

## State Regulations Pertaining to Dietary Sanitation & Environmental Conditions

Note: This document is arranged alphabetically by State. To move easily from State to State, click the "Bookmark" tab on the Acrobat navigation column to the left of the PDF document. This will open a Table of Contents for the document. The relevant federal regulations are at the end of the PDF.

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### ALABAMA

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420-5-10-.12 Dietary Services.

...(i) Sanitary conditions. The facility must:

- (1) Procure food from sources approved or considered satisfactory by Federal, State, or local authorities;
- (2) Store, prepare, distribute, and serve food under sanitary conditions; and
- (3) Dispose of garbage and refuse properly.

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### ALASKA

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7 AAC 12.720. Dietetic service

...(h) The facility must maintain lavatories for hand washing, with hot and cold running water, soap, and disposable towels, conveniently located in the service area used by persons who handle food.

...(n) Routine cleaning schedules must be posted and records of cleaning must be maintained on file for three months.

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### ARIZONA

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Arizona regulations do not contain specific content for Dietary Sanitation and Environmental Conditions.

# ARKANSAS

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## 562 Hygiene of Staff

All food service employees shall wear appropriate, light-colored clothing including hairnet and shall keep themselves and their clothing clean. All persons working as food handlers in nursing homes shall have in their possession or on file in the home in which they are employed, a current, approved health card. Persons having symptoms of communicable or infectious diseases or lesions shall not be allowed to work in the dietetic services. Food service employees shall not be assigned duties outside dietetic services.

## 563 Minimum Daily Food Requirements

...Facilities are permitted to serve commodity foods provided that the facility is registered as a non-profit organization and the foods were legally obtained directly from USDA sources. Commodity foods obtained from an individual may not be used. Commodity foods shall be utilized pursuant to USDA regulations. Facilities utilizing commodity foods shall maintain documentation, or be able to provide evidence, that the foods were obtained through proper channels. Failure to meet this requirement may result in a deficiency finding and a report to federal authorities.

## 565 Meal Service

...565.4 The public, personnel, or patients shall not be permitted to eat or drink in the kitchen, dishwashing area, or store room.

565.5 Only dietetic services and administrative personnel shall be allowed in the kitchen

565.6 Only dietetic services personnel shall be allowed to portion out food for patients or personnel.

...565.8 Nursing home residents will not be permitted to work in the dietetic services. If a patient is to be allowed to scrape trays, there must be a physician's order.

## 568 Preparation and Storage of Food

...568.8 All toxic compounds shall be used with extreme caution and shall be stored in an area separate from food preparation, storage and services areas.

## 569 Sanitary Conditions

569.1 Food shall be procured from sources approved or considered satisfactory by Federal, State and Local authorities.

569.2 Floors shall be cleaned after each meal.

569.3 Dishes, silverware, and glasses shall be free of breaks, tarnish, stain, cracks and chips. There shall be an ample supply to serve all patients. Patients will be furnished knives, forks, and spoons unless there is documentation to indicate the patient is incapable of using these implements.

569.4 Vessels used in preparing, serving or storing food shall be made of seamless metal or a nonabsorbent material which can be easily cleaned and shall be used for no other purpose. Enamelware shall not be used.

569.5 Rags from patient bedding or clothing or bath shall not be used in dietetic services for any purpose.

569.6 Dishes, knives, forks, spoons, and other utensils used in the preparation and serving of foods must be stored in such a manner as to be protected from rodents, flies or other insects, dust, dirt, or other contamination. Silverware shall be stored in a clean container that can be thoroughly washed and sanitized.

569.7 Paper or loose covering shall not be used on shelves, cabinets, cabinet drawers, refrigerators, or stoves. Storage cabinets shall be kept clean. Cardboard boxes shall not be saved and used for the storage of food or articles which were not packed in the original box.

569.8 Dishes, trays, silverware, glasses and food preparation dishes shall be cleaned, washed, and sanitized by only the following methods:

#### 569.8.1 Manual Dishwashing

Facilities may wash and sanitize such items in a three-compartment sink. Items shall be first thoroughly cleaned and washed in warm water, one hundred to one-hundred-twenty (100 to 120) degrees Fahrenheit, containing an adequate amount of an effective soap or detergent to remove grease and solids. The wash water shall be changed often enough to keep it reasonably clean. Next, they shall be rinsed in clean water which is heated to a temperature of at least one-hundred-and-forty (140) degrees Fahrenheit. Next, they shall be completely submerged for at least two (2) minutes in clean hot water at a temperature of at least one-hundred-and-eighty (180) degrees Fahrenheit. A visible and reliable thermometer shall be conveniently available for testing the water temperature. Pots and pans which are used for preparing food which will be cooked need not be sanitized. All other utensils used in the preparing or serving of food shall be sanitized prior to use. Dishes, trays, and glasses shall be allowed to air dry before storage; drying cloths shall not be used.

#### 569.8.2. Mechanical Dishwashing Machine

Facilities may wash and sanitize such items in a mechanical spray type dishwashing machine as approved by the OLTC.

569.9 All kitchen garbage, cans, trash and other waste materials shall be stored in water-tight containers provided with close-fitting lids. The kitchen garbage container shall be emptied and thoroughly washed after each meal and treated with a disinfectant if necessary.

569.10 All equipment and utensils shall be so constructed as to be cleaned easily and shall be kept clean at all times.

569.11 All mops, brushes, dustpans, and other housecleaning equipment shall be stored in a janitor's closet when not in use.

569.12 Meat and other foods shall not be placed in direct contact with ice.

569.13 Only ice of assured bacterial safety shall be permitted for use in drinks, or for the cooling of drinks by direct contact. A scoop shall be used for handling ice. Ice used to chill bottled drinks or salads, or in any food preparation, shall not be used for drinking purposes. Portable ice chests which can be sanitized shall be cleaned daily, and the ice machine shall be cleaned at least weekly.

569.14 Hand-washing facilities shall be equipped with blade-action controls and hot and cold water. Soap and towel dispensers and a step-on trash can, shall be located conveniently to the lavatory. The kitchen lavatory shall be equipped with a goose-necked spout.

569.15 If table covers are used in the dining room they shall be of a fabric which can be laundered. They shall be kept clean and changed at least daily.

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## CALIFORNIA

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s 72335. Dietetic Service -Food Service.

(a) The dietetic service shall provide food of the quality and quantity to meet...the following:

...(5) No food ordered for the facility shall be diverted or taken from the facility. No rebates shall be received or allowed to the facility or its owners, directors, officers or employees from any commercial food source.

(6) When food is provided by an outside resource, the facility shall ensure that all federal, state and local requirements are met. The facility shall maintain a written plan, adequate space, equipment and food supplies to provide patients' food service in emergencies.

s 72343. Dietetic Service -Food Storage.

...d) Pesticides and other toxic substances and drugs shall not be stored in the kitchen area or in storerooms for food or food preparation equipment and utensils.

(e) Soaps, detergents, cleaning compounds or similar substances shall be stored in separate storage areas.

§72345. Dietetic--Sanitation.

(a) All kitchens and kitchen areas shall be kept clean, free from litter and rubbish and protected from rodents, roaches, flies and other insects.

(b) All utensils, counters, shelves and equipment shall be kept clean, maintained in good repair and shall be free from breaks, corrosion, open seams, cracks and chipped areas.

(c) Plastic ware, china and glassware that cannot be sanitized or are hazardous because of chips, cracks or loss of glaze shall be discarded.

(d) Ice which is used in connection with food or drink shall be from a sanitary source and shall be handled and dispensed in a sanitary manner.

(e) Kitchen wastes that are not disposed of by mechanical means shall be kept in clean, leak proof, nonabsorbent, tightly closed containers and shall be disposed of as frequently as necessary to prevent a nuisance or unsightliness

§72347. Dietetic Service--Cleaning and Disinfection of Utensils.

(a) All utensils used for eating, drinking and in the preparation and serving of food and drink shall be cleaned and disinfected or discarded after each usage.

(b) Gross food particles shall be removed by careful scraping and pre-rinsing in running water

(c) Utensils not washed by mechanical means shall be placed in hot water with a minimum temperature of 43oC (110oF), washed using soap or detergent, rinsed in hot water to remove soap or detergent and disinfected by one of the following methods or equivalent, as approved by the Department:

(1) Immersion for at least two minutes in clean water at 77oC (170oF).

(2) Immersion for at least 30 seconds in clean water at 83oC (180oF).

(3) Immersion in water containing bactericidal chemical as approved by the Department.

(d) After disinfection, the utensils shall be allowed to drain and dry in racks or baskets on nonabsorbent surfaces. Drying cloths shall not be used.

(e) Results obtained with dishwashing machines shall be equal to those obtained by the methods outlined above and all dishwashing machines shall meet the requirements contained in Standard No. 3, as amended in April 1965, of the National Sanitation Foundation. Hot water at a minimum temperature of 83oC (180oF), shall be maintained at the manifold of the final rinse.

72349. Dietetic Service--Equipment and Supplies.

(a) Equipment of the type and in the amount necessary for the proper preparation, serving and storing.

(i) Smoking shall not be permitted in kitchen areas. Equipment used for cleaning of food and for proper dishwashing shall be provided and maintained in good working order.

(b) Fixed and mobile equipment in the dietetic service area shall be located to assure sanitary and safe operation and shall be of sufficient size to handle the needs of the facility.

(c) The dietetic service area shall be ventilated in a manner that will maintain comfortable working conditions, remove objectionable odors, fumes and prevent excessive condensation.

s 72351. Dietetic Service -Staff.

...(e) Dietetic service personnel shall be trained in basic food sanitation techniques, wear clean clothing, and a cap or a hair net, and shall be excluded from duty when affected by skin infection or communicable diseases. Beards and mustaches which are not closely cropped and neatly trimmed shall be covered.

...(f) Employees' street clothing stored in the kitchen shall be in a closed area separate from food or items used in food service.

(g) Kitchen sinks shall not be used for handwashing. Separate handwashing facilities with soap, running water and individual towels shall be provided.

(h) Persons other than dietetic service personnel shall not be allowed in the kitchen areas unless required to do so in the performance of their duties.

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## COLORADO

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### Part 11. DIETARY SERVICES

...11.12 STORAGE OF DISHES AND GLASSES. Clean glasses, cups, and other dishes shall not be stored in such a manner as to entrap moisture.

11.13 ISOLATION. Dishes and utensils with which food is served to residents in isolation because of infectious diseases shall be sanitized if they are contaminated with infectious material such as blood drainage or secretions or shall be disposable.

11.14 MILK. Milk for drinking shall be provided to consumers in an unopened, commercially filled container not exceeding a one pint capacity, or drawn from a commercially filled container stored in a mechanically refrigerated bulk milk dispenser, or poured directly into the drinking vessel from a commercially filled half-gallon or gallon container that has been refrigerated until served to maintain a temperature of 45 degrees FAHRENHEIT or less.

11.15 NAIL POLISH AND FALSE NAILS. Staff involved in preparing and serving food shall not wear nail polish or false nails.

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## CONNECTICUT

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Connecticut regulations do not contain specific content for Dietary Sanitation and Environmental Conditions.

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## DELAWARE

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Delaware regulations do not contain specific content for Dietary Sanitation and Environmental Conditions.

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## DISTRICT OF COLUMBIA

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### 3217 INFECTION CONTROL

3217.1 The facility shall have an Infection Control Committee composed of the Administrator or designee and members of the medical, nursing, dietary, pharmacy, housekeeping, maintenance, and other services.

3217.3 The Infection Control Committee shall establish written infection control policies and procedures for at least the following:

- (a) Investigating, controlling, and preventing infections in the facility;
- (b) Handling food;
- ...(e) Controlling pests and vermin;
- (f) The prevention or spread of infection;
- (g) Recording incidents and corrective actions related to infections...

### 3219 DIETARY SERVICES

3219.1 Food and drink shall be clean, wholesome, free from spoilage, safe for human consumption, and served in accordance with the requirements set forth in Title 23, Subtitle B, D.C. Municipal Regulations (DCMR), Chapters 24 through 40.

3219.3 A regularly scheduled program of in-service education shall be conducted for all food service employees hired after the effective date of these regulations. Records should be maintained on in-service programs and shall be available for review.

3219.4 The curriculum for regularly scheduled in-service education programs for food service employees may include, but not be limited to, the following:

- (b) Infection control;

(e) Food handling;

(f) Personal hygiene;

3219.5 Each food service employee shall wear clean, washable garments while working, and shall keep his or her hands clean at all times.

3219.6 Each food service employee shall wear either a hair net or other head covering.

3219.7 No smoking or tobacco products shall be permitted in the food preparation area. 3219.8 Food waste shall be disposed of in a garbage disposal system or garbage grinder which is conveniently located near each activity and which has adequate capacity to dispose of all readily grindable food waste (garbage) produced.

3219.8 Food waste shall be disposed of in a garbage disposal system or garbage grinder which is conveniently located near each activity and which has adequate capacity to dispose of all readily grindable food waste (garbage) produced.

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## FLORIDA

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Florida regulations do not contain specific content for Dietary Sanitation and Environmental Conditions.

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## GEORGIA

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Georgia regulations do not contain specific content for Dietary Sanitation and Environmental Conditions.

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## HAWAII

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§11-94-11 Dietetic services.

...(4) Food service



...(C) Effective procedures to promptly and consistently clean all equipment and work areas shall be enforced.

(D) All personnel handling food shall be given appropriate personal hygienic instructions at regular intervals and this procedure shall be documented.

(E) Handwashing facilities, including hot and cold water, soap, and paper towels adjacent to the work areas shall be provided.

...(I) Provision may be made for food service by contract with an outside supplier. The method of transport, storage, preparation, and serving of such food as well as the method of providing prompt appropriate replacement foods in therapeutic diets shall be approved by the director prior to initiating such a service.

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## IDAHO

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### 107. DIETARY SERVICE

#### 02. Dietary Personnel.

...c. If food service workers are assigned duties outside of the dietary department, these duties shall not interfere with sanitation, safety or time required for dietary work assignments. (1-1-88)

d. No person who has worked in any other area of the facility shall assist with the preparation or serving of food inside of the kitchen without first putting on a clean uniform or gown and a hairnet or cap. Hands must be thoroughly washed. (1-1-88)

e. Dietary personnel engaged in food preparation shall not feed patients/residents in the dining room. (1-1-88)

08. Food Sanitation. The acquisition, preparation, storage, and serving of all food and drink in a facility shall comply with Idaho Department of Health and Welfare Rules, IDAPA 16.02.19, "Food Safety and Sanitation Standards for Food Establishments". (12-31-91)

a. Ice shall be manufactured from potable water in a sanitary manner, and shall be handled, stored and transported in such a manner as to prevent its contamination. (1-1-88)

b. A separate sink, granular or liquid soap and paper towels shall be provided in the food preparation area for handwashing. Kitchen sinks shall not be used for handwashing. (1-1-88)

c. Written reports of food service inspections by authorized representatives of district health departments or the Department shall be maintained on file at the facility. Corrections and changes which have been implemented by the facility as a result of such inspections shall be recorded in writing and kept on file. (1-1-88)

d. Adequate facilities, equipment, and utensils shall be provided for the preparation, storage, and serving of food and drink to the patients/residents and personnel. (1-1-88)

## ILLINOIS

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### Section 300.2030 Hygiene of Dietary Staff

Food service personnel shall be in good health, shall practice hygienic food handling techniques, and good personal grooming. (B)

(Source: Amended at 13 Ill. Reg. 4684, effective March 24, 1989)

### Section 300.2100 Food Handling Sanitation

Every facility shall comply with the Department's rules entitled "Food Service Sanitation" (77 Ill. Adm. Code 750).

## INDIANA

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### 3.1-21 Food

Authority: IC 16-28-1-7; IC 16-28-1-12

Affected: IC 16-28-5-1

Sec. 21.

...(i) The facility must do the following:

(1) Procure food from sources approved or considered satisfactory by federal, state, or local authorities.

(2) Comply with 410 IAC 7-24.

(3) Store, prepare, distribute, and serve food under sanitary conditions.

(4) Provide available storage space in a room adjacent to or convenient to the kitchen for at least a three (3) day supply of staple food both for normal and emergency needs in keeping dietary standards.

(5) Dispose of garbage and refuse properly.

(j) Any contracted food service to a facility must comply with all rules pertaining to dietary services.

# IOWA

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481—58.24(135C) Dietary.

