical code section, "Ohio Basic Building Code"), as amended, to prevent grease or condensation from collecting on walls and ceilings and from dripping into food or onto food contact surfaces. Filters or other grease extracting equipment shall be readily removable for cleaning and replacement if not designed to be cleaned in-place.

(3) Aisles and working spaces between units of equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties readily without contamination of food or food contact surfaces by clothing or personal contact. All easily movable storage equipment such as pallets, racks, and dollies shall be positioned to provide accessibility to working areas.

(4) Equipment, including ice-making machines and ice storage equipment, shall not be located under exposed or unprotected sewer lines or water lines, open stairwells, or other sources of contamination. This requirement does not apply to automatic fire protection sprinkler heads that may be required by law.

(5) Unless sufficient space is provided for easy cleaning between, behind, and above fixed equipment, the equipment shall be sealed to the adjoining equipment or adjacent walls or ceilings.
(6) Equipment that is placed on tables or counters, unless portable, shall be sealed to the table or counter or elevated on legs to provide at least a four-inch clearance between the table or counter and equipment and shall be installed to facilitate the cleaning of the equipment and adjacent areas.

(7) Equipment is "portable" within the meaning of this rule if:

(a) It is small and light enough to be moved easily by one person; and

(b) It has no utility connection, has a utility connection that disconnects quickly, or has a flexible utility connection line of sufficient length to permit the equipment to be moved for easy cleaning.

(8) Floor-mounted equipment, unless easily movable, shall be:

(a) Sealed to the floor;

(b) Installed on a raised platform of concrete or other smooth masonry in a way that meets all the requirements for sealing or floor clearance; or

(c) Elevated on legs to provide at least a six-inch clearance between the floor and equipment, except that vertically mounted floor mixers may be elevated to provide at least a four-inch clearance between the floor and equipment if no part of the floor under the mixer is more than six inches from cleaning access.

(9) Equipment is "easily movable" within the meaning of this rule if:

(a) It is mounted on wheels or casters; and

(b) It has no utility connection, has a utility connection that disconnects quickly, or has a flexible utility connection line of sufficient length to permit the equipment to be moved for easy cleaning.
(C) Dishwashing facilities - design, construction, operation, and maintenance.

(1) Mechanical cleaning and sanitizing may be done by spray-type or immersion dishwashing machines or by any other type of machine or device if it is demonstrated that it thoroughly cleans and sanitizes equipment and utensils. These machines and devices shall be properly installed, shall be maintained in good repair, and shall be operated in accordance with the manufacturers' instructions. Utensils and equipment placed in the machine or device shall be exposed to all dishwashing cycles. Automatic detergent dispensers, wetting agent dispensers, and liquid sanitizer injectors, if any, shall be properly installed and maintained. Chemicals added for sanitization purposes shall be automatically dispensed.

(2) Rinse water tanks shall be protected by baffles, curtains, or other effective means to minimize the entry of wash water into the rinse water. Conveyors in dishwashing machines shall be accurately timed to assure proper exposure times in wash and rinse cycles in accordance with manufacturers' specifications attached to the machines.

(3) The pressure of final rinse water supplied to spray-type dishwashing machines shall not be less than fifteen or more than twenty-five pounds per square inch measured in the water line immediately adjacent to the final rinse control valve.

(4) All dishwashing machines shall be thoroughly cleaned at least once a day or more often, when necessary to maintain them in a satisfactory operating condition.

(5) For manual washing, rinsing, and sanitizing of utensils and equipment, a sink with not fewer than three compartments shall be provided and used. Sink compartments shall be large enough to permit the accommodation of the equipment and utensils and shall be self-draining. Community Care homes, as defined in rule 3701-21-01 of the Administrative Code, which accommodate ten clients or fewer shall be permitted to use a sink with fewer than three compartments.
(6) When hot water immersion is used for sanitizing, the following facilities shall be provided and used:

(a) An integral heating device or fixture installed in, on, or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least one hundred seventy degrees Fahrenheit (seventy-six and seven-tenths degrees Celsius); and

(b) Dish baskets of such size and design as to permit complete immersion of the tableware.

(7) Fixed equipment and utensils too large to be cleaned in sink compartments shall be washed manually or cleaned through pressure spray methods and sanitized in accordance with this rule.

(8) Separate drain boards shall be provided of adequate size for the proper handling of soiled utensils prior to washing and for the proper handling of cleaned utensils following sanitization. Drain boards shall be convenient for use and shall be self-draining. Easily movable dish tables may be used for the storage of soiled utensils or, on separate tables, for the storage of clean utensils.

(D) Thermometers, iron pipe size valve, and test kits.

(1) For mechanical cleaning and sanitizing equipment:

(a) Machine or water-line mounted, numerically scaled indicating thermometers, accurate to plus or minus three degrees Fahrenheit (plus or minus one and seven-tenths degrees Celsius), shall be provided to indicate the temperature of the water in each tank of the machine and the temperature of the final rinse water as it enters the manifold.

(b) A one-fourth-inch IPS valve shall be provided immediately upstream from the final rinse control valve to permit checking the flow pressure of the final rinse water.
(2) If chemicals are used for sanitization, a test kit or other device that accurately measures the parts per million concentration of the solution shall be provided and used.

(3) When manual hot water immersion is used for sanitizing, a numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit (plus or minus one and seven-tenths degrees Celsius), shall be convenient to the sink for frequent checks of water temperature.

(E) Prewash. Equipment and utensils shall be flushed or scraped and, when necessary, soaked to remove gross food particles and soil prior to being washed in a dishwashing machine unless a prewash cycle is a part of the dishwashing machine operation.

