RETAIL FOOD ESTABLISHMENT SANITATION REQUIREMENTS

TITLE 410 IAC 7-24

Effective November 13, 2004

Indiana State Department of Health
2 North Meridian Street
Indianapolis, IN 46204

PREFACE

The Indiana State Department of Health is authorized by law to ensure that foods are safe, wholesome and sanitary; regulated products are honestly and accurately represented; and, these products are in compliance with the state laws and regulations. The following rule, 410 IAC 7-24, Retail Food Establishment Sanitation Requirements, is designed to provide a more comprehensive approach to protecting the consumer from contaminated food and foodborne illness.

Foodborne illness in the United States is a major cause of personal distress, preventable death and avoidable economic burden. The Food and Drug Administration (FDA) 2001 Model Food Code estimates that 76 million people become ill from microorganisms in food resulting in as many as 5,000 needless deaths every year.

For many victims, foodborne illness results only in discomfort or lost time from the job. For some, especially preschool age children, older adults in health care facilities, and those with impaired immune systems, foodborne illness is more serious and may be life threatening. The annual cost of foodborne illness in terms of pain and suffering, reduced productivity, and medical costs is estimated to be in the billions of dollars.

According to the Centers for Disease Control and Prevention, foodborne illness outbreaks caused by the mishandling of food occurred most often within the retail segment of the food industry, such as restaurants, markets, schools, camps, churches and institutions, where ready-to-eat food is prepared and provided to the public for consumption. Viral pathogens are now the leading cause of these outbreaks.

It is a shared responsibility of the food industry and the government to ensure that food provided to the consumer is safe and does not become a vehicle in a disease outbreak or in the transmission of communicable disease. This shared responsibility extends to ensuring that consumer expectations are met and that food is unadulterated, prepared in a clean environment and honestly presented.

Accordingly, the provisions of the rule provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, such as ensuring employee health, industry manager knowledge, safe food, nontoxic and easily cleanable equipment and acceptable levels of sanitation for retail food establishment premises.

The rule addresses controls for risk factors identified by the Centers for Disease Control and Prevention as contributors to foodborne outbreaks that have been investigated and confirmed. Those factors are unsafe sources, inadequate cooking, improper holding, contaminated equipment, and poor personal hygiene. It further establishes five (5) key public health interventions to protect consumer health, specifically, food handler certification, employee health controls, controlling hands as a vehicle of contamination, time and temperature parameters for controlling pathogens, and the consumer advisory.

The rule is designed to emphasize the areas of food safety that are considered critical and if not properly followed are more likely than others to result in a food contamination, illness or other environmental health hazard. Each section in the rule describes which subsections are critical, non-critical or swing (meaning it could be either, depending on the circumstances).

Appendix A and B display and cross-reference the inspection report form and the proper method of utilizing the rule as it relates to citing of violations observed during an inspection. The menu categories are listed as a means of understanding the degree of risk associated with the increased level of food handling.

In the future, the rule is anticipated to undergo revision more frequently with the objective of staying abreast of current science and industry trends. Also remember that this publication is not the actual rule that appears in the Indiana Administrative Code. Every possible step has been taken to ensure its accuracy, but if there are any questions, then it is recommended that you refer to this source for verification.

TABLE OF CONTENTS

PAGE (S):