58.24(1) Organization of dietetic service department

...c. The facility shall employ sufficient supportive personnel to carry out the following functions:

(1) Preparing and serving adequate amounts of food that are handled in a manner to be bacteriologically safe; (II, III)

(2) Washing and sanitizing dishes, pots, pans and equipment at temperatures required by procedures described elsewhere; (II, III)

d. The facility shall not assign personnel duties simultaneously in the kitchen and laundry, housekeeping, or nursing service except in an emergency situation. If such a situation occurs, proper sanitary and personal hygiene procedure shall be followed as outlined under the rules pertaining to hygiene of staff. (II, III)

58.24 (6) Dietary ordering, receiving, and storage.

a. All food and beverages shall be of wholesome quality and procured from sources approved or considered satisfactory by federal, state and local authorities. Food or beverages from unlabeled, rusty, leaking, broken or damaged containers shall not be served. (I, II, III)

... f. Dry or staple items shall be stored at least six inches (15 cm) above the floor in a ventilated room, not subject to sewage or wastewater backflow, and protected from condensation, leakage, rodents or vermin in accordance with the Food Code, 1999 edition. (III)

g. Pesticides, other toxic substances and drugs shall not be stored in the food preparation or storage areas used for food or food preparation equipment and utensils. Soaps, detergents, cleaning compounds or similar substances shall not be stored in food storage rooms or areas. (II)

h. Food storage areas shall be clean at all times. (III)

i. There shall be a reliable thermometer in each refrigerator, freezer and in storerooms used for food. (III)

j. Foods held in refrigerated or other storage areas shall be appropriately covered. Food that was prepared and not served shall be stored appropriately, clearly identifiable and dated. (III)

58.24(7) Sanitation in food preparation area.

a. Unless otherwise indicated in this chapter or 481—Chapter 61, the sanitary provisions as indicated in Chapters 3, 4 and 7 of the 1999 Food Code, U.S. Public Health Service, Food and Drug. b. Residents shall not be allowed in the food preparation area. (III)

c. The food preparation area shall not be used as a dining area for residents, staff or food service personnel. (III)

d. All food service areas shall be kept clean, free from litter and rubbish, and protected from rodents, animals, roaches, flies and other insects. (II, III)

e. All utensils, counters, shelves and equipment shall be kept clean, maintained in good repair, and shall be free from breaks, corrosion, cracks and chipped areas. (II, III)

Ch 58, p.28 Inspections and Appeals[481] IAC 12/1/99

f. There shall be effective written procedures established for cleaning all work and serving areas. (II)

g. A schedule of cleaning duties to be performed daily shall be posted. (III)

h. An exhaust system and hood shall be clean, operational and maintained in good repair. (III)

i. Spillage and breakage shall be cleaned up immediately and disposed of in a sanitary manner. (III)

j. Wastes from the food service that are not disposed of by mechanical means shall be kept in leak-proof, nonabsorbent, tightly closed containers when not in immediate use and shall be disposed of frequently. (III)

k. The food service area shall be located so it will not be used as a passageway by residents, guests or non-food service staff. (III)

l. The walls, ceilings and floors of all rooms in which food is prepared and served shall be in good repair, smooth, washable, and shall be kept clean. Walls and floors in wet areas should be moisture-resistant.(III)

m. Ice shall be stored and handled in such a manner as to prevent contamination. Ice scoops should be sanitized daily and kept in a clean container. (III)

n. There shall be no animals or birds in the food preparation area. (III)

o. All utensils used for eating, drinking, and preparing and serving food and drink shall be cleaned and disinfected or discarded after each use. (III)

p. If utensils are washed and rinsed in an automatic dish-machine, one of the following methods shall be used: (1) When a conventional dish-machine is utilized, the utensils shall be washed in a minimum of 140 F using soap or detergent and sanitized in a hot water rinse of not less than 170 F. (II, III) (2) When a chemical dish-machine is utilized, the utensils shall be washed in a minimum of 120 F using soap or detergent and sanitized using a chemical sanitizer that is automatically dispensed by the machine and is in a concentration equivalent to 50 parts per million (ppm) available chloride. (II, III)

q. If utensils are washed and rinsed in a three-compartment sink, the utensils shall be thoroughly washed in hot water at a minimum temperature of 110 F using soap or detergent, rinsed in hot water to remove soap or detergent, and sanitized by one of the following methods:

(1) Immersion for at least 30 seconds in clean water at 180 F; (II, III)

(2) Immersion in water containing bactericidal chemical at a minimum concentration as recommended by the manufacturer. (II, III)

- r. After sanitation, the utensils shall be allowed to drain and dry in racks or baskets on nonabsorbent surfaces. Drying cloths shall not be used. (III)
- s. Procedures for washing and handling dishes shall be followed in order to protect the welfare of the residents and employees. Persons handling dirty dishes shall not handle clean dishes without first washing their hands. (III)
- t. A mop and mop pail shall be provided for exclusive use in kitchen and food storage areas. (III)

58.24(8) Hygiene of food service personnel.

- a. Personnel, if involved in dietetic services, shall be trained in basic food sanitation techniques, shall be clean and wear clean clothing, including a cap or a hairnet sufficient to contain, cover and restrain hair. Beards, mustaches and sideburns that are not closely cropped and neatly trimmed shall be covered. (III)
- b. Personnel shall be excluded from duty when affected by skin infections or communicable diseases in accordance with the facility's infection control policies. (II, III)
- c. Employee street clothing stored in the food service area shall be in a closed area. (III)
- d. Food preparation sinks shall not be used for hand washing. Separate hand-washing facilities with soap, hot and cold running water, and single-use towels shall be used properly. (II, III)
- e. Persons other than food service personnel shall not be allowed in the food preparation area unless required to do so in the performance of their duties. (III)
- f. The use of tobacco shall be prohibited in the kitchen. (III)

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## KANSAS

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28-39-158. Dietary services

...(g) Sanitary conditions. Each facility shall comply with the following provisions.

- (1) The facility shall procure all foods from sources approved or considered satisfactory by federal, state and local authorities.
- (2) The facility shall store, prepare, display, distribute, and serve foods to residents, visitors and staff under sanitary conditions.
- (A) The facility shall keep potentially hazardous foods at a temperature of 45o F or 7o C or lower, or at a temperature of 140o F or 60o C or higher.

(B) The facility shall provide each mechanically refrigerated storage area with a numerically scaled thermometer, accurate to +plus or -minus 3o F or 1.5o C, which is located to measure the warmest part of the storage area and is easily readable.

(C) The facility shall keep frozen food frozen and shall store the food at a temperature of not more than 0o F.

(D) The facility shall store each prepared food, dry or staple food, single service ware, sanitized equipment, or utensil at least six inches or 15 centimeters above the floor on clean surfaces and shall protect the food from contamination.

(E) The facility shall store and label containers of poisonous compounds or cleaning supplies and keep the containers in areas separate from those used for food storage, preparation and serving.

(F) The facility shall cover, label, and date each food item not stored in the original product container or package.

(G) The facility shall tightly cover and date each opened food item stored in the original product container or package.

(H) The facility shall not store prepared foods, dry or staple foods, single service ware, sanitized equipment or utensils and containers of food under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads. The facility shall not store food and service equipment or utensils in toilet rooms.

(I) The facility shall store food not subject to further washing or cooking before serving in a way that protects the food against cross-contamination.

(J) The facility shall not store packaged food subject to entry of water in contact with water or undrained ice.

(3) The facility shall prepare and serve food:

(A) with the least possible manual contact;

(B) with suitable utensils; and

(C) on surfaces that have been cleaned, rinsed and sanitized before use to prevent cross-contamination.

(4) The facility shall not prepare or serve food from containers with serious defects.

(5) The facility shall thoroughly wash each raw fruit and raw vegetable with water before being cooked or served.

(6) With the following exceptions, the facility shall cook potentially hazardous foods which require cooking to at least 145oF.

(A) The facility shall cook poultry, poultry stuffings, stuffed meats and stuffing containing meat to a minimum temperature of 165oF in all parts of the food with no interruption of the cooking process.

(B) The facility shall cook pork and any food containing pork to a minimum temperature of 150oF in all parts of the food.

(C) The facility shall cook ground beef and any food containing ground beef to at least 155oF in all parts of the food.

(7) When foods in which dry milk has been added are not cooked, the foods shall be consumed within 24 hours.

(8) The facility shall use only pasteurized fresh milk as a milk beverage and shall transfer to a glass directly from a milk dispenser or original container. When clinically indicated, non-fat dry milk may be added to fresh milk served to a resident.

(9) The facility shall use only clean whole eggs, with shells intact and without cracks or checks, or pasteurized liquid, frozen, or dry eggs or egg products, or commercially prepared and packaged hard cooked, peeled eggs. All eggs shall be cooked.

(10) The facility shall reheat rapidly potentially hazardous foods that have been cooked and then refrigerated to a minimum of 165oF throughout before being served or before being placed in a hot food storage unit.

(11) The facility shall use metal stem-type numerically scaled thermometers, accurate to plus or minus 3oF to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of potentially hazardous foods.

(12) The facility shall thaw potentially hazardous foods:

(A) Under refrigeration;

(B) under cold running water;

(C) in a microwave when the food will be immediately cooked; or

(D) as part of the cooking process.

(h) Service. The facility shall:

...(2) provide ice for beverages which shall be handled in a manner which prevents contamination;

(3) cover food distributed for room service and to dining rooms not adjacent to the dietetic services department; and

(4) protect food on display from contamination by the use of packaging or by the use of easily cleanable counter, serving line or salad bar protective devices or other effective means.

(i) Dietary employees shall:

(1) Thoroughly wash their hands and exposed portions of their arms with soap and water before starting work, during work as often as necessary to keep them clean, and after smoking, eating, drinking, or using the toilet. Employees shall keep their fingernails clean and trimmed;

(2) wear clean outer clothing;

(3) use effective hair restraints to prevent contamination of food and food-contact surfaces;

- (4) taste food in a sanitary manner;
- (5) use equipment and utensils constructed from and repaired with safe materials;
- (6) Clean and sanitize equipment and utensils after each use;
- (7) Use clean, dry cloths or paper used for no purpose but for wiping food spills on tableware such as plates or bowls; and,
- (8) Use cloths or sponges for wiping food spills on food and non-food contact surfaces which are clean, rinsed frequently in a sanitizing solution and stored in the sanitizing solution which is maintained at an effective concentration.
- (j) The facility shall ensure that only persons authorized by the facility are in the dietary services area or areas.

...(l) Cleaning procedures. The facility shall:

- (1) Establish and follow cleaning procedures to ensure that all equipment and work areas, including walls, floors, and ceilings are clean;
- (2) perform cleaning and sanitizing of tableware and equipment by immersion, spray-type, or low-temperature dishwashing machines used according to the manufacturer's directions. Rinse temperature in hot water machines shall be a minimum of 160oF at the dish level;
- (3) air dry all tableware, kitchenware, and equipment;
- (4) store glasses and cups in an inverted position ;
- (5) cover or invert other stored utensils;
- (6) provide for storage of knives, forks, and spoons so that the handle is first presented;
- (7) provide mops and mop pails for exclusive use in the dietary department;
- (8) provide a lavatory with hot and cold running water, soap, and single-service towels or a mechanical hand drying device in dietetic services;
- (9) dispose of waste in a sanitary manner via a food disposal or in clean containers with tight-fitting covers; and
- (10) cover waste containers except when in continuous use.

(Authorized by and implementing K.S.A. 39-932; effective Nov. 1, 1993; amended Feb. 21, 1997.)

28-39-162a. Nursing facility physical environment; general requirements.

...7) There shall be a ware-washing area apart from and located to prevent contamination of food preparation and serving areas. The area shall include commercial-type dishwashing equipment. Space shall be provided for receiving, scraping, sorting, and stacking soiled tableware and for transferring clean table ware to the using area.

8) There shall be a three-compartment deep sink for manual cleaning and sanitizing.



9) Exhaust ventilation for the ware-washing room and dietary dry storage area shall conform to K.A.R. 28-39-162c, table 1.

10) There shall be a sanitizing provision for cans, carts, and mobile tray conveyors in any facility constructed after February 15, 1977.

11) There shall be a waste storage area in a separate room or an outside area that is readily accessible for direct pickup or disposal.

...13) A staff toilet and lavatory shall be accessible to the dietary staff.

14) Each facility constructed after February 15, 1977 shall contain a janitor's closet located within the dietary department, which shall contain a floor receptor or service sink, and storage space for housekeeping equipment and supplies.

28-39-162c. Nursing facility physical environment; mechanical and electrical requirements.

G) Hot water heating equipment shall have sufficient capacity to supply hot water at temperatures and amounts indicated below. Water temperature shall be measured at the hot water point of use or at the inlet to processing equipment. Dietary 120 (Minimum)-Temperature (degrees F)

d) Dietary areas. A dietary area shall provide for sanitary meal preparation or service to residents.

1) Each facility shall wash, rinse, and sanitize all tableware, kitchenware, and food preparation equipment in any of the following:

A) a dishwashing machine;

B) a three-compartment sink;

C) three separate containers; or

D) any combination of the above.

2) Each facility shall provide the disposal of waste by incineration, mechanical destruction, removal, or combination of these. Air-tight, Closed containers shall be used to store waste.

3) Ceilings in the dietary area shall be cleanable by dustless methods, including vacuum cleaning or wet cleaning.

4) Dietary areas shall not have exposed or unprotected sewer lines (Authorized by and implementing K.S.A. 39-932; effective Oct. 8, 1999)

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## KENTUCKY

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Section 10 [nursing facilities].

...(8) Sanitary conditions. The facility shall:

- (a) Procure food from sources approved or considered satisfactory by federal, state or local authorities;
- (b) Store, prepare, distribute, and serve food under sanitary conditions; and
- (c) Dispose of garbage and refuse properly.

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## LOUISIANA

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§9821. Equipment and Supplies

B. An approved lavatory shall be convenient and properly equipped for dietary services staff use.

§9823. Sanitary Conditions

A. All food shall be procured, stored, prepared, distributed, and served under sanitary conditions to prevent food borne illness. This includes keeping all readily perishable food and drink according to State Sanitary Code.

B. Refrigerator temperatures shall be maintained according to State Sanitary Code.

C. Hot foods shall leave the kitchen or steam table according to State Sanitary Code.

D. In-room delivery temperatures shall be maintained according to State Sanitary Code.

E. Food shall be transported to residents' rooms in a manner that protects it from contamination, while maintaining required temperatures.

F. Refrigerated food which has been opened from its original package shall be covered, labeled, and dated.

G. All food shall be procured from sources that comply with all laws and regulations related to food and food labeling.

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

I. All equipment and utensils used in the preparation and serving of food shall be properly cleansed, sanitized, and stored. This includes:

1. maintaining a water temperature in dishwashing machines at 140EF during the wash cycle (or according to the manufacturer's specifications or instructions) and 180EF for the final rinse; or

2. maintaining water temperature in low temperature machines at 120EF (or according to the manufacturer's specification or instructions) with 50 ppm (parts per million) of hypochlorite (household bleach) on dish surfaces; or
  3. maintaining a wash water temperature of 75EF, for manual washing in a three-compartment sink, with 25 ppm of hypochlorite or equivalent, or 12.5 ppm of iodine in the final rinse water; or a hot water immersion at 170EF for at least 30 seconds shall be maintained.
- J. Dietary staff shall not store personal items within the food preparation and storage areas.
- K. The kitchen shall not be used for dining of residents or unauthorized personnel.
- L. Dietary staff shall use good hygienic practices.
- M. Dietary employees engaged in the handling, preparation and serving of food shall use effective hair restraints to prevent the contamination of food or food contact surfaces.
- N. Staff with communicable diseases or infected skin lesions shall not have contact with food if that contact will transmit the disease.
- O. There shall be no use of tobacco products in the dietary department.
- P. Toxic items such as insecticides, detergents, polishes, and the like shall be properly stored, labeled and used.
- Q. Garbage and refuse shall be kept in durable, easily cleanable, insect and rodent-proof containers that do not leak and do not absorb liquids. Containers used in food preparation and utensil washing areas shall be kept covered when meal preparation is completed and when full.
- R. All ice intended for human consumption shall be free of visible trash and sediment.
1. Ice used for cooling stored food and food containers shall not be used for human consumption.
  2. Ice stored in machines outside the kitchen shall be protected from contamination.
  3. Ice scoops shall be stored in a manner so as to protect them from becoming soiled or contaminated between usage.

## MAINE

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### 18.B. Staffing

#### 18.B.2. Health and Hygiene

- a. No person, while infected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores, or any acute gastrointestinal disease or other infection deemed to be transmissible through food, shall work in dietetic services in any

capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms, or transmitting disease to other individuals.

b. Staff shall maintain a high degree of personal cleanliness and shall practice hygienic food-handling techniques.

c. All staff shall thoroughly wash their hands and wrist areas with soap and warm water before starting work and after any absence from the work station, and shall wash hands during work hours as often as may be necessary to remove soil and contamination. Fingernails shall be kept clean and trimmed.

d. Staff shall wear clean outer clothing and aprons. Hair shall effectively be restrained through the use of nets or other clean hair covering.

#### ...18.G. Food Storage and Protection

18.G.1. Food shall be stored, prepared, served, transported, and distributed with protection at all times from potential contamination including dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage, leakage and condensation.

18.G.2. Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean and sanitized container and be labeled and dated.

18.G.3. Only containers specifically made for food storage shall be used. They shall be in good condition and maintain the safety and integrity of the contents.

18.G.4. Containers of food shall be stored at least six inches above the floor, on clean racks, dollies or other clean surfaces, in such a manner as to be protected from splash and other contamination.

18.G.5. Poisonous and toxic materials shall be labeled and stored in a secured area separate from food, food preparation areas, and clean equipment and utensil storage.

18.G.6. Food not subject to further washing or cooking before serving shall be protected against contamination from food requiring washing or cooking.

18.G.7. Hermetically sealed cans once opened shall not be used for storage of food. Exception: Shell stock and shucked shellfish shall be kept in the original container in which they were received until they are used. Hermetically sealed packages shall be handled so as to maintain product and container integrity.

18.G.8. Unserved foods from previously prepared menus must be discarded after thirty-six (36) hours. Foods that may be frozen safely, such as meat, may be frozen, retained and used according to accepted timeframes for such processes.

18.G.9. Food shall not be stored with drugs or laboratory specimens. 18.G.10. All dented cans of food must be removed from the food storage area and may not be used for resident consumption.