(F) Wash, rinse, and bactericidal treatment—mechanical.

(1) Machines using hot water for sanitizing may be used if wash water and pumped rinse water are kept clean and water is maintained at not less than the temperature stated as follows:

<table>
<thead>
<tr>
<th>Type of Dishwashing Machine</th>
<th>Wash Temperature</th>
<th>Pumped Rinse Temperature</th>
<th>Final Rinse Temperature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single tank, stationary rack, single temperature</td>
<td>165°F (73.8°C)</td>
<td>165°F (73.8°C)</td>
<td></td>
</tr>
<tr>
<td>Single tank, stationary rack, dual temperature</td>
<td>150°F (65.6°C)</td>
<td>180°F (82.2°C)</td>
<td></td>
</tr>
<tr>
<td>Single tank, conveyor machine</td>
<td>160°F (71.1°C)</td>
<td>180°F (82.2°C)</td>
<td></td>
</tr>
<tr>
<td>Multi-tank, conveyor machine</td>
<td>150°F (65.6°C) 160°F (71.1°C)</td>
<td>180°F (82.2°C)</td>
<td></td>
</tr>
<tr>
<td>Single tank, pot, pan, and utensil washing (stationary or moving rack)</td>
<td>140°F (60°C)</td>
<td>180°F (82.2°C)</td>
<td></td>
</tr>
</tbody>
</table>
(2) Machines using chemicals for sanitization may be used, provided that:

(a) The temperature of the wash water is not less than one hundred twenty degrees Fahrenheit (forty-eight and eight-tenths degrees Celsius);

(b) The wash water is kept clean;

(c) Only approved chemical sanitizer products are used;

(d) Chemical sanitizer products shall be automatically dispensed, as specified by the machine's manufacturer;

(e) The chemical sanitizing rinse water temperature shall not be less than seventy-five degrees Fahrenheit (twenty-three and nine-tenths degrees Celsius) nor less than the temperature specified by the machine's manufacturer.

(3) Equipment and utensils shall be placed in racks, trays, baskets, or on conveyors in such a way that food contact surfaces are exposed to the unobstructed application of the detergent wash and clean rinse waters and that permits free draining.

(G) Wash, rinse, and bactericidal treatment-manual.

(1) The following procedure shall be used to manually wash, rinse, and sanitize tableware, kitchenware, and other food contact surfaces in a three-compartment sink:

(a) Sinks shall be cleaned, if necessary, prior to use;

(b) Equipment and utensils shall be immersed and thoroughly washed in the first compartment with a hot detergent solution that is kept clean;

(c) Equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment;

(d) Equipment and utensils shall be sanitized in the third compartment according to one of the methods approved in this rule.
(2) The food contact surfaces of all equipment and utensils shall be sanitized by:

(a) Immersion for at least one-half minute in clean hot water at a temperature of at least one hundred seventy degrees Fahrenheit (seventy-six and seven-tenths degrees Celsius);

(b) Immersion for at least one minute in a clean solution containing at least fifty ppm of available chlorine as a hypochlorite and at a temperature of at least seventy-five degrees Fahrenheit (twenty-three and nine-tenths degrees Celsius);

(c) Immersion for at least one minute in a clean solution containing at least 12.5 ppm of available iodine and having a pH not higher than the pH designated by manufacturer and at a temperature of at least seventy-five degrees Fahrenheit (twenty-three and nine-tenths degrees Celsius);

(d) Immersion in a clean solution containing any other chemical sanitizing agent allowed under 21 C.F.R. 178.1010 that will provide the equivalent bactericidal effect of a solution containing at least fifty ppm of available chlorine as a hypochlorite at a temperature of at least seventy-five degrees Fahrenheit (twenty-three and nine-tenths degrees Celsius) for one minute;

(e) Treatment with steam, free from materials or additives other than those specified in 21 C.F.R. 173.310, in the case of equipment too large to sanitize by immersion but in which steam can be confined; or

(f) Rinsing, spraying, or swabbing with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution under this rule in the case of equipment too large to sanitize by immersion.
(3) Equipment and utensils shall be exposed to the final chemical sanitizing rinse in accordance with the manufacturer's specifications for time and concentration of the approved chemical sanitizer product being used.

(4) Food contact surfaces shall not be subjected to chemical sanitizer concentrations higher than the maximum permitted under 21 C.F.R. (Code of Federal Regulations) 178.1010.

(5) Notwithstanding paragraph (C)(5) of this rule, a two-compartment sink may be used for manually washing and sanitizing utensils and equipment when an approved detergent-sanitizer product is used and the two-compartment sink meets the requirements of paragraph (A) of rule 3701-21-19 of the Administrative Code and has been in use prior to May 1, 1983. However, all two-compartment sinks, except those found in mobile food service operations licensed before May 1, 1983, and community care homes, shall be modified to or replaced by a three-compartment sink by July 1, 1990. The licensor may grant a variance from the requirements of the preceding sentence, upon application by the operator of the food service operation, if modification of the existing sink or installation of a three-compartment sink will cause undue hardship to the operator.

(H) Wiping cloths.

(1) Cloths used for wiping food spills on tableware, such as plates or bowls being served to the consumer, shall be clean, dry, and used for no other purpose.

(2) Moist cloths used for wiping food spills on kitchenware and food contact surfaces of equipment shall be clean and shall be rinsed frequently in one of the sanitizing solutions permitted in this rule, and shall be used for no other purpose. These cloths shall be stored in the sanitizing solution between uses.