PREFACE ..... **i**
DEFINITIONS **1-18**
MANAGEMENT AND PERSONNEL **19-30**

Section 106.....Public health protection 19
Section 107.....Prerequisite for operation 19
Section 108.....Access allowed at reasonable times after due notice 19
Section 109.....Ceasing operations, reporting, and resumption of operations 20
Section 110.....Requirement for facility and operating plans 20
Section 111.....Contents and specifications for facility and operating plans 20
Section 112.....Food equipment: certification and classification 21
Section 113.....Mobile retail food establishment 21
Section 114.....Variance 21-22
Section 115.....Contents of a HACCP plan 22
Section 116.....Preventing health hazards: provisions for conditions not addressed 22
Section 117.....Assignment of supervision responsibility 22
Section 118.....Demonstration of knowledge 23
Section 119.....Duties of the person-in-charge 23-24
Section 120.....Responsibility to require reporting by food employees and applicants 24-25
Section 121.....Exclusions and restrictions 25
Section 122.....Removal of exclusions and restrictions 26
Section 123.....Responsibility of a food employee or an applicant to report to the person-in-charge 26
Section 124.....Obtaining information: personal history of illness, medical examination, and specimen analysis 26-27
Section 125.....Regulatory authority restriction or exclusion of food employee 27
Section 126.....Restriction or exclusion order 27
Section 127.....Release of a food employee from restriction or exclusion 27-28
Section 128.....Hand cleaning and drying procedure 28
Section 129.....When to wash hands 28
Section 130.....Where to wash hands 28
Section 131.....Hand sanitizers 28-29
Section 132.....Personal cleanliness 29
Section 133.....Hand and arm maintenance 29
Section 134.....Jewelry prohibition 29
Section 135.....Clean condition of outer clothing 29-30
Section 136.....Eating, drinking, or using tobacco 30
Section 137.....Discharges from the eyes, nose, and mouth 30
Section 138.....Effectiveness of hair restraint 30

FOOD **31-51**

Section 139.....Food condition 31
Section 140.....Honest presentation of food 31
Section 141.....Discarding or reconditioning of unsafe, misbranded, adulterated, or contaminated food 31
Section 142.....Food sources 31-32
Section 143.....Food in a hermetically sealed container 32
Section 144.....Packaging integrity 32
Section 145.....Accurate representation of packaged food using standards of identity 32
Section 146.....Food labels 32-33
Section 147.....Fluid milk and milk products 33
Section 148.....Bulk milk 33
Section 149.....Eggs and milk products; pasteurized 33
Section 150.....Shell eggs 33
Section 151.....Pasteurized eggs; substitute for raw shell eggs for certain recipes 33-34
Section 152.....Juice treated 34
Section 153.....Pasteurized foods, and prohibited food 34-35

Section 154.....Fish 35
Section 155.....Molluscan shellfish 35
Section 156.....Shucked shellfish; packaging and identification 35
Section 157.....Shellstock identification 35-36
Section 158.....Shellstock condition 36
Section 159.....Molluscan shellfish original container 36
Section 160.....Shellstock; maintaining identification 36-37
Section 161.....Molluscan shellfish tanks 37
Section 162.....Parasite destruction 37
Section 163.....Records; creation and retention 37
Section 164.....Wild mushrooms 38
Section 165.....Game animals 38
Section 166.....Specifications for receiving temperatures of food 38
Section 167.....Food additives 38
Section 168.....Protection from unapproved food or color additives 39
Section 169.....Ice 39
Section 170.....Ice used as exterior coolant; prohibited as ingredient 39
Section 171.....Preventing contamination from hands 39
Section 172.....Preventing contamination when tasting 39-40
Section 173.....Packaged and unpackaged food; separation, packaging, and segregation 40
Section 174.....Food storage containers; identified with common name of food 40
Section 175.....Washing fruits and vegetables 40-41
Section 176..... Storage or display of food in contact with water or ice 41
Section 177.....Food storage 41
Section 178.....Food storage; prohibited areas 41
Section 179.....Food display 42
Section 180.....Condiments; protection 42
Section 181.....Consumer self-service operations 42
Section 182.....Cooking of raw animal foods 42-44
Section 183.....Microwave cooking 44
Section 184.....Microwave ovens 44
Section 185.....Preparation for immediate service 44
Section 186.....Cooking for hot holding 44
Section 187.....Potentially hazardous food; hot and cold holding 44
Section 188.....Reheating for hot holding 45
Section 189.....Potentially hazardous food; cooling 45
Section 190.....Cooling methods 46
Section 191.....Ready-to-eat, potentially hazardous food; date marking 46
Section 192.....Disposition of ready-to-eat potentially hazards food; date marking 47
Section 193.....Time as a public health control 47
Section 194.....Confidentiality of trade secrets 47
Section 195.....Reduced oxygen packaging; criteria 48
Section 196.....Consumption of raw or undercooked foods of animal origin 48-49
Section 197.....Time and temperature control of frozen food 49
Section 198.....Potentially hazardous food; slacking 49
Section 199.....Thawing of food 49-50
Section 200.....Food contact with equipment and utensils 50
Section 201.....Returned food; reservice or sale 50
Section 202.....Segregation of distressed merchandise 50
Section 203.....Food preparation 50
Section 204.....Miscellaneous sources of contamination 51