#### 18.H. Refrigerator and Freezer

18.H.1. A thermometer accurate to +3 degrees Fahrenheit shall be located inside each refrigerator, freezer, or other storage space used for potentially hazardous food(s).

18.H.2. Enough conveniently located refrigeration facilities shall be provided to assure that all food is stored at required temperatures.

18.H.3. The maximum temperature for the refrigerated storage of all perishable and potentially hazardous food and fluids shall be 41 degrees Fahrenheit or below.

18.H.4. Potentially hazardous food shall be cooled from 140 degrees Fahrenheit to 70 degrees Fahrenheit within two hours and from 70 degrees Fahrenheit to 41 degrees Fahrenheit within an additional four hours.

18.H.5. Frozen food shall be kept frozen and shall be stored at a temperature of 0 degrees Fahrenheit or below.

#### 18.I. Hot Food Storage

Enough conveniently located hot food storage facilities shall be provided to assure the maintenance of food at the required temperature of 140 degrees Fahrenheit or above during storage and meal service.

#### 18.J. Food Preparation

18.J.1. Hands shall be washed prior to any food preparation, whether or not disposable gloves are used. Hands shall be washed every time they become contaminated and after gloves are removed.

18.J.2. Foods shall be prepared by methods that conserve nutritive value, flavor and appearance.

18.J.3. Standardized recipes that list clear descriptive procedures, portion yield and measures, shall be maintained and utilized and shall correspond to items on the posted menus.

18.J.4. Foods shall be cut, chopped or ground to meet individual needs.

18.J.5. Convenient and suitable serving and cooking utensils, such as forks, knives, tongs, spoons and scoops shall be provided and used to minimize direct manual contact with food at all points, where food is prepared.

18.J.6. Food shall be prepared on surfaces that have been cleaned and sanitized to prevent cross-contamination.

18.J.7. All raw fruits and vegetables shall be thoroughly washed to remove soil and other contaminants before being cut, combined with other ingredients, cooked or served.

18.J.8. Potentially hazardous frozen foods shall be thawed as follows:

a. Under refrigeration at a temperature not to exceed 41 degrees Fahrenheit; or

b. Under potable running water of a temperature of 70 degrees Fahrenheit, or below, with sufficient water velocity to agitate and float off loose particles into the overflow and for a period not to exceed that needed to thaw the products; or

c. As part of a continuous cooking process using a microwave oven, a conventional cooking unit or a combination of cooking equipment.

18.J.9. All potentially hazardous food shall be kept at an internal temperature of 41 degrees Fahrenheit or below or at an internal temperature of 140 degrees Fahrenheit or above during service.

18.J.10. Potentially hazardous food that has been cooked and then refrigerated, and which is reheated for hot holding shall be reheated rapidly to 165 degrees Fahrenheit, or higher before being served or before being placed in a hot storage food facility.

18.J.11. Poultry, poultry products, pork, pork products, and stuffing containing raw poultry or pork shall be cooked to heat all parts of the food to 165 degrees Fahrenheit, or above.

18.J.12. Potentially hazardous ingredients such as mayonnaise and dairy products for foods that are in a form to be consumed without further cooking such as salads, sandwiches, filled pastry products and reconstituted foods shall have been chilled to 41 degrees Fahrenheit or below prior to preparation.

#### 18.K. Food Service

...18.K.11. Employees and guests eating meals and snacks shall do so in an area separate from the food preparation, tray service, and dishwashing areas.

18.K.12. Animals shall be excluded from the food preparation area at all times and the dining room during the preparation and service of food.

#### 18.L. Cleaning, Sanitization and Storage of Equipment and Utensils

##### 18.L.1. Cleaning Frequency

a. Kitchenware, tableware, utensils, and food-contact surfaces of equipment used in the storage, preparation, service, transportation or distribution of food shall be maintained in a clean and sanitary manner.

b. Kitchenware, tableware, and utensils shall be allowed to drain and air-dry in racks or baskets on a nonabsorbent surface after being washed, rinsed and sanitized.

c. The food-contact surfaces of cooking equipment and pans shall be kept free of encrusted grease deposits and other accumulated soil.

d. Non-food-contact surfaces of all equipment shall be cleaned at such frequency as is necessary to be free of accumulations of dust, dirt, food particles and other debris.

e. Cloths used for wiping food spills on kitchenware or food-contact surfaces of equipment shall be cleaned and rinsed frequently in a sanitizing solution.

f. Ice scoops shall be kept in a firm container of stainless steel, impervious plastic or fiberglass. The container and ice scoop shall be washed and sanitized daily. The handles of ice scoops shall not come in contact with the ice.

##### 18.L.2. Manual Cleaning and Sanitizing

a. Prior to washing, all equipment and utensils shall be preflushed, prescraped or presoaked to remove gross food particles and soil.

b. Equipment and utensils shall be thoroughly washed in a detergent solution having a temperature of at least 110 degrees Fahrenheit, and then shall be rinsed free of such solution. All eating and drinking utensils and, where required, the food-contact surfaces of all other equipment and utensils shall then be sanitized by one of the following methods:

1. Immersion for at least one-half minute in clean hot water at a temperature of at least 170 degrees Fahrenheit.

2. Immersion for at least one minute in a clean solution containing at least fifty parts per million of available chlorine as a hypochlorite and at a temperature of at most 75 degrees Fahrenheit.

3. All chemicals used for sanitizing shall have complete instructions for use kept in the cleaning area.

c. When chemical sanitizing solutions are used for either manual or mechanical sanitization, procedures for testing shall be provided and used to measure the residual of the sanitizing chemical solution used at least daily.

#### 18.L.3. Mechanical Cleaning and Sanitizing

a. Warewashing machines and their auxiliary components shall be operated in accordance with manufacturers' instructions and procedures for testing shall be provided and used.

b. When chemicals are relied upon for sanitization, they shall be applied in such concentration and for such a period of time as to provide effective bactericidal treatment of the equipment and utensils:

1. The temperature of the wash water shall not be less than 120 degrees Fahrenheit.

2. Chemicals added for sanitization purposes shall be automatically dispensed.

3. The chemical sanitizing rinse water temperature shall be the temperature specified by the machine manufacturer.

c. Dishwashing racks, when not in use, shall be stored in a clean area off the floor.

#### 18.L.4. Equipment and Utensil Handling and Storage

a. Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Tableware shall be handled without contact with inside surface or surfaces that contact the user's mouth.

b. Cleaned and sanitized utensils and equipment shall be stored at least six inches above the floor in an enclosed, clean, dry location and protected from contamination by splash, dust, and other means. Equipment and utensils shall not be placed under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law.

c. Cleaned utensils shall be stored covered, inverted or appropriately stored on utensils racks.

d. Facilities for the storage of knives, forks, and spoons shall be designed and used to present the handle to the employee, resident or user.

e. All tableware, kitchenware, and utensils shall be in good repair and be free of stains, breaks, cracks, chipped places, corrosion and open seams.

#### 18.M. Garbage and Rubbish

##### 18.M.1. Containers

All waste not disposed of by mechanical means shall be kept in containers constructed of durable metal or other approved types of material which do not leak and do not absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers. All containers shall be provided with tight-fitting lids or covers.

##### 18.M.2. Storage

a. Garbage and rubbish containing food waste while in the kitchen shall be stored so as to be inaccessible to vermin.

b. Storage rooms or enclosures shall be constructed of easily cleanable, washable materials and shall be vermin proofed.

c. Garbage containers and returnable/recyclable materials shall be stored outside the facility, either on a sealed and easily cleanable concrete slab, dense sealed bituminous surface, or a rack which is at least six (6) inches above the ground.

d. Storage areas shall be clean, and kept free of litter.

e. All storage containers shall be insect-tight, easily cleanable and adequate for the proper storage of all garbage and rubbish.

f. The premises of the facility shall be kept free of litter and dirt.

g. Refuse storage bins shall be maintained in a safe and sanitary condition.

##### 18.M.3. Disposal

a. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing garbage or rubbish is prohibited.

b. All garbage and rubbish shall be removed from the kitchen at least daily, and from the premises as frequently as necessary, but at least weekly. Where municipal or private disposal services are not available, the facility shall dispose of the refuse by transportation to a disposal site approved by the local community involved, or by the State.

##### c. Janitor's Closet

All facilities or new kitchen areas for which construction was started after July 1, 1994 shall have a separate janitor's closet for floor cleaning equipment to be used for the dietary service area. All facilities shall have designated floor cleaning equipment for the dietary service area.



## MARYLAND

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10.07.02.32 Dietetic Service Area.

E. Janitor's Closet or Service Area.

(1) New Construction. A janitor's closet or service alcove for exclusive use of food service areas shall be provided in, or adjacent to, the dietetic service department. It shall be equipped with a utility sink, storage shelves, and a rack for hanging brooms and mops.

## MASSACHUSETTS

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150.009: Dietary Service

4) All food service personnel shall be in good health, shall practice hygienic food handling techniques and shall conform to 105 CMR 590.000: State Sanitary Code Article X- Minimum Sanitation Standards for Food Service Establishments.

a) All food services personnel shall wear clean, washable garments, shoes hairnets or clean caps, and keep their hands and fingernails clean at all times.

b) Personnel having symptoms of communicable disease, including acute respiratory infections, open infected wounds, or known to be infected with any disease in a communicable form or in a carrier state, shall not be permitted to work.

c) Employees shall not use tobacco in any form while engaged in food preparation or service, or while in equipment washing, food preparation or food storage areas.

I) Dietary and food sanitation

1) Sanitary conditions shall be maintained in all aspects of the storage, preparation and distribution of food.

2) All utensils, equipment, methods of cleaning and sanitizing storage of equipment or food, the habits and procedures of food handlers, rubbish and waste disposal, toilet facilities and other aspects of maintaining healthful, sanitary and safe conditions relative to food storage, preparation and distribution shall be in compliance with local health codes and 105 CMR 590.000: State Sanitary Code Article X- Minimum Sanitation Standards for Food Service Establishments.

3) Effective written procedures for cleaning, disinfecting and sanitizing all equipment and work areas shall be developed and followed consistently so that all equipment, including pots and pans, and work areas are clean and sanitary at all times be used in all facilities. Kitchen workers shall be instructed in these and shall show evidence of knowing and practicing acceptable sanitary procedures.

- 5) All dishes, glasses and utensils used for eating, drinking, preparing and serving of food or drink shall be cleansed and sanitized after each use. After sanitization, all dishes shall be allowed to drain and dry in racks or baskets on a nonabsorbent surface. All facilities shall provide by January 1, 1972, an automatic dishwasher capable of handling the needs of the facility. In a dishwashing machine the temperature of the wash water shall be between 140EF and 160EF, with a final rinse at a temperature of 170EF or higher.
- 6) The food service area shall not be located in a thoroughfare, and traffic through the food service area shall be limited to authorized personnel.
- 7) Dry or staple food items shall be stored off the floor in a ventilated room not subject to sewage or waste water backflow, or contamination by condensation, leakage, rodents, or vermin.
- 8) Poisonous and toxic materials shall be stored in locked cabinets that are used for no other purpose, or in a place that is separate from all food storage areas, food preparation areas and clean equipment and utensils.
- 9) All perishable food, including milk and milk products shall be adequately refrigerated, stored in a sanitary manner and properly spaced for adequate refrigeration.
- 10) Mechanical refrigeration capable of storing perishable and frozen foods shall be provided in sufficient amount to meet the needs of the facility.
- 11) The maximum temperature for the storage of all perishable foods shall be 45EF. Freezers and frozen food compartments of refrigerators shall be maintained at or below minus 10 F.
- 12) A reliable thermometer shall be attached to the inside of each refrigerator, freezer. Frozen food compartment, storage space used for perishable food or beverages.
- ...14) Written reports of inspections by state and local health authorities shall be kept on file in the facility with the notations made of action taken by the facility to comply with any recommendations.
- 15) If pre-prepared meals or meals prepared off the premises are used, dietary areas and equipment shall be designed to accommodate the requirements for safe and sanitary storage, processing and handling.
- 16) Auxiliary kitchens and dishwashing facilities located outside the main dietary area shall comply with the standards specific for the main kitchen and dietary area.
- 17) No drugs shall be stored in the same refrigerator with food, and drugs shall not be added to foods in the kitchen.
- 18) Easily shredded, abrasive materials, such as steel wool, shall not be used to clean food preparation equipment or utensils.
- ...20) Written procedures pertaining to the sanitary use of infant formula shall be developed. Protective nipple caps shall be removed only at the beginning of feeding; any unfinished formula left in a bottle at the time of feeding shall be disposed of immediately.

## MICHIGAN

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Michigan regulations do not contain specific content for Dietary Sanitation and Environmental Conditions.

## MINNESOTA

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### 4658.0610 DIETARY STAFF REQUIREMENTS.

Subp. 2. Health. The dietary staff must be free from symptoms of communicable disease and from open, infected wounds.

Subp. 3. Grooming. Dietary staff must wear clean outer garments. Hairnets or other hair restraints must be worn to prevent the contamination of food, utensils, and equipment. Hair spray is not an acceptable hair restraint.

Subp. 4. Hygiene. Dietary staff must thoroughly wash their hands and the exposed portions of their arms with soap and warm water in a handwashing facility before starting work, during work as often as is necessary to keep them clean, and after smoking, eating, drinking, using the toilet, or handling soiled equipment or utensils. Dietary staff must keep their fingernails clean and trimmed.

Subp. 5. Tobacco use. Employees must not use tobacco in any form while on duty to handle, prepare, or serve food, or clean utensils and equipment.

Subp. 6. Eating. All employees must consume food only in areas designated for employee dining. An employee dining area must not be designated if consuming food in that location could cause contamination of other food, equipment, or utensils. This subpart does not apply to cooks or other persons designated by the cook who test the food for flavor and palatability.

Subp. 7. Sanitary conditions. Sanitary procedures and conditions must be maintained in the operation of the dietary department at all times.

Subp. 8. Food handling guide. A current copy of the department's food handling guide entitled "Information for Food Service Personnel in Hospitals and Related Care Facilities" must be readily available for reference by all dietary personnel.

STAT AUTH: MS s [144A.04](#); [144A.08](#); [256B.431](#)

HIST: 19 SR 1803 Current as of 01/19/05

### 4658.0615 FOOD TEMPERATURES.

Potentially hazardous food must be maintained at 40 degrees Fahrenheit (four degrees centigrade) or below, or 150 degrees Fahrenheit (66 degrees centigrade) or above. "Potentially hazardous food" means any food subject to continuous time and temperature controls in order to prevent the rapid and progressive growth of infectious or toxigenic microorganisms.

STAT AUTH: MS s [144A.04](#); [144A.08](#); [256B.431](#)

HIST: 19 SR 1803; 21 SR 196 Current as of 01/19/05

4658.0630 RETURNED FOOD.

Returned portions of food and beverages from individual servings may be reused if the food or beverage is served in a sealed wrapper or container which has not been unwrapped or opened and is not potentially hazardous.

STAT AUTH: MS s 144A.04; 144A.08; 256B.431

HIST: 19 SR 1803

Current as of 01/19/05

4658.0635 CONDIMENTS.

Condiments, seasonings, and salad dressing for resident use must be provided in individual packages or from dispensers.

STAT AUTH: MS s 144A.04; 144A.08; 256B.431

HIST: 19 SR 1803

Current as of 01/19/05

4658.0640 MILK.

Fluid milk and fluid milk products used must be pasteurized and must meet Grade A quality standards in Minnesota Statutes, chapter 32. The milk must be dispensed directly from the original container in which it was packaged, shipped, and received. This container may be individual portions, mechanically refrigerated bulk milk dispenser, or a commercially filled container of not more than one gallon capacity. Dry milk may not be reconstituted and served as fluid milk. Dry milk may be added to fluid milk and other foods to increase nutrient density. Dry milk, dry milk products, and commercial nondairy products may be used in instant dessert and whipped products or for cooking and baking.

STAT AUTH: MS s 144A.04; 144A.08; 256B.431

HIST: 19 SR 1803

Current as of 01/19/05

4658.0645 ICE.

Ice must be stored and handled in a sanitary manner. Stored ice must be kept in an enclosed container. If the container is not mechanically cooled, it must be cleaned at least daily and more often if needed. If an ice scoop is used, the scoop must be stored separately to prevent the handle from contact with the ice.

STAT AUTH: MS s 144A.04; 144A.08; 256B.431

HIST: 19 SR 1803

Current as of 01/19/05

4658.0650 FOOD SUPPLIES.

Subp. 2. Food brought into nursing home. Nonprohibited food items from noncommercial sources such as fresh produce, game, and fish may be brought into the nursing home in accordance with nursing home policy.

STAT AUTH: MS s 31.101; 31.11; 144.05; 144.08; 144.12; 144A.04; 144A.08; 157.011; 256B.431

HIST: 19 SR 1803; 23 SR 519

Current as of 01/19/05

4658.0660 FLOOR CLEANING AND TRASH.

Subpart 1. Cleaning during food preparation. There must be no sweeping or mopping in the food preparation or service areas of the kitchen during the time of food preparation or service, except when necessary to prevent accidents.

Subp. 2. Nondietary activity trash, restrictions. Trash or refuse unrelated to dietary activities must not be transported through food preparation areas or food storage areas for disposal or incineration.