(I) Cleaning frequency of food contact surfaces.

(1) Tableware shall be washed, rinsed, and sanitized after each use. Kitchenware and food contact surfaces of equipment shall be washed, rinsed, and sanitized after each use and following any interruption of operations during which time contamination may have
occurred. Community care homes, as defined in rule 3701-21-01 of the Administrative Code, which accommodate ten or fewer clients may only wash and rinse tableware, kitchenware, and other food contact surfaces.

(2) If equipment and utensils are used for the preparation of potentially hazardous foods on a continuous or production-line basis, utensils and the food contact surfaces of equipment shall be washed, rinsed, and sanitized at intervals throughout the day on a schedule based on food temperature, type of food, and amount of food particle accumulation.

(3) The food contact surfaces of grills, griddles, and similar cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once a day, except that this requirement shall not apply to hot oil cooking equipment and hot oil filtering systems. The food contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil.

(J) Cleaning frequency of non-food contact surfaces. Non-food contact surfaces of equipment shall be cleaned as often as necessary to keep the equipment free of accumulation of dust, dirt, food particles, and other debris.

(K) Storage and handling of equipment and utensils.

(1) Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Spoons, knives, and forks shall be touched only by their handles. Cups, glasses, bowls, plates, and similar items shall be handled without contact with inside surfaces or surfaces that contact the user's mouth.

(2) Cleaned and sanitized utensils and equipment shall be stored at least six inches above the floor in a clean, dry location in a way that protects them from contamination by splash, dust, and other means.

(3) Equipment and utensils shall be air dried before being stored or shall be stored in a self-draining position.
(4) Glasses and cups shall be stored inverted on a clean, nonabsorbent surface. Other stored utensils shall be covered or inverted whenever practical.

(5) Unless tableware is prewrapped, holders for knives, forks, and spoons shall protect these articles from contamination and shall present the handle of the utensil to the employee or consumer.

(6) The storage and handling of food, equipment, or utensils in toilet rooms or vestibules is prohibited.

(L) Single-service articles - storage and dispensing.

(1) Single-service articles shall be stored at least six inches above the floor in closed cartons or containers which protect them from contamination and shall not be placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law.

(2) Single-service articles shall be handled and dispensed in a manner that prevents contamination of their surfaces which may come in contact with food or with the mouth of the user. Unless single-service knives, forks, and spoons are prewrapped or prepackaged, approved holders shall be provided to protect these items from contamination and to present the handle of the utensil to the consumer.

(3) Single-service articles shall not be stored or handled in toilet rooms or vestibules.

(M) Re-use of single-service articles is prohibited.
3701-21-08 Safety and adequacy of water supply.

(A) The water supply shall be adequate and shall be of safe, sanitary quality. The water supply systems shall meet the applicable standards of the Ohio environmental protection agency.

(B) All potable water not provided directly by pipe to the food service operation from the source shall be transported in a bulk water transport system and shall be delivered to a closed-water system. Both of these systems shall be constructed and operated in accordance with the applicable design standards of the Ohio environmental protection agency.

(C) Bottled and packaged potable water shall be obtained from a source that complies with applicable laws and shall be handled and stored in a way that protects it from contamination. Bottled and packaged potable water shall be dispensed from the original container.

(D) Water under pressure at the required temperatures shall be provided to all fixtures and equipment that use water.

(E) Steam used in contact with food or food contact surfaces shall be free from any materials or additives other than those specified in 21 C.F.R. 173.310.
3701-21-09 Sewage disposal.

Sewage and liquid wastes. All sewage and liquid wastes shall be disposed of in a public sanitary system or in a system which meets the applicable design standards of the Ohio environmental protection agency. Non-water-carried sewage disposal facilities are permitted only for mobile and temporary food service operations or as permitted by the local health department or in remote areas because of special situations.
3701-21-10 **Plumbing.**

(A) Installation and maintenance.

(1) Plumbing shall be sized and installed in accordance with Chapter 4101:2-51 of the Administrative Code as amended.

(2) A non-potable water system may be used for flushing water closets, urinals, and other fixtures not requiring potable water. The non-potable water shall not be accessible for drinking or culinary purposes. A non-potable system shall be readily distinguishable from the potable system by the proper color coding or so marked at outlets to be readily identified as non-potable.

(3) Grease interceptors shall be installed in accordance with paragraph (N) of rule 4101:2-51-24 of the Administrative Code as amended. The grease interceptor shall be inspected frequently and cleaned as often as necessary to retain the grease wastes. The materials removed in cleaning shall be removed from the premises for disposal and not deposited in the plumbing or sewerage systems.

(4) Garbage disposal units, if installed shall not be permitted to discharge into the grease interceptor, in accordance with paragraph (N) of rule 4101:2-51-24 of the Administrative Code as amended. A garbage disposal unit may be installed in a scrap sink but shall not be installed in a sink used for washing, rinsing, or sanitizing utensils or equipment, except that such an installation shall be permitted in a community care home, as defined in rule 3701-21-01 of the Administrative Code.

(5) In new or remodeled operations, at least one utility sink or curbed cleaning facility with a properly trapped and vented floor drain shall be provided for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water or similar liquid wastes. Community care homes and mobile food service operations, as defined in rule 3701-21-01 of the Administrative Code, need not have a utility sink.
(B) Backflow control - back-siphonage and cross-connections.