EQUIPMENT, UTENSIL, LINEN, SINGLE-USE AND SINGLE-SERVICE ITEMS.....52-78

Section 205.....Characteristics of materials for utensils and food-contact surfaces 52
Section 206.....Cast iron; use limitation 52
Section 207.....Lead in ceramic, china, and crystal utensils; use limitation 52
Section 208.....Copper; use limitation 53
Section 209.....Galvanized metal; use limitation 53

Section 210.....Sponges; use limitation 53
Section 211.....Lead in pewter alloys; use limitation 53
Section 212.....Lead in solder and flux; use limitation..... 53
Section 213.....Wood; use limitation..... 53
Section 214.....Food equipment; cutting surfaces 54
Section 215.....Nonstick coatings; use limitation..... 54
Section 216.....Nonfood-contact surfaces 54
Section 217.....Durability and strength of equipment and utensils 54
Section 218.....Repair and proper adjustment of equipment 54
Section 219.....“V” threads; use limitation 54
Section 220.....Hot oil filtering equipment 55
Section 221.....Kick plates; removable 55
Section 222.....Equipment openings, closures, and deflectors 55
Section 223.....Bearings and gearboxes; leakproof..... 55
Section 224.....Beverage tubing; separation..... 55
Section 225.....Condenser unit; separation..... 55
Section 226.....Equipment compartments; drainage 56
Section 227.....Fixed equipment; spacing or sealing..... 56
Section 228.....Fixed equipment; elevation or sealing 56
Section 229.....Cleanability of food-contact surfaces 56-57
Section 230.....CIP equipment 57
Section 231.....Cleanability of can openers..... 57
Section 232.....Cleanability of nonfood-contact surfaces 57
Section 233.....Utensils; consumer self-service 57-58
Section 234.....In-use utensils; between-use storage..... 58
Section 235.....Good repair and calibration 58
Section 236.....Linens and napkins; use limitation 58
Section 237.....Clean linens 58
Section 238.....Storage of soiled linens..... 58
Section 239.....Equipment, utensils, and linens 59
Section 240.....Characteristics of materials used in single-service and single-use articles 59
Section 241.....Single-service and single-use articles; required use..... 59
Section 242.....Single-service and single-use articles; use limitation 59
Section 243.....Single-service and single-use article..... 59-60
Section 244.....Storage prohibitions..... 60
Section 245.....Wiping cloths; used for one purpose..... 60
Section 246.....Gloves; use limitation 60-61
Section 247.....Refilling returnables 61
Section 248.....Returnables; cleaning for refilling 61
Section 249.....Using clean tableware for second portions and refills 62
Section 250.....Handling of kitchenware and tableware..... 62
Section 251.....Handling of soiled and clean kitchenware 62
Section 252.....Protection of preset tableware..... 62
Section 253.....Durability and strength of food temperature measuring devices 62
Section 254.....Accuracy of temperature measuring devices 62-63
Section 255.....Accuracy of ambient air and water temperature measuring devices..... 63
Section 256.....Function of temperature measuring devices 63
Section 257.....Food temperature measuring devices..... 63
Section 258.....Temperature measuring devices; manual warewashing..... 63-64
Section 259.....Cooling, heating, and holding capacities 64
Section 260.....Vended potentially hazardous food; original container 64
Section 261.....Dispensing equipment; protection of equipment and food 64
Section 262.....Vending machine; vending stage closure..... 64-65
Section 263.....Can openers on vending machines..... 65
Section 264.....Vending machines; automatic shutoff..... 65
Section 265.....Vending machines; liquid waste products 65
Section 266.....Vending machine doors and openings 66
Section 267.....Overhead protection on outdoor food vending areas 66
Section 268.....Receptacles in vending machines 66