4658.0670 DISHWASHING.

Subpart 1. Requirements. The dishwashing operation must provide separation in the handling of soiled and clean dishes and utensils, and must conform with either part [4658.0675](#) or [4658.0680](#) for washing, rinsing, sanitizing, and drying.

Subp. 2. Sanitization; storage. All utensils and equipment must be thoroughly cleaned, and food-contact surfaces of utensils and equipment must be given sanitization treatment and must be stored in such a manner as to be protected from contamination. Cleaned and sanitized equipment and utensils must be handled in a way that protects them from contamination. STAT AUTH: MS s [144A.04](#); [144A.08](#); [256B.431](#)

HIST: 19 SR 1803 Current as of 01/19/05

4658.0675 MECHANICAL CLEANING AND SANITIZING.

Subpart 1. Generally. Mechanical cleaning and sanitizing must be done in the manner described by subparts 2 to 8.

Subp. 2. Cleaning and sanitizing. Cleaning and sanitizing may be done by spray-type or immersion utensil washing machines or by any other type of machine or device if it is demonstrated that it thoroughly cleans, sanitizes equipment and utensils, and meets the requirements of Standard No. 3, spray-type dishwashing machines, issued by NSF International, June 1982. This standard is incorporated by reference. It is available through the Minitex interlibrary loan system. It is not subject to frequent change. These machines and devices must be properly installed and maintained in good repair. Machines and devices must be operated according to manufacturers' instructions, which must be posted nearby. Utensils and equipment placed in the machine must be exposed to all washing cycles. Automatic detergent dispensers, wetting agent dispensers, and liquid sanitizer injectors must be properly installed and maintained.

Subp. 3. Drainboards. Drainboards must be provided and be of adequate size for the proper handling of soiled utensils before washing and for cleaned utensils following sanitization, and must be located and constructed so as not to interfere with the proper use of the dishwashing facilities. This does not preclude the use of easily movable dish tables for the storage of soiled utensils or the use of easily movable dish tables for the storage of clean utensils following sanitization.

Subp. 4. Preparing to clean. Equipment and utensils must be flushed or scraped and, when necessary, soaked to remove gross food particles and soil before being washed in a dishwashing machine unless a prewash cycle is a part of the dishwashing machine operation. Equipment and utensils must be placed in racks, trays, or baskets, or on conveyors, in a way that food-contact surfaces are exposed to the unobstructed application of detergent wash and clean rinse water and that permits free draining.

Subp. 5. Chemical sanitization. Single-tank machines, stationary-rack machines, door-type machines, and spray-type glass washers using chemicals for sanitization may be used, provided that:

A. wash water temperatures, addition of chemicals, rinse water temperatures, and chemical sanitizers used are in conformance with NSF International Standard No. 3, incorporated by reference in subpart 2, and Standard No. 29, Detergent and Chemical Feeders for Commercial Spray-Type Dishwashing Machines, issued by NSF International, November 1992. These standards are incorporated by reference. They are available through the Minitex interlibrary loan system. They are not subject to frequent change;

B. a test kit or other device that accurately measures the parts per million concentration of the sanitizing solution must be available and be used, and a log of the test results must be maintained for the previous three months;

C. containers for storing the sanitizing agent must be installed in such a manner as to ensure that operators maintain an adequate supply of sanitizing compound; and

D. a visual or audible warning device must be provided for the operator to easily verify when the sanitizing agent is depleted.

Subp. 6. Hot water sanitization. Machines using hot water for sanitizing may be used provided that wash water and pumped rinse water are kept clean and water is maintained at not less than the temperature specified by NSF International Standard No.3, incorporated by reference in subpart 2, under which the machine is evaluated. A pressure gauge must be installed with a valve

immediately adjacent to the supply side of the control valve in the final rinse line provided that this requirement does not pertain to a dishwashing machine with a pumped final rinse.

Subp. 7. Air drying. Dishes and utensils must be air dried before being stored or must be stored in a self-draining position. Properly racked sanitized dishes and utensils may complete air drying in proper storage places, if available.

Subp. 8. Cleaning of dishwashing machines. Dishwashing machines must be cleaned at least once a day, or more frequently if required, in accordance with the manufacturer's recommendation.

#### 4658.0680 MANUAL CLEANING AND SANITIZING.

Subpart 1. Generally. Manual cleaning and sanitizing must be done in the manner described in subparts 2 to 9.

Subp. 2. Three compartment sink. For manual washing, rinsing, and sanitizing of utensils and equipment, a sink with at least three compartments must be provided and be used. Sink compartments must accommodate food preparation equipment and utensils, and each compartment of the sink must be supplied with hot and cold potable running water. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments must be washed manually or cleaned through pressure spray methods.

Subp. 3. Drainboards. Drainboards must be provided at each end for proper handling of soiled utensils before washing and for cleaned utensils following sanitizing and must be located so as not to interfere with the proper use of the utensil washing facilities.

Subp. 4. Preparing to clean. Equipment and utensils must be preflushed or prescraped and, when necessary, presoaked to remove gross food particles and soil.

Subp. 5. Manual dishwashing process. Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing, and sanitizing must be conducted in the following manner:

- A. sinks must be cleaned before use;
- B. equipment and utensils must be thoroughly washed in the first compartment with a detergent in accordance with the detergent manufacturer's instructions;
- C. equipment and utensils must be rinsed free of detergent and abrasives with clean water in the second compartment;
- D. equipment and utensils must be sanitized in the third compartment according to subpart 6.

Subp. 6. Sanitization methods. The food-contact surfaces of all equipment and utensils must be sanitized by one of the following methods:

- A. immersion for at least one-half minute in clean, hot water at a temperature of at least 170 degrees Fahrenheit (77 degrees centigrade);

B. immersion for at least one minute in a clean solution containing at least 50 parts per million, but no more than 200 parts per million, of available chlorine as a hypochlorite and at a temperature of at least 75 degrees Fahrenheit (24 degrees centigrade);

C. immersion for at least one minute in a clean solution containing at least 12.5 parts per million, but not more than 25 parts per million, of available iodine and having a pH range which the manufacturer has demonstrated to be effective and at a temperature of at least 75 degrees Fahrenheit (24 degrees centigrade);

D. immersion in a clean solution containing any other chemical sanitizing agent allowed under Code of Federal Regulations, title 21, section [178.1010](#), that will provide at least the equivalent bactericidal effect of a solution containing 50 parts per million of available chlorine as a hypochlorite at a temperature of at least 75 degrees Fahrenheit (24 degrees centigrade) for one minute; or

E. for equipment too large to sanitize by immersion, but in which steam can be confined, treatment with steam free from materials or additives other than those specified in Code of Federal Regulations, title 21, section [173.310](#). Equipment too large to sanitize by immersion must be rinsed, sprayed, or swabbed with a sanitizing solution of at least twice the required strength for that particular sanitizing solution.

Subp. 7. Hot water sanitization. When hot water is used for sanitizing, the following equipment must 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 170 degrees Fahrenheit (77 degrees centigrade);

B. a numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit (plus or minus two degrees centigrade) convenient to the sink for frequent checks of water temperature; and

C. dish baskets or other equipment of such size and design to permit complete immersion of the tableware, kitchenware, and equipment in the hot water.

Subp. 8. Chemical sanitization. When chemicals are used for sanitization, they must not have concentrations higher than the maximum permitted under Code of Federal Regulations, title 21, section [178.1010](#), and a test kit or other device that accurately measures the parts per million concentration of the solution must be provided and used, and a log of the test results must be maintained for the previous three months.

Subp. 9. Air drying. All dishes and utensils must be air dried before being stored or must be stored in a self-draining position. Properly racked sanitized dishes and utensils may complete air drying in proper storage places, if available.

STAT AUTH: MS s [144A.04](#); [144A.08](#); [256B.431](#)

HIST: 19 SR 1803 Current as of 01/19/05



## MISSISSIPPI

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### 130 PHYSICAL FACILITIES

130.01 Floors. Floors in food service areas shall be of such construction so as to be easily cleaned, sound, smooth, non-absorbent, and without cracks or crevices. Also, floors shall be kept in good repair.

130.02 Walls and Ceilings. Walls and ceilings of food service areas shall be of tight and substantial construction, smoothly finished, and painted in a light color. The walls and ceilings shall be without horizontal ledges and shall be washable up to the highest level reached by splash and spray. Roofs and walls shall be maintained free of leaks. All openings to the exterior shall be provided with doors or windows that will prevent the entrance of rain or dust during inclement weather.

130.03 Screens and Outside Openings. Openings to the outside shall be effectively screened. Screen doors shall open outward and be equipped with self-closing devices.

130.04 Lighting. The kitchen, dishwashing area, and dining room shall be provided with well distributed and unobstructed natural light or openings. Artificial light properly distributed and of an intensity of not less than thirty (30) foot candles shall be provided.

130.05 Ventilation. The food service area shall be ventilated in a manner that will maintain comfortable working conditions, remove objectionable odors and fumes, and prevent excessive condensations.

130.06 Employee Toilet Facilities. Toilet facilities with lockers shall be provided for employees. Toilet rooms shall not open directly into any room in which food is prepared, stored, displayed or served, nor into any room in which utensils are washed or stored. Toilet rooms shall have a lavatory and shall be well lighted and ventilated.

130.07 Hand washing Facilities. Hand washing facilities with hot and cold water, soap dispenser and a supply of soap, and disposable towels shall be provided in all kitchens. The use of a common towel is prohibited. Hands shall not be washed in sinks where food is prepared or where utensils are cleaned.

...130.09 Equipment and Utensil Construction. Equipment and utensils shall be constructed so as to be easily cleaned and shall be kept in good repair.

130.10 Separation of Kitchen from Resident Rooms and Sleeping Quarters. Any room used for sleeping quarters shall be separated from the food service area by a solid wall. Sleeping accommodations such as a cot, bed, or couch shall not be permitted within the food service area.

### 131 AREAS AND EQUIPMENT

...131.02 Kitchen.

Equipment. Minimum equipment in kitchen shall include:

...b. Refrigerator and Freezers. Facilities with more than twenty-four (24) beds shall have sufficient commercial or institutional type refrigeration/freezer units to meet the storage needs of the facility.

...g. Cans garbage (heavy plastic or galvanized).

h. Lavatories, hand washing; conveniently located throughout the department.

...j. Pot and Pan Sink. A three compartment sink shall be provided for cleaning pots and pans. Each compartment shall be a minimum of twenty-four (24) inches by twenty (24) inches by sixteen (16) inches. A drain board of approximately thirty (30) inches shall be provided at each end of the sink, one to be used for stacking soiled utensils and the other for draining clean utensils...

131.03 Dishwashing. Commercial or institutional type dishwashing equipment shall be provided in homes with more than twenty-four (24) beds. The dishwashing area shall be separated from the food preparation area. If sanitizing is to be accomplished by hot water, a minimum temperature of one hundred eighty (180) degrees Fahrenheit shall be maintained during the rinsing cycle. An alternate method of sanitizing through use of chemicals may be provided if sanitizing standards of the Mississippi Department of Health Food Code Regulations are observed. Adequate counter-space for stacking soiled dishes shall be provided in the dishwashing area at the most convenient place of entry from the dining room, followed by a disposer with can storage under the counter. There shall be a pre-rinse sink, then the dishwasher and finally a counter or drain for clean dishes.

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## MISSOURI

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19 CSR 30-85.052 Dietary Requirements for New and Existing Intermediate Care and Skilled Nursing Facilities

...(17) If food preparation, service, or both, within the facility is handled through a contractual arrangement, all regulations governing sanitation (13 CSR 15-17), dietary service and contractual personnel shall be met and maintained. II/III

Chapter 87—Sanitation Requirements for Long-Term Care Facilities

## 19 CSR 30-87.020 General Sanitation Requirements for New and Existing Long-Term Care Facilities

**PURPOSE:** This rule establishes standards related to general sanitation and housekeeping in a long-term care facility to protect the health and safety of the residents.

**PUBLISHER'S NOTE:** The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

[Editor's Note: All rules relating to long-term care facilities licensed by the department are followed by a Roman Numeral notation which refers to the class (either Class I, II or III) of standard as designated in section 198.085.1, RSMo. ]

... (6) 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 surfaces or that constitutes a hazard to residents, employees or other persons. II

(7) Poisonous or toxic materials shall not be used in a way that contaminates food, equipment or utensils, nor in a way that constitutes a hazard to residents, employees or other persons, nor in a way other than in full compliance with the manufacturer's labeling. II

...(12) All floors in the facility shall be clean and shall be maintained in good repair. Floors and floor coverings of all food-preparation, food-storage and utensil-washing areas, and the floors of all walk-in refrigerating units, dressing rooms, locker rooms, toilet rooms and vestibules shall be constructed of smooth durable material such as sealed concrete, terrazzo, ceramic tile, durable grades of linoleum or plastic, or tight wood impregnated with plastic. Nothing in this section shall prohibit the use of antislip floor covering in areas where necessary for safety reasons. III

(13) 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-washing and utensil-washing areas where it would be exposed to large amounts of grease and water, in food-storage areas and toilet room areas where urinals or toilet fixtures are located. III

... (18) Studs, joists and rafters, shall not be exposed in walk-in refrigerating units, food-preparation areas, equipment-washing areas, toilet rooms and vestibules. III

,,, (20) Cleaning of floors and walls, except emergency cleaning of floors, shall be done during periods when the least amount of food is exposed, such as between meals. Mops used for cleaning bathrooms shall be disinfected after use and before using in other areas. III

(21) In new or extensively remodeled facilities for more than twelve (12) residents at least one (1) utility sink or curbed facility with a floor drain shall be provided and used for the cleaning of mops or similar wet-floor cleaning tools and for the disposal of mop water or similar liquid wastes. The use of lavatories, utensil washing or equipment washing or food-preparation sinks for this purpose is prohibited. III

... (31) Waste containers used in food-preparation and utensil-washing areas shall be kept covered when not in actual use. III

AUTHORITY: sections 198.009, RSMo 2000 and 198.005 and 198.073, RSMo Supp. 2006.\* This rule originally filed as 13 CSR 15-17.020. Original rule filed July 13, 1983, effective Oct. 13, 1983. Emergency rule filed Aug. 1, 1984, effective Aug. 13, 1984, expired Dec. 10, 1984. Amended: Filed Sept. 12, 1984, effective Dec. 13, 1984. Amended: Filed Aug. 1, 1988, effective Nov. 11, 1988. Moved to 19 CSR 30-87.020, effective Aug. 28, 2001. Amended: Filed Aug. 23, 2006, effective April 30, 2007.

\*Original authority: 198.005, RSMo 2006; 198.009, RSMo 1979, amended 1993, 1995; and 198.073, RSMo 1979, amended 1984, 1992, 1999, 2006.

#### 19 CSR 30-87.030 Sanitation Requirements for Food Service

PURPOSE: This rule establishes standards related to food supplies, food protection and storage, food preparation and handling, food service, food equipment and utensils, dish-washing methods and other general requirements related to the food preparation and service area. These rules have been adapted from the 1976 recommended ordinance governing food service establishments and established by the United States Food and Drug Administration.

[PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

Editor's Note: All rules relating to long-term care facilities licensed by the department are followed by a Roman Numeral notation which refers to the class (either Class I, II or III) of standard as designated in section 198.085.1, RSMo. ]

(1) Employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods. II/III

(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 and after smoking, eating, drinking or using the toilet. Employees shall keep their fingernails clean and trimmed. II/III

(3) The outer clothing of all employees shall be clean and employees shall use effective hair restraints to prevent the contamination of food or food-contact surfaces. III

(4) 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. Nothing in this section shall prohibit staff from dining with residents when the facility utilizes the social model for mealtime. III

(5) Employees shall not use tobacco in any form while engaged in food preparation or service, nor while in areas used for equipment or utensil washing or for food preparation. 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. III

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

(7) Food preparation and storage shall not be conducted in any room used as living or sleeping quarters. In a facility licensed for more than twelve (12) residents, except in an existing residential care facility, food service operations shall be separated from living or sleeping quarters by complete partitioning and solid, self-closing doors. Nothing in this section shall prohibit an assisted living facility from providing kitchen and family style eating areas for use by residents. III

(8) 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, equipment or linens and shall be stored in an orderly manner. III

(9) Live animals, including birds and turtles shall be excluded from the food storage service and preparation areas. This exclusion does not apply to edible fish, crustacea, shellfish or to fish in aquariums. Patrol dogs accompanying security or police officers, or service or guide dogs assisting residents or visitors shall be permitted in dining areas. Other dogs and cats may be permitted in the dining area if food service sanitation is not compromised and residents do not object. III

(10) Birds within enclosed aviaries may be in the dining area with the following stipulations:

(A) The facility ensures the aviary is cleaned at least twice a week and more often as needed to maintain a clean environment; III

(B) The facility provides proper hand washing instructions to those staff having access to the birds and monitors to ensure compliance; and III

(C) The facility contacts the local or county Health Department and informs that department that an aviary has been installed. III

(11) Food shall be in sound condition, free from spoilage, filth or other contamination and shall be safe for human consumption. Food shall be obtained from sources that comply with all laws relating to food and food labeling. The use of food in hermetically sealed containers that was not prepared in a food processing establishment is prohibited. Nothing in this section shall prohibit facilities from using fresh vegetables or fruits purchased from farmers' markets or obtained from the facility garden or residents' family gardens. I/II

(12) Fluid milk and fluid milk products used or served shall be pasteurized and shall meet the Grade A quality standards as established by law. Dry milk and dry milk products shall be made from pasteurized milk products. I/II

(13) At all times, including while being stored, prepared, displayed, served or transported to or from the facility, food shall be protected from potential contamination, including dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage and overhead leakage or overhead drippage from condensation. The temperature of potentially hazardous food shall be forty-five degrees Fahrenheit (45°F) or below or one hundred

forty degrees Fahrenheit (140°F) or above at all times, except as otherwise provided in this section. In the event of a fire, flood, power outage or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at required temperatures, the person in charge shall immediately contact the Department of Health and Senior Services (the department). Upon receiving notice of this occurrence, the department shall take whatever action that it deems necessary to protect the residents. II/III

(14) Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean covered container except during necessary periods of preparation or service. Container covers shall be impervious and nonabsorbent except that linens or napkins may be used for lining or covering bread or roll containers. III

(15) Containers of food shall be stored 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 metal pressurized beverage containers, and cased food packaged in cans, glass or other waterproof containers need not be elevated when the food container is not exposed to floor moisture; and containers may be stored on dollies, racks or pallets, provided the equipment is easily movable. III

(16) Food and containers of food shall be stored in a manner which protect it from contamination. The storage of food in toilet rooms or vestibules is prohibited. II/III

(17) Unless its identity is unmistakable, bulk food, such as cooking oil, syrup, salt, sugar 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. III

(18) Enough conveniently located refrigeration facilities or effectively insulated facilities shall be provided to assure the maintenance of potentially hazardous food at required temperatures during storage. Each mechanically refrigerated facility storing potentially hazardous food shall be provided with a numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit ( $\pm 3^{\circ}\text{F}$ ), located to measure the air temperature in the warmest part of the refrigerated facility and located to be easily readable. Recording thermometers, accurate to plus or minus three degrees Fahrenheit ( $\pm 3^{\circ}\text{F}$ ), may be used in lieu of indicating thermometers. III

(19) Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to an internal temperature of forty-five degrees Fahrenheit (45°F) or below, utilizing such methods as shallow pans, agitation, quick chilling or water circulation external to the food container so that the cooling period shall not exceed four (4) hours. Potentially hazardous food to be transported shall be prechilled and held at a temperature of forty-five degrees Fahrenheit (45°F) or below. I/II

(20) Frozen food shall be kept frozen and should be stored at a temperature of zero degrees Fahrenheit (0°F) or below. III

(21) Ice intended for human consumption shall not be used as a medium for cooling stored food, food containers or food utensils, except that such ice may be used for cooling tubes conveying beverages or beverage ingredients to a dispenser head. Ice used for cooling stored food and food containers shall not be used for human consumption. III

(22) Tubing conveying beverages or beverage ingredients to dispensing heads may be in contact with stored ice provided that, the tubing is fabricated from safe materials, is grommeted at entry and exit points to preclude moisture (condensation) from entering the ice machine or the ice

storage bin and is kept clean. Drainage or drainage tubes from dispensing units shall not pass through the ice machine or the ice storage bin. III

(23) Enough conveniently located hot food storage facilities shall be provided to assure the maintenance of food at the required temperature during storage. 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 ( $\pm 3^{\circ}\text{F}$ ), located to measure the air temperature in the coolest part of the hot food storage facility and located to be easily readable. Recording thermometers, accurate to plus or minus three degrees Fahrenheit ( $\pm 3^{\circ}\text{F}$ ), may be used in lieu of indicating thermometers. Where it is impractical to install thermometers on equipment such as bains-maries, steam tables, steam kettles, heat lamps, calrod units or insulated food transport carriers, a product thermometer must be available and used to check internal food temperature. III

(24) The internal temperature of potentially hazardous foods requiring hot storage shall be one hundred forty degrees Fahrenheit ( $140^{\circ}\text{F}$ ) or above, except during periods of preparation. Potentially hazardous food to be transported shall be held at a temperature of one hundred forty degrees Fahrenheit ( $140^{\circ}\text{F}$ ) or above. I/II

(25) Raw fruits and vegetables shall be thoroughly washed with potable water before being cooked or served. II/III

(26) 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 ( $140^{\circ}\text{F}$ ), except that poultry, poultry stuffings, stuffed meats and stuffings containing meat shall be cooked to heat all parts of the food to at least one hundred sixty-five degrees Fahrenheit ( $165^{\circ}\text{F}$ ) with no interruption of the cooking process. Pork and food containing pork shall be cooked to heat all parts of the food to at least one hundred fifty degrees Fahrenheit ( $150^{\circ}\text{F}$ ); rare roast beef shall be cooked to an internal temperature of at least one hundred thirty degrees Fahrenheit ( $130^{\circ}\text{F}$ ); and rare beef steak shall be cooked to a temperature of one hundred thirty degrees Fahrenheit ( $130^{\circ}\text{F}$ ) unless otherwise ordered by the resident. II/III

(27) Liquid, frozen, dry eggs and egg products shall be used only for cooking and baking purposes. II/III

(28) Only clean whole eggs, with shell intact and without cracks or checks, or pasteurized liquid or frozen, or dry eggs or pasteurized dry egg products shall be used, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used. II

(29) Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to one hundred sixty-five degrees Fahrenheit ( $165^{\circ}\text{F}$ ) or higher throughout before being served or before being placed in a hot food-storage facility. II

(30) Steam tables, bains-maries, warmers and similar hot food-holding facilities are prohibited for the rapid reheating of potentially hazardous foods. II/III

(31) Nondairy creaming, whitening or whipping agents may be reconstituted on the premises only when they will be stored in sanitized, covered containers not exceeding one (1) gallon in capacity and cooled to forty-five degrees Fahrenheit ( $45^{\circ}\text{F}$ ) or below within four (4) hours after preparation. II/III

(32) Metal stem-type numerically scaled indicating thermometers, accurate to plus or minus two degrees Fahrenheit ( $\pm 2^{\circ}\text{F}$ ), shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding or refrigeration temperatures of all potentially hazardous foods. II/III

(33) Potentially hazardous foods shall be thawed in refrigerated units at a temperature not to exceed forty-five degrees Fahrenheit ( $45^{\circ}\text{F}$ ); or under potable running water at a temperature of seventy degrees Fahrenheit ( $70^{\circ}\text{F}$ ) or below, with sufficient water velocity to agitate and float off loose food particles into the overflow; or in a microwave oven only when the food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven; or as part of the conventional cooking process. II/III

(34) At time of service to the resident, food shall be at least one hundred twenty degrees Fahrenheit ( $120^{\circ}\text{F}$ ) or forty-five degrees Fahrenheit ( $45^{\circ}\text{F}$ ) or below. II/III

(35) Milk and milk products for drinking purposes shall be provided to the resident in an unopened, commercially filled package not exceeding one (1) pint in capacity, or shall be drawn from a commercially filled container stored in a mechanically refrigerated bulk milk dispenser, or shall be poured directly into glass(es) to be used by the resident(s) from a commercially filled gallon or half-gallon container provided the container is completely emptied in the process and then discarded, or if a portion of milk remains, that no milk may be returned to that container and is immediately refrigerated. Where a bulk dispenser for milk and milk products is not available and portions of less than one-half ( $1/2$ ) pint are required for mixed drinks, cereal or dessert service, milk and milk products may be poured from a commercially filled container of not more than one (1) gallon capacity and no milk may be returned to that container. II/III

(36) Reconstituted dry milk and dry milk products shall not be used for drinking purposes but may be used in instant desserts and whipped products, or for cooking and baking purposes. III

(37) Cream or half-and-half or nondairy creaming agents or whitening agents shall be provided in an individual service container, protected pour-type pitcher or drawn from a refrigerated dispenser designed for such service. III

(38) Condiments, seasoning and dressings for self-service use shall be provided in individual packages, from dispensers or from protected containers. III

(39) Condiments provided for table or counter service shall be individually portioned, except that catsup and other sauces may be served in the original container or pour-type dispenser. Sugar for consumer shall be provided in individual packages or in pour-type dispensers. III

(40) Ice shall be dispensed only with scoops, tongs or other ice-dispensing utensils or through automatic self-service, ice-dispensing equipment. Ice-dispensing utensils shall be stored on a clean surface or in the ice with the dispensing utensil's handle extended out of the ice. Between uses, ice transfer receptacles shall be stored in a way that protects them from contamination. Ice storage bins shall be drained through an air gap. III

(41) To avoid unnecessary manual contact with food, suitable preparation and dispensing utensils shall be used by employees or provided to consumers who serve themselves. Between uses, during service, dispensing utensils shall be stored in a manner which would prevent contamination. III



(42) Once served to a resident, portions of leftover food shall not be served again except that packaged food, other than potentially hazardous food, that is still packaged and is still in sound condition may be re-served. III

(43) Food on display shall be protected from resident contamination by the use of packaging or by the use of easily cleanable counter, serving line or salad bar protector devices, display cases or by other effective means. Enough hot or cold food facilities shall be available to maintain the required temperature of potentially hazardous foods on display. III

(44) Equipment and utensils shall be constructed and repaired with safe materials including finishing materials; shall be corrosion-resistant and nonabsorbent; and shall be smooth, easily cleanable and durable under conditions of normal use. Single-service articles shall be made from clean, sanitary, safe materials. Equipment utensils and single-service articles shall not impart odors, color or taste nor contribute to the contamination of food. III

(45) Hard maple or equivalently nonabsorbent material may be used for cutting blocks, cutting boards, salad bowls and baker's tables. The use of wood as a food-contact surface under other circumstances is prohibited. III

(46) Safe plastic or safe rubber or safe rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition, crazing, chipping and distortion, that are of sufficient weight and thickness to permit cleaning and sanitizing by normal dishwashing methods, and which meet the general requirements of this rule, are permitted for repeated use. III

(47) Re-use of single service articles is prohibited. III

(48) Food-contact surfaces shall be easily cleanable, smooth and free of breaks, open seams, cracks, chips, pits and similar imperfections and free of difficult-to-clean internal corners and crevices. Cast iron may be used as a food-contact surface only if the surface is heated, such as in grills, griddle tops and skillets. Threads shall be designed to facilitate cleaning; ordinary "V" type threads are prohibited in food-contact surfaces, except that in equipment such as ice makers or hot oil-cooking equipment and hot oil-filtering systems, these threads shall be minimized. III

(49) Equipment containing bearings and gears requiring unsafe lubricants shall be designed and constructed so that the lubricant 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. III

(50) All sinks and drain boards shall be self-draining. III

(51) Unless designed for in-place cleaning, food-contact surfaces shall be accessible for cleaning and inspection without being disassembled; or by disassembling without the use of tools; or 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. III

(52) Equipment intended for in-place cleaning shall be so designed and fabricated that cleaning and sanitizing solutions can be circulated throughout a fixed system using an effective cleaning and sanitizing regimen; cleaning and sanitizing solutions will contact all interior food-contact surfaces; and the system is self-draining or capable of being completely evacuated. III

(53) Fixed equipment designed and fabricated to be cleaned and sanitized by pressure spray methods shall have sealed electrical wiring, switches and connections. III

(54) 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, and readily accessible for cleaning, and shall be of such material and in a repair as to be easily maintained in a clean and sanitary condition. III

(55) Ventilation hoods and devices shall be designed 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. III

(56) Equipment that was installed in an existing licensed facility and that does not fully meet all of the design and fabrication requirements shall be deemed acceptable in that establishment if it is in good repair, capable of being maintained in a sanitary condition and the food-contact surfaces are nontoxic. Replacement equipment and new equipment shall meet the requirements for design and fabrication. III

(57) Equipment that is placed on tables or counters, unless portable, shall be sealed to the table or counter or elevated on legs to provide clearance between the table or counter and equipment and shall be installed to facilitate the cleaning of the equipment adjacent areas. Equipment is portable if it is small and light enough to be moved easily by one (1) person; and it has no utility connection, or 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. III

(58) Floor-mounted equipment, unless readily movable, shall be sealed to the floor; or installed on a raised platform of concrete or other smooth masonry in a way that meets all of the requirements for sealing or floor clearance; or elevated on legs to provide clearance between the floor and equipment, except that vertically-mounted floor mixers may be elevated to provide at least a four inch (4") clearance between the floor and equipment if no part of the floor under the mixer is more than six inches (6") from the cleaning access. Equipment is easily movable if it is mounted on wheels or casters; and it has no utility connection or has a utility connection that disconnects quickly, or has a flexible utility line of sufficient length to permit the equipment to be moved for easy cleaning. III

(59) Unless sufficient space is provided for easy cleaning between, behind and above each unit of fixed equipment, the space between it and adjoining equipment units and adjacent walls or ceilings shall not be more than one-thirty-second inch (1/32"); or if exposed to seepage, the equipment shall be sealed to the adjoining equipment or adjacent walls or ceilings. III

(60) 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. III

(61) Tableware shall be washed, rinsed and sanitized after each use. II

(62) 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. Water pitchers which are for individual resident use shall be sanitized daily. II/III

(63) Where 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. III

(64) 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 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. III

(65) Nonfood-contact surfaces of equipment shall be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles and other debris. III

(66) 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. III

(67) Moist cloths or sponges used for wiping food spills on kitchenware and food-contact surfaces of equipment shall be clean and rinsed frequently in one (1) of the permitted sanitizing solutions and used for no other purpose. These cloths and sponges shall be stored in the sanitizing solution between uses. Moist cloths or sponges used for cleaning nonfood-contact surfaces of equipment such as counters, dining table tops and shelves shall be clean and rinsed and used for no other purpose. These cloths and sponges shall be stored in the sanitizing solution between uses. III

(68) For manual washing, rinsing and sanitizing of utensils and equipment, a sink with not fewer than three (3) compartments shall be provided and used. Sink compartments shall be large enough to permit the accommodation of the equipment and utensils and each compartment of the sink shall be supplied with hot and cold potable running water, except that in an existing licensed facility, the use of a two (2)-vat sink and a supplementary portable container to be used for sanitization is acceptable. Fixed equipment and utensils and equipment too large to be cleaned in sink compartment shall be washed manually or cleaned through pressure spray methods. III

(69) Drain boards or easily movable dish tables of adequate size shall be provided for proper handling of soiled utensils prior to washing and for cleaned utensils following sanitizing and shall be located so as not to interfere with the proper use of the dishwashing facilities. III

(70) Equipment and utensils shall be pre-flushed or prescraped and, when necessary, presoaked to remove gross food particles and soil. III

(71) Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing and sanitizing shall be conducted in the following sequence: sinks shall be cleaned prior to use; equipment and utensils shall be thoroughly washed in the first compartment with hot detergent solution that is kept clean; equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment; and equipment and utensils shall be sanitized in the third compartment. III

(72) The food-contact surfaces of all equipment and utensils shall be sanitized by immersion for at least one-half (1/2) minute in clean, hot water at a temperature of at least one hundred seventy degrees Fahrenheit (170°F); or immersion for at least one (1) minute in a clean solution containing at least fifty (50) parts per million of available chlorine as a hypochlorite and at a temperature of at least seventy-five degrees Fahrenheit (75°F); or immersion for at least one (1) minute in a clean solution containing at least twelve and one-half (12.5) parts per million of available iodine and having a pH not higher than five (5.0) and at a temperature of at least seventy-five degrees Fahrenheit (75°F); or immersion in a clean solution containing any other chemical sanitizing agent allowed under 21 CFR 178.1010 of the (Revised 2005), Food and Drug Code of the United States Food and Drug Administration, Department of Health and Human Services, 200 Independence Avenue SW, Washington, DC 20201, Telephone: 202-619-0257, Toll Free: 1-877-696-6775, that will provide the equivalent bactericidal effect of a solution containing at least fifty (50) parts per million of available chlorine as a hypochlorite at a temperature of at least seventy-five degrees Fahrenheit (75°F); or treatment with steam, free from materials or additives other than those specified in 21 CFR 173.310 of the (Revised 2005), Food and Drug Code of the of the United States Food and Drug Administration, Department of Health and Human Services, in the case of equipment too large to sanitize by immersion, but in which steam can be confined; or rinsing, spraying or swabbing with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution in the case of equipment too large to sanitize by immersion. (21 CFR 178.1010 (Revised 2005) and 21 CFR 173.310 (Revised 2005) are incorporated by reference in this rule and available by Internet at: [www.access.gpo.gov](http://www.access.gpo.gov). This rule does not incorporate any subsequent amendments or additions.) II/III

(73) When hot water is used for sanitizing, as allowed by section (72) of this rule, the following facilities shall be provided and used: 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 (170°F); and a numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit ( $\pm 3^\circ\text{F}$ ), convenient to the sink for frequent checks of water temperature; and dish baskets of such size and design to permit complete immersion of the tableware, kitchenware and equipment in the hot water. II/III

(74) When chemicals are used for sanitization, they shall not have concentrations higher than the maximum permitted under 21 CFR 178.1010 of the (Revised 2005), Food and Drug Code of the United States Food and Drug Administration, Department of Health and Human Services, and a test kit or other device that accurately measures the parts per million concentration of the solution shall be provided and used. III

(75) 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. In a facility with a licensed capacity of twelve (12) or fewer beds, a home-type dishwashing machine shall be acceptable. If a new machine is purchased, it shall be one with sanitizing capabilities. In a facility licensed for a larger capacity, if a dishwasher is used, it shall meet the requirements in sections (72)–(74) of this rule. Machines and devices shall be properly installed and maintained in good repair; shall be operated in accordance with manufacturers' instructions; and utensils and equipment placed in the machine 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. II/III