(1) The potable water system shall be properly equipped with backflow prevention devices or vacuum breakers or shall be air gapped. Backflow prevention devices and vacuum breakers shall meet accepted "American Society of Sanitary Engineering" standards as contained in "Table (A)" of rule 4101:2-51-05 of the Administrative Code, as amended. Air gapping, where applicable, shall conform to accepted engineering practice.

(2) The potable water supply to outlets, fixtures, equipment, and devices where water is made available for human consumption or culinary purposes shall be protected from back-siphonage.

(3) All sinks and equipment used for preparation, processing, or storage of food shall have drains therefrom indirectly connected to the soil or waste system. All other equipment, such as utensil washing sinks and dishwashers, shall be directly connected and properly trapped and vented.
Toilet and handwashing facilities.

(A) Ratio and installation.

(1) Toilet facilities shall be provided according to rule 4101:2-22-07 of the Administrative Code (Article 22 of the building code section of the "Ohio Basic Building Code"), as amended, except that toilet rooms opening into food preparation, equipment and utensil washing, or storage areas shall be completely enclosed and shall have tight-fitting, self-closing doors, which shall be closed except during cleaning and maintenance. Toilet facilities shall be conveniently located and shall be accessible to employees at all times.

(2) Toilets and urinals shall be designed to be easily cleanable.

(3) Lavatories shall be provided and installed according to law and shall be located so as to permit convenient use by all employees in food preparation areas and utensil washing areas. Lavatories also shall be located in or immediately adjacent to toilet rooms or vestibules.

(4) Lavatories shall be accessible to employees at all times.

(5) Each lavatory shall be provided with hot and cold or warm potable running water.

(B) Facilities - clean and in good repair.

(1) Toilet facilities shall be kept clean and in good repair. A supply of toilet tissue shall be provided in an appropriate dispenser at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms used by women shall have at least one covered waste receptacle.

(2) A supply of hand-cleaning soap or detergent shall be available at each lavatory. A supply of sanitary towels or a hand-drying device providing heated air shall be conveniently located near each lavatory. Common hand towels are prohibited except that clients residing in community care homes, as defined in rule 3701-21-01 of the Administrative Code,
shall be permitted by the licensor to use a common towel. If disposable towels are used, easily cleanable waste receptacles shall be conveniently located near the handwashing facilities.

(3) Lavatories, soap dispensers, hand-drying devices, and all related fixtures shall be kept clean and in good repair.
3701-21-12 Garbage and refuse disposal.

(A) Containers.

(1) Garbage and refuse shall be kept in durable, cleanable, insect-proof and rodent-proof containers that do not leak and do not absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers.

(2) Containers used in food preparation and utensil washing areas shall be kept covered when not in use or after they are filled.

(3) Containers stored outside the operation and dumpsters, compactors, and compactor systems shall be cleanable, shall be provided with tight fitting lids, doors, or covers, and shall be kept covered when not in actual use. In dumpsters and compactors designed with drains, drain plugs shall be in place at all times except during cleaning.

(4) There shall be a sufficient number of containers to hold all the garbage and refuse that accumulates.

(5) Soiled containers shall be cleaned at a frequency sufficient to prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate food, equipment, utensils, or food preparation areas.

(6) Suitable facilities, including steam or hot water and detergent, shall be provided and used for washing refuse containers. Liquid waste from compacting or cleaning operations shall be disposed of as sewage.

(7) Garbage and refuse on the premises shall be stored in such a manner as to make it inaccessible to insects and rodents. Outside storage of unprotected plastic bags, wet-strength paper bags, or baled units containing garbage or refuse is prohibited. Cardboard or other packaging material not containing garbage or food wastes shall be stored in a manner that does not create a nuisance.
(B) Storage area. Outside storage areas or enclosures shall be large enough to store the garbage and refuse containers that accumulate and shall be kept clean. Garbage and refuse containers, dumpsters, and compactor systems shall be stored on or above a smooth surface that is kept clean, maintained in good repair, and graded to prevent pooling of water.
3701-21-13 Insect, rodent, and animal control.

(A) Insect and rodent control.

(1) Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

(2) Openings to the outside, except as permitted for mobile and temporary food service operations, shall be effectively protected against the entrance of rodents and insects by tight-fitting, self-closing doors, closed windows, screening, controlled air currents, or other means. Screen doors shall be self-closing, and screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings to the outside shall be tight-fitting and free of breaks. Screening material shall not be less than sixteen-mesh to the inch.

(B) Animal control. Live animals shall be excluded from those portions of the premises used for a food service operation that are under the control of the license holder, except in community care homes, as defined in rule 3701-21-01 of the Administrative Code. This requirement does not apply to edible fish, crustacea, shellfish, or to fish in aquariums. Patrol dogs accompanying security or police officers, guide dogs, or other support dogs accompanying handicapped persons shall be permitted in dining areas.
Floors, walls, and ceilings.

(A) Floors - clean and in good repair.

(1) Floors, mats, duckboards, carpets, and other floor coverings shall be kept clean.

(2) Floors and floor coverings of all food preparation, food service, food storage, and utensil washing areas, garbage or refuse storage rooms, and the floors of all walk-in refrigerating units, dressing rooms, locker rooms, toilet rooms, and vestibules shall be constructed of smooth, durable, non-absorbent material such as sealed concrete, terrazzo, ceramic tile, durable grades of linoleum or plastic, or tight wood impregnated with plastic and shall be maintained in good repair. Nothing in this rule shall prohibit the use of anti-slip floor covering in areas where necessary for safety reasons.