(76) The pressure of final rinse water supplied to spray-type dishwashing machines shall not be less than fifteen (15) nor more than twenty-five (25) pounds per square inch measured in the water line immediately adjacent to the final rinse control valve. A one-fourth inch (1/4") IPS valve shall be provided immediately upstream from the final rinse control valve to permit checking the flow pressure of the final rinse water. III

(77) Machine- or water line-mounted numerically scaled indicating thermometers, accurate to plus or minus three degrees Fahrenheit ( $\pm 3^{\circ}\text{F}$ ), 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. III

(78) Rinse water tanks shall be protected by baffles, curtains or other effective means of minimizing 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. III

(79) Drain boards shall be provided and be of adequate size for the proper handling of soiled utensils prior to washing and of cleaned utensils following sanitization and shall be so located and constructed as not to interfere with the proper use of the dishwashing facilities. This does not preclude the use of easily movable dish tables for the storage of soiled utensils or the use of each movable dish table for the storage of clean utensils following sanitization. III

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

(81) Machines (single-tank, stationary-rack, door-type machines and spray-type glass washes) using chemicals for sanitization may be used provided that—the temperature of the wash water is not less than one hundred twenty degrees Fahrenheit ( $120^{\circ}\text{F}$ ), the wash water is kept clean, chemicals added for sanitization purposes are automatically dispensed; utensils and equipment are exposed to the final chemical sanitizing rinse in accordance with manufacturers' specifications for time and concentration, the chemical sanitizing rinse water temperature is not less than seventy-five degrees Fahrenheit ( $75^{\circ}\text{F}$ ) nor less than the temperature specified by the machine's manufacturer; chemical sanitizers used shall meet the requirements of 21 CFR 178.1010 (Revised 2005), Food and Drug Code of the United States Food and Drug Administration, Department of Health and Human Services and a test kit or other device that accurately measures the parts per million concentration of the solution is available and is used. II/III

(82) Machines using hot water for sanitizing may be used provided that they are operated in accordance with the manufacturer's instructions and are maintained in good repair. II/III

(83) 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. III

(84) After mechanical or manual sanitization, all equipment and utensils shall be air dried. All utensils shall be stored in a self-draining position. III

(85) 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. III

(86) Cleaned and sanitized utensils and equipment shall be stored above the floor in a clean, dry location in a way that protects them from contamination by splash, dust and other means. The food-contact surfaces of fixed equipment shall also be protected from contamination. III

(87) Glasses and cups shall be stored inverted. Other stored utensils shall be covered or inverted, wherever practical. Facilities for the storage of knives, forks and spoons shall be designed and used to present the handle to the employee or consumer. Unless tableware is prewrapped, holders for knives, forks and spoons at self-service locations shall protect these articles from contamination and present the handle of the utensil to the consumer. III

(88) Single-service articles shall be stored above the floor in closed cartons or containers which protect them from contamination. III

(89) Single-service articles shall be handled and dispensed in a manner that prevents contamination of surfaces which may come in contact with food or with the mouth of the user. III

(90) Single-service knives, forks and spoons packaged in bulk shall be inserted into holders or be wrapped by a person who has washed his/her hands immediately prior to sorting or wrapping utensils. Unless single-service knives, forks and spoons are prewrapped or prepackaged, holders shall be provided to protect these items from contamination. III

(91) Prohibited Storage Area. The storage of food equipment, utensils or single-service articles in toilet rooms or vestibules is prohibited. III

(92) All storage and installation of equipment under exposed sewage or water line, except for automatic fire protection sprinkler heads, is prohibited. II

(93) Permanently fixed artificial light sources shall be installed to provide at least twenty (20) footcandles of light on all food preparation surfaces and at equipment or utensil-washing work levels. III

(94) Permanently fixed artificial light sources shall be installed to provide, at a distance of thirty inches (30") from the floor, at least twenty (20) footcandles of light in utensil and equipment storage areas and in lavatory and toilet areas, and at least ten (10) footcandles of light in walk-in refrigerating units, dry food-storage areas and in all other areas. This shall also include dining areas during cleaning operations. III

(95) Shielding to protect against broken glass falling onto food shall be provided for all artificial lighting fixtures located over, by or within food storage, preparation, service and display facilities, and facilities where utensils and equipment are cleaned and stored. III

(96) 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. III

(97) Nothing in this rule shall prohibit a facility from hosting a resident/family picnic, carry-in dinner, fish fry or barbecue or allowing a local community or church group to sponsor such

activities for residents. Reasonable practices shall be used for maintaining sanitation and appropriate temperatures of food brought to the facility. III

AUTHORITY: sections 198.009, 198.076 and 198.079, RSMo 2000 and 198.005 and 198.073, RSMo Supp. 2006.\* This rule originally filed as 13 CSR 15-17.030. Original rule filed July 13, 1983, effective Oct. 13, 1983. Emergency amendment filed Aug. 1, 1984, effective Aug. 13, 1984, expired Dec. 10, 1984. Amended: Filed Sept. 12, 1984, effective Dec. 13, 1984. Amended: Filed Aug. 1, 1988, effective Nov. 11, 1988. Moved to 19 CSR 30-87.030, effective Aug. 28, 2001. Amended: Filed Aug. 23, 2006, effective April 30, 2007.

\*Original authority: 198.005, RSMo 2006; 198.009, RSMo 1979, amended 1993, 1995; 198.073, RSMo 1979, amended 1984, 1992, 1999, 2006; 198.076, RSMo 1979, amended 1984; and 198.079, RSMo 1979.

## MONTANA

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### 37.110.204 FOOD SUPPLIES

(1) Food must be free from adulteration or other contamination and must be safe for human consumption. Food must be obtained from sources that comply with all laws relating to food and food labeling which include, but are not limited to, laws of the federal food and drug administration (FDA); environmental protection agency (EPA), United States department of agriculture (USDA), Montana department of livestock; Montana department of agriculture; and the Montana Food, Drug and Cosmetic Act, Title 50, chapter 31, MCA. The use of food in hermetically sealed containers that was not prepared in a licensed food manufacturing establishment is prohibited. Food prepared in a private home may not be used or offered for human consumption in a licensed food service establishment.

(2) Fluid milk and fluid milk products used or served must be pasteurized and must meet grade A quality standards. Dry milk and dry milk products must be made from pasteurized milk and milk products.

(3) Fresh and frozen shucked shellfish (oysters, clams or mussels), must be packed in non-returnable packages identified with the name and address of the original shell stock processor, shucker-packer, or repacker, and the interstate certification number. Shell stock and shucked shellfish must be kept in the container in which they were received until they are used. Each container of unshucked shell stock (oysters, clams or mussels) must be identified by an attached tag which states the name and address of the original shell stock processor, the kind and quantity of shell stock and the interstate certification number issued by the state or foreign shellfish control agency. Shell stock tags or labels must be retained for 90 days from the date the container is emptied. Molluscan shellfish that are recreationally caught must not be received for sale or service.

(4) Only grade B eggs or better with shell intact without cracks, or pasteurized liquid, frozen, or dry eggs or dry egg products must be used.

(5) Fish, other than molluscan shellfish, that are intended for consumption in their raw form and allowed as specified under ARM37.110.207(8)(b) must be obtained from a supplier that freezes the fish or must be frozen on the premises as specified in ARM 37.110.207(8)(b).

(6) Fish may not be received for sale or service unless they are commercially and legally caught and harvested.

(7) Game animals and exotic species may be received for sale or service if raised, slaughtered, and processed under a voluntary inspection program that is conducted by the agency that has animal health jurisdiction. The inspection of game animals and exotic species must include an antemortem and postmortem examination by a regulatory authority as provided in 81-9-230, MCA.

(8) Ice for use as a food or a cooling medium must be made from drinking water which complies with the requirements in ARM 37.110.217. After use as a cooling medium, ice may not be used as food.

(9) Receiving temperature of refrigerated, potentially hazardous food must be 41°F (5°C) or below unless otherwise required by law.

(10) Potentially hazardous food that is labeled frozen and shipped frozen by a food processing plant must be received frozen. (History: Sec. 50-50-103, MCA;IMP,Sec.50-50-103,MCA;NEW,1979 MAR p. 677, Eff. 7/13/79; AMD, 1985 MAR p. 928, Eff. 7/12/85; TRANS & AMD, 2000 MAR p. 3201, Eff. 11/23/00.)

#### 37.110.210 FOOD EMPLOYEES

(1) No person, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound, diarrhea illness or acute gastrointestinal illness or an acute respiratory infection, shall work in a food service establishment in any capacity in which there is likelihood of such person contaminating food or food contact surfaces with pathogenic organisms or transmitting disease to other persons. Food employees experiencing persistent sneezing, coughing or runny nose that causes discharges from the eyes, nose or mouth may not work with exposed food; clean equipment, utensils, and linens; or unwrapped single-service or single-use articles.

(2) Food employees and other authorized persons shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods in the food service establishment.

(3) Food employees shall clean their hands in a hand washing facility that conforms to the requirements in ARM 37.110.221.

(4) Food employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm running water after any of the following activities:

- (a) immediately before engaging in food preparation, including working with exposed food, clean equipment and utensils and unwrapped single-service and single-use articles;
- (b) during food preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks;
- (c) when switching between working with raw foods and working with ready-to-eat foods;



- (d) after handling soiled equipment or utensils;
- (e) after coughing, sneezing, using a handkerchief or disposable tissue;
- (f) after using the toilet room;
- (g) after eating, drinking or using tobacco;
- (h) after touching bare human body parts other than clean hands and clean, exposed portions of arms;
- (i) after caring for or handling support animals; or
- (j) after engaging in other activities that contaminate the hands.

(5) If used, chemical hand sanitizers must:

(a) have active antimicrobial ingredients that are listed as safe and effective for application to human skin as an antiseptic handwash pursuant to the U.S. food and drug administration's regulations for over-the-counter health-care antiseptic drug products; and

(b) have only components that are:

- (i) regulated for the intended use as food additives as specified in 21 CFR 178; or
- (ii) generally recognized as safe for the intended use in contact with food within the meaning of the federal Food, Drug, and Cosmetic Act, section 201(s); and

(c) be applied only to hands and arms that are cleaned with a cleaning compound in a hand washing facility by thoroughly rubbing together the surfaces of their lathered hands and arms and thoroughly rinsing with clean water;

(d) if a hand sanitizer or a chemical hand sanitizing solution used as a hand dip does not meet the criteria specified in (5)(a) through (c) of this rule, use must be:

- (i) followed by thorough hand rinsing in clean water before hand contact with food or by the use of gloves; or
- (ii) limited to situations that involve no direct contact with food by the bare hands;

(e) a chemical hand sanitizing solution used as a hand dip shall be maintained clean and at a strength equivalent to at least 100mg/L chlorine.

(6) Food employees in a food establishment shall adhere to the following requirements to prevent contamination of food:

(a) minimize contact with exposed ready-to-eat food with bare hands by using utensils such as deli tissue, spatula, tongs, single-use gloves or dispensing equipment;

(b) minimize contact of bare hands and arms with exposed food that is not in a ready-to-eat form;

(c) use single-use gloves for only one task, such as working with ready-to-eat food or with raw animal food; use them for no other purpose; and discard them when they are damaged or soiled or when interruptions occur in the food operation;

(d) use clean slash-resistant gloves with ready-to-eat foods that will not be subsequently cooked if the slash-resistant gloves have a smooth, durable, and nonabsorbent outer surface or are covered with a smooth, durable, nonabsorbent glove, or single-use glove; (e) use a utensil only once to taste food that is to be sold or served.

(7) Food employee practices must conform to the following requirements:

(a) Food employees shall keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough.

(b) Unless wearing intact gloves in good repair, a food employee may not wear fingernail polish or artificial fingernails when working with exposed food.

(c) While preparing food, food employees may not wear jewelry on their arms and hands except a simple wedding band.

(d) Food employees shall wear clean outer clothing. If uniforms are not provided, clean outer coverings must be worn over clothing or the employee shall change to clean clothing if their clothing is soiled.

(e) Food employees may eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed food; clean equipment, utensils and linens; unwrapped single-service and single-use articles; or other items needing protection cannot occur. However, a food employee may drink from a closed beverage container if the container is handled to prevent contamination of the food employee's hands, the container; exposed food; clean equipment, utensils and linens; and unwrapped single-service and single-use articles.

(f) Food employees shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair. The hair restraints must be designed and worn to effectively keep hair from contacting exposed food; clean equipment, utensils, and linens; and unwrapped single service and single-use articles.

(i) Subsection (7)(f) does not apply to food employees such as counter staff who only serve beverages and wrapped or packaged foods, hostesses, and wait staff if they present a minimal risk of contaminating exposed food, clean equipment, utensils, linens, and unwrapped single-service and single-use articles.

(8) Persons unnecessary to the food establishment operation may not be allowed in the food preparation, food storage, or warewashing areas, except as allowed by the person in charge if steps are taken to ensure that exposed food, clean equipment, utensils and linens; and unwrapped single-service and single-use articles are protected from contamination.

(History: Sec. 50-50-103, MCA; IMP, Sec. 50-50-103, MCA; NEW, 1979 MAR p. 677, Eff. 7/13/79; TRANS & AMD, 2000 MAR p. 3201, Eff. 11/23/00.)

### 37.110.215 EQUIPMENT AND UTENSIL CLEANING AND SANITATION

(1) Tableware must be washed, rinsed, and sanitized after each use.

(2) To prevent cross contamination, kitchenware and food contact surfaces of equipment must be washed, rinsed, and sanitized after each use and following any interruption of operations during which time contamination may have occurred.

(3) Where 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 must 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.

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

(5) Non-food contact surfaces of equipment must be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles, and other debris.

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

(7) Moist cloths used for wiping food spills on food contact and nonfood contact surfaces of equipment must be laundered as required, stored in a chemical sanitizer and maintain sanitizing strength at the point of use.

(8) Dry or moist cloths that are used with raw animal foods must be kept separate from cloths used for other purposes, and the moist cloths used with raw animal foods must be kept in a separate sanitizing solution.

(9) Sponges may not be used in contact with cleaned and sanitized or in-use food contact surfaces.

(10) 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 must be large enough to permit the accommodation of the equipment and utensils, and each compartment of the sink must be supplied with hot and cold potable running water. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments must be washed manually or cleaned through pressure spray methods.

(11) Drainboards or easily movable dish tables of adequate size must be provided for proper handling of soiled utensils prior to washing and for cleaned utensils following sanitizing and must be located so as not to interfere with the proper use of the dishwashing facilities.

(12) Equipment and utensils must be pre flushed or pre-scraped and, when necessary, presoaked to remove food particles and soil.

(13) Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing, and sanitizing must be conducted in the following manner:

- (a) Sinks must be cleaned prior to use;
- (b) Equipment and utensils must be thoroughly washed in the first compartment with a hot detergent solution that is kept clean;
- (c) Equipment and utensils must be rinsed free of detergent and abrasives with clean water in the second compartment;
- (d) Equipment and utensils must be sanitized in the third compartment according to one of the methods included in (14)(a) through (g) of this rule.

(14) The food contact surfaces of all equipment and utensils must be sanitized by:

- (a) immersion for at least 30 seconds in clean, hot water at a temperature of at least 170°F (77°C);
- (b) immersion for at least 30 seconds in a clean solution containing at least 100 parts per million but not more than 200 parts per million of available chlorine as a hypochlorite and at a temperature of at least 75°F (24°C);
- (c) immersion for at least 30 seconds in a clean solution containing at least 12.5 parts per million but not more than 25 parts per million of available iodine and having a pH not higher than 5.0 and at a temperature of at least 75°F (24°C);
- (d) immersion for at least 30 seconds in a clean solution containing no more than 200 parts per million of quaternary ammonium compound used by following manufacturer's instructions;
- (e) immersion in a clean solution containing any other chemical sanitizing agent approved by the EPA that will provide the equivalent bactericidal effect of a solution containing at least 50 parts per million of available chlorine as a hypochlorite at a temperature of at least 75°F (24°C) for 30 seconds;
- (f) treatment with steam free from unsafe materials or additives in the case of equipment too large to sanitize by immersion, but in which steam can be confined and raises the surface temperature to 160°F (72°C) or above; or
- (g) rinsing, spraying, or swabbing with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution under (14)(a) through (e) of this rule in the case of equipment too large to sanitize by immersion.

(15) When hot water is used for sanitizing, the following facilities must 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 170°F (77°C);
- (b) a numerically scaled indicating temperature measuring device, accurate to ±3°F (1.5°C), convenient to the sink for frequent checks of water temperature; and
- (c) dish baskets of such size and design to permit complete immersion of the tableware, kitchenware, and equipment in the hot water.

(16) When chemicals are used for sanitization, they must not have concentrations higher than the maximum permitted in (14), and a test kit or other device that accurately measures the parts per million concentration of the solution must be used.

(17) 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 must be properly installed and maintained in good repair. Machines and devices must be operated in accordance with manufacturers' instructions, and utensils and equipment placed in the machine must be exposed to all dishwashing cycles. Automatic detergent dispensers, wetting agent dispensers, and liquid sanitizer injectors, if any, must be properly installed and maintained.

(18) The pressure of final rinse water supplied to spray-type dishwashing machines must not be less than 15 nor more than 25 pounds per square inch measured in the water line immediately adjacent to the final rinse control valve. A 1/4 inch IPS valve must be provided immediately up

stream from the final rinse control valve to permit checking the flow pressure of the final rinse water.