(3) Carpeting, if used as a floor covering, shall be of closely woven construction, properly installed, easily cleanable, and maintained in good repair. Carpeting is prohibited in food preparation, equipment and utensil washing areas, food storage areas, and in toilet room areas where urinals or toilet fixtures are located.

(4) Mats shall be of non-absorbent, grease-resistant materials and of such size, design, and construction as to facilitate their being easily cleaned.

(5) In all new or extensively remodeled operations in which water-flush or wet mop cleaning methods are used, the junctures between walls and floors shall be coved and sealed. In all other cases, the juncture between walls and floors shall not present an open seam.

(6) Exposed utility service lines and pipes should be installed in a way that does not obstruct or prevent cleaning of the floor. In all new or extensively remodeled operations, installation of exposed horizontal utility lines and pipes on the floor is prohibited.
(B) Walls and ceilings - clean and in good repair.

(1) Walls and ceilings, including doors, windows, skylights, and similar closures shall be maintained clean and in good repair.

(2) Light fixtures, vent covers, wall-mounted fans, and similar equipment attached to walls or ceilings shall be easily cleanable and shall be maintained, clean, and in good repair.

(3) Walls, including non-supporting partitions and wall coverings, and ceilings of walk-in refrigerating units, food preparation areas, equipment washing and utensil washing areas, toilet rooms, and vestibules shall be smooth, non-absorbent, and easily cleanable. Concrete or pumice blocks used for interior wall construction in these locations shall be finished and sealed to provide an easily cleanable surface.

(4) Studs, joists, and rafters shall not be exposed in walk-in refrigerating units, food preparation areas, equipment washing and utensil washing areas, toilet rooms, and vestibules. If exposed in other rooms or areas, they shall be finished to provide an easily cleanable surface.

(5) Exposed utility service lines and pipes should be installed in a way that does not obstruct or prevent cleaning of the walls and ceilings. Utility service lines and pipes should not be unnecessarily exposed on walls or ceilings in walk-in refrigerating units, food preparation areas, equipment washing and utensil washing areas, toilet rooms, and vestibules.

(6) Wall and ceiling covering materials shall be attached and sealed so as to be easily cleanable.
3701-21-15 Lighting.

(A) Permanently fixed artificial light sources shall be installed to provide at least forty foot-candles of light on all food preparation surfaces and at equipment or utensil washing work levels. If the lights over a bar sink causes an occupational hazard because of excessive glare, the light intensity may be reduced to twenty foot-candles.

(B) Permanently fixed artificial light sources shall be installed to provide at least twenty foot-candles of light at a distance of thirty inches from the floor in walk-in refrigerating units, dry food storage areas, utensil and equipment storage areas, employee lavatory and toilet areas, and in all other areas. This requirement also shall apply to dining areas and lavatory and toilet areas for the public during cleaning operations.

(C) Shielding or shatter-resistant bulbs to protect against broken glass falling onto food shall be provided for all artificial lighting fixtures located over, adjacent to, or within food storage, preparation, service (except in dining areas and packaged food storage areas) and display facilities, and facilities where utensils and equipment are cleaned and stored.

(D) Infrared or other heat lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed.
3701-21-16 **Room ventilation.**

(A) All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes. Ventilation systems for rooms intended for human occupancy shall be installed and operated according to Chapter 4101:2-41 of the Administrative Code (Article 16 of the mechanical code section, "Ohio Basic Building Code"), as amended. When vented to the outside, the ventilation system shall not create an unsightly, harmful, or unlawful discharge.

(B) Intake and exhaust air ducts shall be maintained to prevent the entrance of dust, dirt, and other contaminating materials.
3701-21-17 **Dressing rooms and locker areas.**

(A) If employees routinely change clothes within the operation, rooms or areas shall be designated for that purpose.

(B) Enough lockers or other suitable facilities shall be provided for the orderly storage of employee clothing and other belongings. Lockers or other suitable facilities may be located only in the designated dressing rooms or in food storage rooms or areas containing only completely packaged food or packaged single-service articles.
Miscellaneous.

(A) Toxic materials.

(1) There shall be present in food service operations only those poisonous or toxic materials necessary for maintaining the operation, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.

(2) Poisonous and toxic materials are to be kept in their original containers, or the containers of poisonous or toxic materials shall be prominently and distinctly labeled for easy identification of contents.

(3) Poisonous or toxic materials consist of the following categories:

(a) Pesticides;

(b) Detergents, sanitizers, corrosives, and other chemicals;

(c) Flammables.

(4) Each of the three categories set forth in the preceding paragraphs of this rule shall be stored and physically located separate from each other. All poisonous or toxic materials shall be stored in cabinets or in a similar physically separate place used for no other purpose. To preclude contamination, poisonous or toxic materials shall not be stored above or immediately adjacent to food, food equipment, utensils, or single-service articles. This requirement does not prohibit the convenient availability of detergents or sanitizers at utensil or dishwashing stations.

(5) Bactericides, cleaning compounds, or other compounds intended for use on food contact surfaces shall not be used in a way that leaves a toxic residue on the surfaces or that constitutes a hazard to employees or other persons.

(6) Poisonous or toxic materials shall not be used in a way that contaminates food, equipment, or utensils, in a way that constitutes a hazard to employees or other persons, or in a way other than in full compliance with the manufacturers' labeling.
(7) Personal medications shall not be stored in food storage, preparation, or service areas.

(8) First-aid supplies shall be stored in a way that prevents them from contaminating food and food contact surfaces.

(B) Premises.

(1) Food service operations and all parts of property used in connection with their operations shall be kept free of litter.

(2) The walking and driving surfaces of all exterior areas of food service operations shall be surfaced with concrete, asphalt, or with gravel or similar material effectively treated to facilitate maintenance and minimize dust. These surfaces shall be graded to prevent pooling and shall be kept free of litter.

(3) Only articles necessary for the operation and maintenance of the food service operation shall be stored on the premises.

(4) The traffic of unnecessary persons through the food preparation and utensil washing areas is prohibited.

(5) Maintenance and cleaning tools such as brooms, mops, vacuum cleaners, and similar equipment shall be maintained and stored in a way that does not contaminate food, utensils, or equipment and shall be stored in an orderly manner.

(6) Pressurized tanks shall be chained or secured to a wall or to fixed equipment.

(C) Living quarters and laundry.

(1) No portion of a food service operation shall be conducted in any room used as living or sleeping quarters. Food service operations shall be separated from any living and/or sleeping quarters by complete partitioning and solid, self-closing doors with an intervening vestibule or public area, except those operations exempted by the director.
(2) Laundry facilities in a food service operation shall be restricted to the washing and drying of linens, cloths, uniforms, and aprons necessary to the operation. If these items are dried within the operation, an electric or gas dryer shall be provided and used.

(3) Separate rooms shall be provided for laundry facilities, except that laundry activities may be conducted in storage rooms containing only packaged foods or packaged, single-service articles.

(D) Linen storage.

(1) Clean clothes and linens shall be stored in a clean place and protected from contamination until used.

(2) Soiled clothes and linens shall be stored in non-absorbent containers or washable laundry bags until removed for laundering and shall be located so as not to contaminate food.
3701-21-19 **Applicability to existing operations.**

(A) In the absence of a serious health or safety hazard, any food service operation which was licensed under Chapter 3732. of the Revised Code and was in compliance with Chapter 3701-21 of the Administrative Code on May 1, 1983, shall not be required by the licensor to make any structural changes in the food service operation establishment or to install or replace any existing equipment used in the operation while the structure or equipment remains substantially in as good condition as it was on May 1, 1983.

(B) A reactivated food service operation which has not been continually licensed or has not been in operation for twelve consecutive months shall be considered a new food service operation and shall comply with the rules in effect at the time of reactivation.
3701-21-20 Temporary food service operations.

(A) A temporary food service operation, as defined in paragraph (EE) of rule 3701-21-01 of the administrative Code, shall comply with the applicable requirements of Chapter 3701-21 of the Administrative Code, except as otherwise specifically provided.

(B) License. Before opening a temporary food service operation, the operator shall make application for a license to the board of health of the health district in which the operation will be conducted.

(C) Approval of plans, equipment, menu. Before opening a temporary food service operation, the operator shall provide, if required by the licensor, a drawing showing the layout of the facility and a letter of intent providing pertinent information such as:

(1) Foods to be prepared and served;

(2) Source of food;

(3) Hot holding facilities;

(4) Cold holding facilities;

(5) Handwashing;

(6) Equipment and utensils;

(7) Support facilities; and

(8) Any other information requested by the licensor.

(D) Food - approved source. Potentially hazardous foods not prepared at the temporary food service operation shall be prepared in a licensed food service operation and transported to the temporary food service operation by a method approved by the licensor.

(E) Food Protection. All potentially hazardous foods shall be maintained at forty-five degrees Fahrenheit and below or one hundred forty degrees Fahrenheit and above by a method approved by the licensor. Mechanical refrigeration shall be used for overnight storage of potentially hazardous foods.

(F) Equipment and utensils. A three-compartment sink system or another method approved by the licensor shall be provided or made available and used only for manual washing, rinsing, sanitizing of equipment and multiple-use utensils.
(G) Handwashing facilities. A handwashing facility or an alternate method approved by the licensor shall be available for employee handwashing.

(H) Support facilities. The operator of a temporary food service operation shall demonstrate, to the satisfaction of the licensor, a safe water supply, sewage and waste water disposal system, toilet facilities, and garbage and refuse disposal system.

(I) Floors, walls, ceilings. The requirements for floors, walls and ceilings shall be determined by the licensor. If it is determined that a floor and/or a ceiling and/or walls are necessary, the materials used for the floors or ceilings or walls and the construction thereof shall be approved by the licensor.
Each rule in Chapter 3701-21 of the Administrative Code and every part thereof hereby is declared to be an independent rule and a part of a rule and the holding of any rule or part thereof to be unconstitutional, void, or ineffective for any cause shall not affect the validity or constitutionality of any other rule or part thereof.
APPENDIX

The material within this appendix is referenced by the food service operation rules. It is listed by page number and section number for your convenience.

Administrative Code rules must be enforced by the agency responsible for them. Local health department representatives will assist you in interpreting how these rules affect food service operations, or will direct you to the proper agency.

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<tr>
<td>4</td>
<td>3701-21-01(FF) defines adulteration in accordance with section 3715.59 of the Revised Code, which reads as follows:</td>
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3715.59 Adulterated Food (Effective 1-10-61)

Food is adulterated within the meaning of sections 3715.01 and 3715.52 to 3715.72, inclusive, of the Revised Code, if:

(A) It bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such food shall not be considered adulterated if the quantity of such substance in such food does not ordinarily render it injurious to health.

(B) It bears or contains any added poisonous or added deleterious substance which is unsafe within the meaning of section 3715.62 of the Revised Code.

(C) It consists in whole or in part of a diseased, contaminated, filthy, putrid, or decomposed substance, or if it is otherwise unfit for food.