(19) Machine or water line mounted numerically scaled indicating temperature measuring devices, accurate to  $\pm 3^{\circ}\text{F}$  ( $1.5^{\circ}\text{C}$ ), must 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.

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

(21) Drainboards must be provided and be of adequate size for the proper handling of soiled utensils prior to washing and of cleaned utensils following sanitization and must be so located and constructed so as not to interfere with the proper use of the dishwashing facilities. This does not preclude the use of easily movable dish tables for the storage of soiled utensils or the use of easily movable dish tables for the storage of clean utensils following sanitization.

(22) Equipment and utensils must 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 pre-wash cycle is a part of the dishwashing machine operation. Equipment and utensils must be placed in racks, trays, or baskets, or on conveyors, in a way that food contact surfaces are exposed to the unobstructed application of detergent wash and clean rinse waters and that permits free draining

(23) Machines (single-tank, stationary-rack, door-type machines and spray-type glass washers) using chemicals for sanitization may be used, provided:

(a) The temperature of the wash water may not be less than  $120^{\circ}\text{F}$  ( $49^{\circ}\text{C}$ );

(b) The wash water must be kept clean.

(c) Chemicals added for sanitization purposes shall be automatically dispensed;

(d) Utensils and equipment must be exposed to the final chemical sanitizing rinse in accordance with manufacturers' specifications for time and concentration;

(e) The chemical sanitizing rinse water temperature may not be less than  $75^{\circ}\text{F}$  ( $24^{\circ}\text{C}$ ) or less than the temperature specified by the machine's manufacturer;

(f) Chemical sanitizers used must be approved by the EPA;

(g) A test kit or other device that accurately measures the parts per million concentration of the solution must be available and used.

(24) Machines using hot water for sanitizing may be used provided that wash water and pumped rinse water must be kept clean and water must be maintained at not less than the temperature stated below:

(a)	Single-tank, stationary-rack, dual-temperature machine:
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	Wash temperature	150°F (66°C)
	Final rinse temperature	180°F (83°C)
(b)	Single-tank, stationary-rack, single-temperature machine:	
	Wash temperature	165°F (74°C)
	Final rinse temperature	165°F (74°C)
(c)	Single-tank, conveyor machine:	
	Wash temperature	160°F (72°C)
	Final rinse temperature	180°F (83°C)
(d)	Multi-tank, conveyor machine:	
	Wash temperature	150°F (66°C)
	Pumped rinse temperature	160°F (72°C)
	Final rinse temperature	180°F (83°C)
(e)	Single-tank, pot, pan, and utensil washer (either stationary or moving rack):	
	Wash temperature	140°F (60°C)
	Final rinse temperature	180°F (83°C)

(25) Machines using hot water for sanitizing must achieve a utensil surface temperature of 160°F (71°C) as measured by an irreversible registering temperature indicator.

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

(27) After sanitization, all equipment and utensils must be air dried.

(28) Food service establishments using a dishwashing machine shall provide a manual dish washing facility described in ARM 37.110.215(10) or provide a plan acceptable to the regulatory authority to adequately clean, rinse and sanitize utensils, in case the dishwashing machine is not functional.

### 37.110.221 HAND WASHING FACILITIES

(1) Hand washing facilities must be constructed, installed, and maintained to facilitate cleaning.

(2) Customers are prohibited from entering the food preparation, food service, food storage or utensil washing areas to use hand washing facilities.

(3) Hand washing facilities for food employees must be located within the area or areas where food is prepared or served and in utensil washing areas.

(a) The number and location of hand washing facilities in the areas will be determined by the convenience of the hand washing facility to the food employees.

(4) Hand washing facilities located outside and immediately adjacent to toilet rooms may also serve the food preparation, food service or utensil washing areas if convenient.

(5) Service sinks and utensil washing sinks may be used as handwashing facilities if properly located, equipped, maintained, and continuously available for hand washing.

(6) Sinks used for food preparation or curbed cleaning sinks used for mop water disposal may not be used for hand washing.

(7) Each hand washing facility must be provided with warm running water by means of a mixing valve or combination faucet. Any self-dispensing, slow-closing, or metering faucet used must be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet. Steam mixing valves are prohibited.

(8) A supply of hand-cleansing soap or detergent must be available at each hand washing facility.

(9) A supply of disposable towels in a wall-hung or protected container, a continuous towel system that supplies the user with a clean towel, or a hand drying device providing heated air must be conveniently located near each hand washing facility. Common towels are prohibited. When disposable towels are used, easily cleanable waste receptacles must be conveniently located near the hand washing facility.

(10) Hand washing facilities, soap dispensers, hand drying devices and all related fixtures must be kept clean and in good repair.

(History: Sec. 50-50-103, MCA; IMP, Sec. 50-50-103, MCA; NEW, 1979 MAR p. 677, Eff. 7/13/79; AMD, 1985 MAR p. 928, Eff. 7/12/85; AMD, 1986 MAR p. 1076, Eff. 6/27/86; TRANS & AMD, 2000 MAR p. 3201, Eff. 11/23/00.)

#### 37.110.222 GARBAGE AND REFUSE

(1) Garbage and refuse must be kept in durable, easily 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, and they may be used for storage inside the food service establishment.

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

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

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

(5) Soiled containers must be cleaned at a frequency 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. Suitable facilities, including hot water and detergent or steam, must be provided and used for washing containers. Liquid waste from compacting or cleaning operations must be disposed of as sewage.

(6) Garbage and refuse on the premises must be stored in a manner to make them inaccessible to insects and rodents. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing garbage or refuse is prohibited. Cardboard or other packaging material not containing garbage or food wastes need not be stored in covered containers.

(7) Garbage or refuse storage rooms, if used, must be constructed of easily cleanable, nonabsorbent, washable materials; be kept clean; be insect-proof and rodent-proof; and be large enough to store the garbage and refuse containers that accumulate.

(8) Outside storage areas or enclosures must be large enough to store the garbage and refuse containers that accumulate and must be kept clean. Garbage and refuse containers, dumpsters

and compactor systems located outside must be stored on or above a smooth surface of nonabsorbent materials such as concrete or machine-laid asphalt that is kept clean and maintained in good repair. (9) Garbage and refuse must be disposed of often enough to prevent the development of odor and the attraction of insects and rodents. (10) Where garbage or refuse is burned on the premises, it must be done by controlled incineration that prevents the escape of particulate matter in accordance with the Montana Clean Air Act, 75-2-101, et seq., MCA and associated administrative rules. Areas around incineration facilities must be clean and orderly.

(History: Sec. 50-50-103, MCA;IMP,Sec.50-50-103,MCA;NEW,1979 MAR p. 677, Eff. 7/13/79; TRANS & AMD, 2000 MAR p. 3201, Eff. 11/23/00.)

#### 37.110.223 INSECT AND RODENT CONTROL

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

(2) Devices that are used to electrocute flying insects must be designed to have escape-resistant trays. Devices that are used to electrocute flying insects and that may impel insects or insect fragments or to trap insects by adherence must be installed so that:

(a) the devices are not located within 5 feet of a food preparation area; and

(b) dead insects and insect fragments are prevented from being impelled onto or falling on exposed food, clean equipment, utensils, and lines, and unwrapped single-service and single-use articles.

(3) Dead or trapped birds, insects, rodents and other pests must be removed from control devices and the premises at a frequency that prevents their accumulation, decomposition, or the attraction of pests.



(4) Rodent bait must be contained in covered, tamper-resistant bait stations.

(5) Tracking powder pesticide may not be used in a food service establishment. A nontoxic tracking powder such as talcum or flour may be used, but may not contaminate food, equipment, utensils, linens, and single-service articles.

(6) Openings to the outside must be effectively protected against the entrance of rodents. Outside openings must be protected against the entrance of insects by tight-fitting, self closing doors, closed windows, screening, controlled air currents, or other means. Screen doors must be self-closing, and screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings to the outside must be tight-fitting and free of breaks. Screening material must not be less than 16 mesh to the inch.

(1) Cleaning of floors and walls, except emergency cleaning of floors, must be done during periods when the least amount of food is exposed, such as after closing or between meals. Floors, mats, duckboards, walls, ceilings, and attached equipment and decorative materials must be kept clean. Floors and walls must be cleaned by dustless methods, such as vacuum cleaning, wet cleaning, or the use of dust arresting sweeping compounds with brooms.

(2) In new or extensively remodeled establishments at least one utility sink or curbed cleaning facility with a floor drain must be provided and used for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water or similar liquid wastes. The use of hand washing facilities, utensil washing or equipment washing, or food preparation sinks for this purpose is prohibited.

(3) When service sinks are used as a hand washing facility, such sinks must be located to prevent potential contamination of food or food contact surfaces of equipment and utensils.

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## NEBRASKA

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Downloaded January 2011

12-006.11E Sanitary Conditions: The facility must comply with the provisions of the Food Code.

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## NEVADA

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Downloaded January 2011

NAC 449.74525 Dietary services. ([NRS 449.037](#))

8. A facility shall:

- (a) Comply with the applicable provisions of [chapter 446](#) of NRS and the regulations adopted pursuant thereto and obtain such permits as are necessary from the Bureau of Health Protection Services of the Health Division for the preparation and service of food;
  - (b) Maintain a report of each inspection concerning the sanitation of the hospital for at least 1 year after the date of the inspection;
  - (c) Maintain a report of each corrective action taken to address a deficiency noted in a report described in paragraph (b) for at least 1 year after the date of the corrective action;
  - (d) Procure food from sources that are approved or considered satisfactory by federal, state and local authorities;
  - (e) Store, prepare and serve food under sanitary conditions; and
  - (f) Dispose of refuse and garbage properly.
5. Adequate facilities and equipment for the preparation, serving, refrigeration and storage of food in a sanitary manner must be provided.
6. A facility with more than 10 clients must:
- (a) Comply with all applicable provisions of [chapter 446](#) of NRS and the regulations adopted pursuant thereto;
  - (b) Obtain the necessary permits from the Bureau of Health Protection Services of the Health Division;
  - (c) Maintain a report of each inspection concerning the sanitation of the facility for at least 1 year after the date of the inspection; and
  - (d) Maintain a report of each corrective action taken to address a deficiency noted in a report described in paragraph (c) for at least 1 year after the date of the corrective action.

## NEW HAMPSHIRE

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He-P 803.20 Food Services.

...(n) The use of outdated, unlabeled food or canned goods that have damage to their hermetic seal shall be prohibited and such goods shall be immediately discarded or distinctly segregated from the usable food.

(o) All food not in the original package shall be stored in labeled and dated containers designed for food storage.

- (p) All work surfaces shall be cleaned and sanitized after each use.
- (q) All dishes, utensils and glassware shall be in good repair, cleaned and sanitized after each use and properly stored.
- (r) All food service equipment shall be kept clean and maintained according to manufacturer's guidelines.
- (s) If soiled linen is transported through food service areas, the linen shall be in an impervious container.
- (t) Garbage or trash in the kitchen area shall be placed in lined containers with covers.
- (u) All nursing home personnel involved in the preparing and serving of food shall wash their hands and exposed portions of their arms with liquid soap and running water before handling or serving food.
- (v) Regularly scheduled training programs including sanitation and safety shall be made available to personnel. Information as to the content and length of this training shall be documented and kept in employee records.

Source. #9856-A, eff 1-26-11

He-P 803.25 Sanitation.

- ... (c) A supply of potable water shall be available for human consumption and food preparation.
- (d) A supply of hot and cold running water shall be available at all times and precautions such as temperature regulation shall be taken to prevent a scalding injury to the residents.
- (e) Hot water shall be of a high enough temperature to ensure sanitation and food safety when used for laundry and food preparations, as required in the AIA "Guidelines for Design and Construction of Health Care Facilities," Nursing Facilities chapter, 2006 edition, and summarized as follows:
  - ... (2) 120 degrees Fahrenheit for dietary areas, except that provisions shall be made to provide 180 degrees Fahrenheit rinse water at the warewasher, which may be by separate booster, unless a chemical rinse is provided; and
- ...(g) Cleaning solutions, compounds and substances considered hazardous or toxic materials, as defined in RSA 147-A:2, VII, shall be distinctly labeled and legibly marked so as to identify the contents and stored in a place separate from food, medications and program supplies.
- (h) Toxic materials shall not be used in a way that contaminates food, equipment or utensils or in any way other than in full compliance with the manufacturer's labeling.
- (i) Only individuals authorized under RSA 430:33 may apply pesticides, as defined by RSA 430:29, XXVI, for rodent or cockroach control in food storage, food preparation or dining areas.
- (j) Solid waste, garbage and trash shall be stored in a manner to make it inaccessible to insects, rodents, outdoor animals and nursing home pets.

(k) In-house trash and garbage receptacles shall be emptied in a timely manner and lined, or cleaned and disinfected after emptying.

(l) Trash receptacles in food service area shall be covered at all times.

...(o) Cleaning supplies shall be stored in dust-free and moisture-free storage areas.

(p) Any nursing home that has its own water supply and whose water has been tested and has failed to meet the acceptable levels identified in this section, or as required by the department of environmental services, shall notify the department upon receipt of notice of a failed water test.

Source. #9856-A, eff 1-26-11

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## NEW JERSEY

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8:39-19.7 Mandatory space and environment for sanitation and waste management

... (d) All food service facilities shall be maintained in conformance with Chapter XII of the New Jersey State Sanitary Code, N.J.A.C. 8:24.

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## NEW MEXICO

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7.9.2.52 DIETARY SERVICE:

...B. HYGIENE OF STAFF: Dietary staff and other personnel who participate in dietary service shall be in good health and practice hygienic food handling techniques.

...E. MEAL SERVICE

...(8) Food transportation: Food transported into public areas other than the dining room shall be protected from environmental contamination.

7.9.2.53 FOOD SUPPLIES AND PREPARATION:

A. SUPPLIES: Food shall be purchased or procured from approved sources or sources meeting federal, state, and local standards or laws.

7.9.2.54 SANITATION:

A. EQUIPMENT AND UTENSILS:

(1) All equipment, appliances and utensils used in preparation or serving of food shall be maintained in a functional, sanitary, and safe condition. Replacement equipment shall meet criteria established in "Listing of Food Service Equipment" by the national sanitation foundation.

(2) The floors, walls, and ceilings of all rooms in which food or drink is stored or prepared or in which utensils are washed shall be kept clean, smooth, and in good repair.

(3) All furnishings, table linens, drapes, and furniture shall be maintained in a clean and sanitary condition.

(4) Single-service, individually packaged, utensils shall be stored in the original, unopened wrapper until used, may not be made of toxic material and may not be re-used or re-distributed if the original wrapper has been opened.

...C. ANIMALS: Animals shall not be allowed where food is prepared, served or stored, or where utensils are washed or stored except in eating areas when food is not being served.

D. DISHWASHING: Whether washed by hand or mechanical means, all dishes, plates, cups, glasses, pots, pans, and utensils shall be cleaned in accordance with accepted procedures which shall include separate steps for prewashing, washing, rinsing, and sanitizing by means of hot water or chemicals or a combination approved by the department.

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## NEW YORK

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Section 415.14 - Dietary services

... (h) Sanitary conditions. The facility shall store, prepare, distribute and serve food under sanitary conditions; and in accordance with the sanitary requirements of Part 14 (Service Food Establishments) of Chapter I (State Sanitary Code) of this Title.

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## NORTH CAROLINA

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10A NCAC 13D .2701 PROVISION OF NUTRITION AND DIETETIC SERVICES

...(p) Food services shall comply with Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments as promulgated by the Commission for Health Services which is incorporated by reference, including subsequent amendments, assuring

storage, preparation, and serving of food under sanitary conditions. Copies of these Rules can be obtained, at no charge, by contacting the N.C. Department of Environment and Natural Resources, Division of Environmental Health Services, 1630 Mail Service Center, Raleigh, NC 27699-1630.

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## NORTH DAKOTA

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33-07-03.2-16.Dietary services.

Dietary services must include:

...8. Facilities for the general dietary needs of the residents, and for the maintenance of sanitary conditions in the storage, preparation, service and distribution of food.

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## OHIO

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Downloaded January 2011

3701-17-18 Food and nutrition

...(J) The nursing home shall store, prepare, distribute and serve food under sanitary conditions and in a manner that protects it against contamination and spoilage in accordance with food service requirements of Chapter 3717-1 of the Administrative Code.

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## OKLAHOMA

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Downloaded January 2011

310:675-5-9. Dietary facilities

Shall be provided in such size as required to implement the type of food service system selected:

...7) Warewashing in a room or an alcove separate from food preparation and serving areas. This shall be provided for receiving, scraping, sorting, and stacking soiled tableware and for transferring clean tableware to the using areas. A lavatory shall be conveniently available.

8) Pot washing facilities.

9) Sanitizing facilities and storage areas for cans, carts, and mobile tray conveyors.

10) Waste storage facilities in a separate room which is easily accessible to the outside for direct pickup or disposal.

...12) Toilets for dietary staff with handwashing facility immediately available.

13) Janitor's closet located within the dietary department. It shall contain a floor receptor or service sink and storage space for housekeeping equipment and supplies.

e) Dishwashing and handwashing.

1) The dishwashing system and procedures shall be approved by the Department.

2) Hands shall be properly washed or sanitized before handling clean dishes or equipment. In new or remodeled facilities, handwashing facilities, including soap and paper towels, shall be conveniently located in the kitchen to facilitate good handwashing techniques.