(D) It has been produced, processed, prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered diseased, unwholesome, or injurious to health.
(E) It is the product of a diseased animal or an animal which has died otherwise than by slaughter, or that has been fed upon the uncooked offal from a slaughterhouse.

(F) Its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

3701-21-03 plans and specifications must be submitted to, and approved by, the following agencies before a food service operation license will be issued to a new or substantially remodeled food service operation.

<table>
<thead>
<tr>
<th>TYPE OF PLANS AND SPECIFICATIONS</th>
<th>WHERE TO SUBMIT PLANS</th>
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<tr>
<td>FOOD SERVICE OPERATION</td>
<td>THE LOCAL HEALTH DEPARTMENT HAVING JURISDICTION OVER THE OPERATION.</td>
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<tr>
<td>WATER SUPPLY &amp; SEWAGE</td>
<td>DISTRICT OFFICE OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY IN YOUR AREA.</td>
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<tr>
<td>PLUMBING</td>
<td>WHERE THERE IS A LOCAL PLUMBING CODE, TO LOCAL AUTHORITIES.</td>
<td>SEE LOCAL AUTHORITIES</td>
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<tr>
<td></td>
<td>IN THE ABSENCE OF SUCH A CODE, TO CHIEF PLUMBING INSPECTOR, BUREAU OF ENVIRONMENTAL HEALTH, P.O. BOX 118, OHIO DEPARTMENT OF HEALTH, COLUMBUS, OHIO 43216.</td>
<td>2</td>
</tr>
<tr>
<td>BUILDING</td>
<td>WHERE THERE IS A LOCAL BUILDING CODE, TO LOCAL BUILDING AUTHORITIES.</td>
<td>SEE LOCAL BUILDING AUTHORITIES</td>
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<td></td>
<td>IN THE ABSENCE OF A LOCAL BUILDING CODE, TO OHIO DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF FACTORY AND BUILDING INSPECTIONS, P.O. BOX 825, COLUMBUS, OHIO 43216.</td>
<td>WRITE OHIO DEPARTMENT OF INDUSTRIAL RELATIONS</td>
</tr>
<tr>
<td>ZONING</td>
<td>LOCAL ZONING AUTHORITIES</td>
<td>SEE LOCAL AUTHORITIES</td>
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</table>
3701-21-03(C) refers to recognized food service equipment testing agencies. The Ohio Department of Health recognizes the following food service equipment testing agencies:

BAKING INDUSTRY SANITATION STANDARDS COMMITTEE
OFFICE OF CERTIFICATION AUTHORIZATION
521 FIFTH AVENUE
NEW YORK, NEW YORK 10017

INTERNATIONAL ASSOCIATION OF MILK, FOOD, AND ENVIRONMENTAL SANITARIANS
P.O. BOX 701
AMES, IOWA 50010

NATIONAL SANITATION FOUNDATION
P.O. BOX 1468
ANN ARBOR, MICHIGAN 48106

U.S. PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION
DIVISION OF RETAIL FOOD PROTECTION
WASHINGTON, D.C. 20204


3701-21-07(B)(2) refers to design of ventilation hoods and devices. Design requirements for commercial hoods and fans are established in Chapter 4101:2-30 of the Administrative Code (Article 5 of the Mechanical Code section, Ohio Basic Building Code). Commercial cooking appliances, such as ranges or griddles, deep fat fryers, rotisseries, broilers, roasting ovens, and other appliances that present a fire hazard similar to commercial frying operations, must be provided with ventilation hoods and exhaust ducts. The ventilation hoods must be provided with grease filters. All cooking vapors and residues must be confined within the hood and pass through the filters.
3701-21-07(G)(2)(d) refers to 21 C.F.R. 178.1010 which lists by generic composition federally approved sanitizers acceptable for use on food contact surfaces. To be acceptable, a sanitizer must be registered with the United States Environmental Protection Agency and the product label must claim it will sanitize food contact surfaces without needing a final potable water rinse.

3701-21-07(G)(2)(e) and 3701-21-08(E) refer to 21 C.F.R. 173.310 which lists acceptable additives to boiler water used to make steam which contacts food or food contact surfaces.

3701-21-07(G)(4) refers to 21 C.F.R. 178.1010 which sets federal standards for maximum concentrations of chemicals in sanitizing solutions approved for use on food contact surfaces. Chlorine-based sanitizers should not exceed 200 ppm available chlorine. Iodine-based sanitizers should not exceed 25 ppm titratable iodine. Quaternary ammonium-based sanitizers should not exceed 200 ppm active quaternary compound. Use all sanitizers according to the directions on the label.

3701-21-10(A)(1) refers to Chapter 4101:2-51 of the Administrative Code which is the Plumbing Code section.

3701-21-10(A)(3) refers to Chapter 4101:2-51-24 of the Administrative Code which is the plumbing code section for cleaning of the grease interceptor.

3701-21-10(A)(4) refers to 4101:2-51-24(N) of the Administrative Code which is the plumbing code rule prohibiting the disposal of waste from garbage disposal units into a grease interceptor.

3701-21-11(A)(1) refers to 4101:2-22-07 of the Administrative Code which is the building code schedule for numbers of toilet facilities. New and extensively remodeled food service operations must also provide toilet facilities for the physically handicapped as required by section 4101:2-5-15 of the Administrative Code. Contact your local Building Inspection Department, or in its absence, the Ohio Department of Industrial Relations, Division of Factory and Building Inspections (614-466-4611) for explanation of these requirements.
<table>
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<tr>
<td>35</td>
<td>3701-21-11(A)(5) refers to &quot;hot and cold, or warm&quot; water at lavatories. Section 4101:2-51-30(K) of the Administrative Code's plumbing section states: &quot;High temperature water service shall not be run directly to hand washing and bathing facilities, but shall be tempered to 120°F or less by means of a thermal mixing device or devices.&quot; Warm water should be approximately body temperature.</td>
</tr>
<tr>
<td>43</td>
<td>3701-21-16(A) refers to Chapter 4101:2-41 of the Administrative Code which is the building code. Article 16 of the Mechanical Code Section is the reference for ventilation.</td>
</tr>
</tbody>
</table>
(E) Any holder of a license under this section whose principal business is a food service operation, including but not limited to the preparation and complete baking of pizza pies for consumption on or off the premises, is exempt from the [bakery] registration requirement under section 911.02 and the [frozen desserts] licensure requirement under section 3717.52 of the Revised Code.

(F) Fees authorized or charged under this section shall be in lieu of all food service operation license and inspection fees required by the licensor on or with respect to the operation of, ownership of, or employment by food service operations within this state, except that the licensor may charge additional reasonable fees, not to exceed five dollars, for the collection and bacteriological examination of any necessary water samples taken from a food service operation.

Section 3732.05. It is hereby made a duty of the department of health or city or general health districts to inspect or cause to be inspected and recorded on a form prescribed by the department of health at least once annually, every food service operation which comes within the provisions of sections 3732.02 to 3732.08, inclusive, of the Revised Code and for that purpose to have the right of entry thereto at any reasonable time.

Section 3732.06. The Director of Health shall survey each of the city and general health districts to determine their adequacies for carrying out the provisions of sections 3732.02 to 3732.07, inclusive, of the Revised Code and upon determining that a district is so qualified, shall place such district upon an approved list. The Director of Health may resurvey any approved district when, in his opinion, such resurvey is necessary and remove from such approved list any district found not to be adequately carrying out the provisions of sections 3732.02 to 3732.07, inclusive, of the Revised Code.

The inspections, acts, and records of those districts appearing on the approved list shall be given full faith and credit by all other districts in this state. If, after a survey as provided for in this section, the Director of Health determines that a city or general health district is not qualified to carry out the provisions of sections 3732.02 to 3732.06, inclusive, of the Revised Code, he may take any necessary steps to cause the food service operations in the district to be adequately inspected. All necessary costs resulting from such inspection shall be paid by the said health district; provided
that such costs shall not exceed the amount of tax money collectible annually in said health district under the provisions of sections 3732.02 to 3732.08, inclusive, of the Revised Code.

Section 3732.061. Within thirty days of the convening of the first annual session of each General Assembly, the Director of Health shall submit a report to the Governor, the Speaker of the House of Representatives, and the President of the Senate. In each report, the Director shall set forth the total costs and expenses of operating and administering the food service operations program and the total amount of license fees received under the program, and shall include his recommendations, if any, for changes to the program.

Section 3732.07. Whenever grounds exist for suspending or revoking a license, such suspension or revocation shall not take place until the licensor shall have first notified such licensee, calling specific attention to the infractions of sections 3732.03 to 3732.05, inclusive, of the Revised Code or to the infractions of regulations adopted pursuant thereto, and affording a reasonable time and opportunity to correct the same. If such notice is not complied with, then the licensor may suspend or revoke such license. Any person, firm, association, or corporation whose license has been suspended, revoked or who has been refused the issuance or transfer of a license, shall have the right to an appeal as provided in sections 2506.01 to 2506.04, inclusive, of the Revised Code.

Section 3732.08. The prosecuting attorney of any county in which a violation of Chapter 3732 of the Revised Code occurs, upon complaint of the department of health or a general health district, or the legal advisor of a city in which such violation occurs, upon complaint of a city health district, shall prosecute to termination in any court of record a proper action or proceeding against any person or persons violating any provisions of Chapter 3732 of the Revised Code.

Section 3732.09.

(A) The Director of Health shall study and approve instructions detailing first aid techniques designed and intended for use by a person without medical training in removing food which has become lodged in the throat of a choking victim.
(B) The Director of Health shall publish the approved instructions and make them available to food service operations.

(C) Each food service operation shall post the instructions in a place or in places conspicuous to persons employed by or connected with the management of such food service operation in order that such persons may become familiar with the techniques and may consult the instructions to provide relief to a choking victim.

(D) Failure of a food service operation to post instructions as required by this section shall not subject such food service operation, any of its employees, or any persons connected with its management to any criminal penalty or to civil liability in an action for damages for personal injury or wrongful death arising from any choking emergency.

(E) Nothing in this section shall impose or be construed to impose a duty or obligation upon any food service operation, any of its employees, or any person connected with its management, or any other person to remove, attempt to remove, or assist in removing food which has been lodged in the throat of a choking victim.

(F) No food service operation, employees of a food service operation, or person connected with its management, or any other person shall be liable in any civil action for damages for personal injury or wrongful death for not removing, not attempting to remove, or not assisting in the removal of food which has become lodged in the throat of a choking victim.

(G) No food service operation, employee of a food service operation, person connected with its management, or any other person shall be liable in any civil action for damages for personal injury or wrongful death for any acts or omissions of any individual removing, attempting to remove, or assisting in the removal of food lodged in the throat of a choking victim in accordance with instructions published by the Director of Health.

Section 3732.99. Whoever violates sections 3732.03 or 3732.05 of the Revised Code shall be fined not more than one hundred dollars for each day that such violation is continued.
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