## OREGON

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Downloaded January 2011

411-086-0250 Dietary Services

(Effective 08/01/04)

1) DIETARY SERVICES DEPARTMENT.

a) Admittance to the kitchen shall be restricted to those who must enter to perform their duties, to government inspectors, or for peer review.

b) Written procedures for cleaning equipment and work areas shall be prepared and enforced.

411-087-0200 Dietary Services (Effective 1/1/92)

(1) FOOD SANITATION RULES. Construction, equipment, and installation shall comply with OAR Chapter 333, Divisions 150 through 156.

(3) FOOD RECEIVING, STORAGE and OTHER WORK AREAS. The dietary services area shall include the following which shall not be in the food preparation area:

...c) Dishwashing equipment and work area;

...e) Janitor's closet for exclusive use of the dietary department. It shall contain a floor receptor or service sink and storage space for housekeeping equipment and supplies;

f) Cart storage and cart sanitizing area. This area may be shared with other departments if located outside the dietary services area. If located outside, the area shall be covered and paved;

g) Waste storage facilities in a separate area easily accessible to the outside for direct pickup or disposal; and

h) Toilet room. There shall be a staff toilet room accessible within twenty-five feet of the dietary services area. The toilet room shall not open directly to the food preparation area.

4) EXCEPTIONS.

a) Toilet Room. The distance to the toilet room may exceed twenty-five feet if the facility has been continuously licensed since January 1, 1992 unless otherwise provided by OAR 411-087-0010.

b) Office. The office space required in subsection (3)(d) of this rule may be outside the dietary services area if the facility has been continuously licensed since January 1, 1992 unless otherwise provided by OAR 411-087-0010.

c) Closet. The janitor's closet required in subsection (3)(e) of this rule may be outside the dietary services area if the facility has been continuously licensed since January 1, 1992 unless otherwise provided by OAR 411-087-0010. In such circumstances, the facility shall have a documented system to ensure mops and other cleaning supplies used in nursing or laundry areas are not used in the dietary services area.

d) Cart Storage/Sanitizing. If located outside, the cart sanitizing and storage area is not required to be paved and covered if the facility has been continuously licensed since January 1, 1992 unless otherwise provided by OAR 411-087-0010.

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## PENNSYLVANIA

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Downloaded January 2011

§ 211.6. Dietary services.

... f) Dietary personnel shall practice hygienic food handling techniques. An employee shall wear clean outer garments, maintain a high degree of personal cleanliness and conform to hygienic practices while on duty. Employees shall wash their hands thoroughly with soap and water before starting work, after visiting the toilet room and as often as necessary to remove soil and contamination.

§ 207.4. Ice containers and storage. Ice storage containers shall be kept clean, and ice shall be handled in a sanitary manner to prevent contamination.

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## RHODE ISLAND

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Downloaded January 2011

Section 27.0 Dietetic Services

27.4 Adequate space, equipment and supplies shall be provided for the efficient, safe and sanitary receiving, storage, refrigeration, preparation and service of food and other related aspects of the food service operation in accordance with reference 10.

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## SOUTH CAROLINA

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Downloaded January 2011

1401. General (II)



...B. When meals are catered to a facility, such meals shall be obtained from a meal service establishment graded by the Department, pursuant to R.61-25. (I)

#### 1402. Food and Food Storage (II)

A. The storage, preparation, serving, transportation of food, and the sources from which food is obtained shall be in accordance with R.61-25.

...E. All food in the facility shall be from food sources approved or considered satisfactory by the Department, and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding, and safe for human consumption. (I)

F. Poisonous products that are used in the daily operation of the facility such as pressurized insecticides, lye, drain cleaners, ammonia, and other similar materials that are stored in food preparation areas, equipment-washing and utensil-washing areas, clean utensil storage areas, or food storage areas shall be inaccessible to residents and stored in closed cabinets or in approved designated areas. These products may be stored with detergents, sanitizers, and other cleaning compounds.

G. Hot and cold running water, under pressure, shall be provided in all areas where food is prepared, or equipment, utensils, and containers are washed.

#### 1403. Food Equipment and Utensils

A. The storage, cleaning and sanitizing of equipment and utensils utilized shall be in accordance with R.61-25. (II)

B. There shall be written procedures for cleaning, disinfecting and sanitizing all equipment and meal service work areas.

C. All walk-in refrigerators and freezers shall be equipped with opening devices that will permit opening of the door from the inside at all times. (I)

D. Single-service articles shall be used whenever the facility is unable to clean and sanitize utensils adequately and effectively. (II)

E. Drinking containers made of porous materials shall not be used unless the containers have smooth liners which can be easily cleaned. These containers and/or liners shall be sanitized at least weekly or more often as necessary and identified for individual resident use. Disposable containers shall be replaced at least weekly. (II)

#### 1405. Meal Service Staff

A. The health and cleanliness of all those engaged in food preparation and serving shall be in accordance with R.61-25. (II)

... F. All meal service staff shall wear clean clothes, maintain personal cleanliness, and conform to hygienic practices while on duty. Shoes worn by meal service staff shall be closed-toed. Only authorized persons shall be allowed in the kitchen. (II)

... H. Individuals engaged in the preparation and service of food shall wear clean hair restraints, e.g., hair nets, hair wraps, hats, that will properly restrain all hair of the face and head and prevent contamination of food and food contact surfaces. (II)

#### 1409. Equipment

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, equipment, utensils or linens and shall be stored in an orderly manner within a separate space or closet.

#### 1410. Refuse Storage and Disposal (II)

Refuse storage and disposal shall be in accordance with R.61-25

(2) The food-contact surfaces of such equipment and utensils shall be accessible, easily cleanable, nontoxic, corrosion resistant and relatively nonabsorbent.

(3) All equipment shall be installed and maintained as to facilitate the cleaning thereof, and of all adjacent areas.

(4) Surfaces of equipment not intended for contact with food but which are exposed to splash, food debris, or otherwise require frequent cleaning, shall be of such material and in such repair as to be readily maintained in a clean and sanitary manner.

#### (b) Cleanliness of Equipment and Utensils: (II)

(1) Non-food contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition. Cooking surfaces of equipment shall be cleaned at least once a day, or as often as necessary.

(2) All kitchenware and food-contact surfaces of equipment used in storage preparation or serving of food or drink shall be thoroughly cleaned after each use.

(3) All eating and drinking utensils shall be thoroughly cleaned and sanitized after each use.

(4) All utensils and food-contact surfaces of equipment used in the preparation, service, display, or storage of potentially hazardous food shall be thoroughly cleaned and sanitized.

#### (5) Methods and Facilities for Washing and Sanitizing:

(a) Prior to washing, all equipment and utensils shall be preflushed or prescraped and, when necessary, presoaked to remove gross food particles and soil.

(b) Effective concentrations of a suitable detergent shall be used in both manual and mechanical dishwashing.

(c) When manual dishwashing is employed, an approved three compartment sink of adequate length, width, and depth to completely immerse all tableware for washing, rinsing, and final sanitization shall be provided and used. Equipment and utensils shall be washed in a reasonably clean detergent solution, rinsed thoroughly and sanitized by immersion for a period of at least one (1) minute in a sanitizing solution containing:

(1) At least 50 ppm of available chlorine at a temperature not less than 75 degrees Fahrenheit; or

(2) At least 12.5 ppm of available iodine in a solution having a pH not higher than 5.0 and a temperature of not less than 75 degrees Fahrenheit; or

(3) Any other chemical-sanitizing which has been demonstrated to the satisfaction of the health department.

(d) When a facility is newly constructed or extensively remodeled or when an existing structure is converted for use, an approved three-compartment sink or an approved mechanical dishwasher must be provided and used.

(e) Dish tables or drainboards, of adequate size for proper handling of soiled utensils prior to washing and for cleaned utensils following rinsing or sanitization, shall be provided.

(f) Facilities planning to use or install a mechanical dishwasher shall use a machine approved by the Department. When a domestic type machine in an existing facility is replaced, an approved unit must be installed.

NOTE: Equipment not adequately sanitized in dishwashing machines must be sanitized manually.

(g) A facility which does not have adequate and effective means for cleaning and sanitizing utensils shall use single-service articles.

(6) Storage and Handling of Cleaned Equipment and Utensils: (II)

(a) Food-contact surfaces of cleaned and sanitized equipment and utensils shall be handled in such a manner so as to be protected from contamination.

(b) Cleaned and sanitized utensils shall be stored above the floor in a clean, dry location so that food-contact surfaces are protected from contamination.

(c) Utensils shall be air dried before being stored, or shall be stored in a self-draining position on suitably located hooks or racks constructed of corrosion-resistant material.

(7) All single-service articles shall be stored, handled and dispensed in a sanitary manner, and shall be used only once.

(10) Sanitary Facilities and Controls

(a) Water Supply:

(1) The water supply shall be adequate, of a safe, sanitary quality and from an approved source. (I)

(2) Hot and cold running water, under pressure, shall be provided in all areas where food is prepared, or equipment, utensils, and containers are washed. (II)

(3) Ice used for any purpose shall be made from water which comes from an approved source; and it shall be used only if it has been manufactured, stored, transported and handled in a sanitary manner. Sanitary containers and utensils shall be provided for storing and serving ice in a sanitary manner. (I)

(4) Drinking fountains shall be of a sanitary angle jet design, properly regulated and maintained. There shall be no possibility of the mouth or nose becoming submerged. The use of "common drinking cups" is prohibited. If drinking fountains are not provided, single service cups shall be used. (II)

(b) Toilet Facilities:

(1) Each kitchen shall be provided with adequate toilet facilities. These facilities shall be located within the same building.

(2) Toilet facilities and fixtures shall be kept clean and in good repair.

(3) The doors of all toilet rooms located in the kitchen shall be self-closing.

(4) Toilet tissue shall be provided.

(5) Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered and shall be maintained in a proper operating condition.

(c) Handwashing Facilities: (II)

(1) Each kitchen shall be provided with adequate, conveniently located handwashing facilities for its workers.

(2) Handwashing facilities shall include hot and cold or tempered running water, hand cleansing soap or detergent from an approved dispenser, and approved sanitary towels.

(11) Other Facilities and Operations

(a) Floors, Walls and Ceilings:

(1) All floors, walls and ceilings shall be kept clean and in good repair.

(2) The floor surfaces in kitchens, storage, and toilet rooms shall be of smooth, nonabsorbent materials and so constructed as to be easily cleanable.

(3) The walls and ceilings of all areas in which food is prepared, or utensils or hands are washed, shall be easily cleanable, smooth, and light-colored, and shall have washable surfaces up to the highest level reached by splash or spray.

(b) Lighting: All areas shall be well lighted with at least 20 foot-candles of light.

(c) Ventilation: All kitchen, toilet and garbage areas shall be well ventilated.

(d) Premises ;

(1) All parts of the facility and its premises shall be kept neat, clean and free of litter and rubbish.

(II)

(2) The walking and driving surfaces of all exterior areas of food service establishments shall be graded to prevent pooling.

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

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

(5) No live birds or animals shall be allowed in any food preparation, food storage or dining area.

(g) Cleaning Equipment Storage: 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, equipment, utensils or linens and shall be stored in an orderly manner, and within a separate space or closet.

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## SOUTH DAKOTA

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**44:04:07:07. Director of dietetic services...**The dietary manager and at least one cook must successfully complete and possess a current certificate from a ServSafe Food Protection Program offered by various retailers or the Certified Food Protection Professional's Sanitation Course offered by the Dietary Managers Association, or successfully completed equivalent training as determined by the Health Department.

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## TENNESSEE

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1200-8-6-.06 BASIC SERVICES.

...(9) Food and Dietetic Services

...(i) Food shall be protected from dust, flies, rodents, unnecessary handling, droplet infection, overhead leakage and other sources of contamination whether in storage or while being prepared and served and/or transported through hallways.

(k) All nursing homes shall have commercial automatic dishwashers approved by the National Sanitation Foundation. Dishwashing machines shall be used according to manufacturer specifications.

(l) All dishes, glassware and utensils used in the preparation and serving of food and drink shall be cleaned and sanitized after each use.

(m) The cleaning and sanitizing of handwashed dishes shall be accomplished by using a three-compartment sink according to the current "U.S. Public Health Service Sanitation Manual".

## TEXAS

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### RULE §19.1111 Sanitary Conditions

a) The facility must:

- 1) procure food from sources approved or considered satisfactory by federal, state, and local authorities;
- 2) store, prepare, and serve food under sanitary conditions, as required by the Texas Department of Health food service sanitation requirements; and
- 3) dispose of garbage and refuse properly. See also §19.318(j)-(l) of this title (relating to Other Rooms and Areas) for information concerning dietary physical plant.

b) Dietary service personnel must be in good health and practice hygienic food-handling techniques. Persons with symptoms of communicable diseases or open, infected wounds may not work.

c) Dietary service personnel must wear clean, washable garments, wear hair coverings or clean caps, and have clean hands and fingernails.

d) Routine health examinations must meet all local, state, and federal codes for food service personnel.

## UTAH

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### R432-150-24. Food Services

...4) The facility must make available for Department review all food sanitation inspection reports of State or local health department inspections.

...8) The facility's food service must comply with the Utah Department of Health Food Service Sanitation Regulations R392-100.

### R432-200-7. Administration and Organization. [small health care facilities]

...(8) Health Surveillance.

... (b) All dietary and other staff who handle food shall obtain a Food Handler's Permit from the local health department.

## VERMONT

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### 7.14 Dietary Services

...(g) Sanitary conditions. The facility must:

- (1) procure food from sources approved or considered satisfactory by Federal, State or local authorities;
- (2) store, prepare, distribute and serve food under sanitary conditions; and
- (3) dispose of garbage and refuse properly.

## VIRGINIA

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Virginia regulations do not contain specific content for Dietary Sanitation and Environmental Conditions.

## WASHINGTON

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### 74.42.290 Meal intervals — Food handling — Utensils — Disposal.

... (2) Food shall be procured, stored, transported, and prepared under sanitary conditions in compliance with state and local regulations.

... (5) Food served and uneaten shall be discarded. [1979 ex.s. c 211 § 29.]

## WEST VIRGINIA

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### 8.15. Dietary Services

8.15.g. Sanitary conditions. A nursing home shall:

8.15.g.1. Procure food from sources approved or considered satisfactory by Federal, State or local

authorities;

8.15.g.2. Store, prepare, distribute, and serve food under sanitary conditions;

8.15.g.2.A. Hold hot foods above 140°F and cold foods at or below 40°F; and

8.15.g.3. Dispose of garbage and refuse properly.

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## WISCONSIN

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HFS 132.63 Dietary service.

...(3) HYGIENE OF STAFF.

Dietary staff and other personnel who participate in dietary service shall be in good health and practice hygienic food handling techniques.

...(6) FOOD SUPPLIES AND PREPARATION.

(a) Supplies. Food shall be purchased or procured from approved sources or sources meeting federal, state, and local standards or laws.

(7) SANITATION.

(a) Equipment and utensils.

1. All equipment, appliances, and utensils used in preparation or serving of food shall be maintained in a functional, sanitary, and safe condition. Replacement equipment shall meet criteria established in "Listing of Food Service Equipment" by the national sanitation foundation.

2. The floors, walls, and ceilings of all rooms in which food or drink is stored or prepared or in which utensils are washed shall be kept clean, smooth, and in good repair.

3. All furnishings, table linens, drapes, and furniture shall be maintained in a clean and sanitary condition.

Note: Copies of the National Sanitation Foundation's "Listing of Food Service Equipment" are kept on file and may be consulted in the department and in the offices of the secretary of state and the revisor of statutes.

(c) Animals. Animals shall not be allowed where food is prepared, served or stored, or where utensils are washed or stored.

(8) DISHWASHING.

Whether washed by hand or mechanical means, all dishes, plates, cups, glasses, pots, pans, and utensils shall be cleaned in accordance with accepted procedures which shall include separate steps for pre-washing, washing, rinsing, and sanitizing by means of hot water or chemicals or a combination approved by the department.



## WYOMING

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### Section 6. Physical Environment.

Dietary Facilities. Food shall be stored, prepared, distributed, and served under proper sanitary conditions.

- (i) Non-dietary personnel shall be excluded from the dietary area and the traffic pattern strictly controlled;
- (ii) Employees shall not eat or use tobacco products in any food preparation area;
- (iii) A written policy shall be developed and adhered to for the cleaning and sanitizing of all ice machines; and
- (iv) Equipment and work areas shall be clean and orderly. Effective procedures for cleaning all equipment and work areas shall be followed consistently to safeguard residents' health.

### Section 11. Dietetic Services.

...(b) Hygiene of Dietary Department. Food service personnel shall be in good health and shall practice safe food handling techniques in accordance with the current edition of

FOOD CODE published by the U. S. Department of Health and Human Services, Public Health Services, Food and Drug Administration.

- (i) Personnel having a communicable disease that can be expected to be transmitted through food shall not be permitted to work until the disease is no longer communicable or medical clearance is received from a physician or an advanced practitioner.

## FEDERAL REGULATIONS

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### **483.35 Dietary services.**

(i) Sanitary conditions. The facility must—

- (1) Procure food from sources approved or considered satisfactory by Federal, State, or local authorities;
- (2) Store, prepare, distribute, and serve food under sanitary conditions; and
- (3) Dispose of garbage and refuse properly.

[56 FR 48874, Sept. 26, 1991, as amended at 68 FR 55539, Sept. 26, 2003]