Section 269.....Warewashing equipment requirements 66
Section 270.....Manual warewashing; sink compartment requirements 66-67
Section 271.....Manual warewashing equipment; heaters and baskets 67
Section 272.....Warewashing equipment; clean solutions 67
Section 273.....Manual warewashing equipment; wash solution temperature 67
Section 274.....Manual warewashing equipment; hot water sanitization temperatures 67
Section 275.....Manual warewashing equipment; chemical sanitization using detergent-sanitizers 67
Section 276.....Washing; procedures for alternative manual warewashing equipment 68
Section 277.....Warewashing equipment; pressure measuring devices 68
Section 278.....Warewashing machine; data plate operating specifications 68
Section 279.....Warewashing machines; internal baffles 68
Section 280.....Warewashing machines; temperature measuring devices 68
Section 281.....Warewashing machine; automatic dispensing of detergents and sanitizers 68-69
Section 282.....Warewashing machines; flow pressure device 69
Section 283.....Warewashing machines; manufacturer's operating instructions 69
Section 284.....Warewashing machines; wash solution temperature 69
Section 285.....Warewashing machines; hot water sanitization temperatures 69-70
Section 286.....Warewashing machines; sanitization pressure 70
Section 287.....Warewashing machines; loading of soiled items 70
Section 288.....Warewashing sinks and drainboards; self-draining 70
Section 289.....Drainboards 70
Section 290.....Warewashing equipment; cleaning frequency 70
Section 291.....Sanitizing solutions; testing devices 70
Section 292.....Warewashing equipment; cleaning agents 71
Section 293.....Warewashing sinks and machines; use limitation 71
Section 294.....Manual and mechanical warewashing equipment; chemical sanitization - temperature, pH, concentration, and hardness 71-72
Section 295.....Equipment, food-contact surfaces, nonfood-contact surfaces, and utensils 72
Section 296.....Equipment food-contact surfaces and utensils; cleaning frequency 72-73
Section 297.....Not potentially hazardous food contact surfaces cleaning frequency 73
Section 298.....Cooking and baking equipment 73
Section 299.....Dry cleaning 74
Section 300.....Precleaning 74
Section 301.....Wet cleaning 74
Section 302.....Rinsing procedures 74-75
Section 303.....Cleaning and sanitizing food contact surfaces 75
Section 304.....Equipment and utensils; air drying required 75
Section 305.....Ventilation hood systems; filters 75
Section 306.....Ventilation hood systems; drip prevention 75
Section 307.....Ventilation hood systems; adequacy 76
Section 308.....Design of heating, ventilating, and air conditioning system vents 76
Section 309.....Mechanical ventilation 76
Section 310.....Cleaning ventilation systems 76
Section 311.....Clothes washers and dryers 76
Section 312.....Specifications for laundering 77
Section 313.....Mechanical washing 77
Section 314.....Use of laundry facilities 77
Section 315.....Equipment, clothes washers, dryers, and storage cabinets 77-78
Section 316.....Wiping cloths; air drying locations 78
Section 317.....Lubricants for food-contact surfaces 78
Section 318.....Protection of equipment 78
Section 319.....Case lot handling equipment; moveability 78

WATER, PLUMBING AND WASTE 79-92

Section 320.....Water source 79
Section 321.....System flushing and disinfection 79
Section 322.....Design, construction, and installation of approved plumbing system and cleanable fixtures 79

Section 323.....Approved plumbing system materials..... 79
Section 324.....Plumbing system maintained in good repair..... 79
Section 325.....Bottled drinking water 80
Section 326.....Nondrinking water 80
Section 327.....Water sampling..... 80
Section 328.....Water sample report..... 80
Section 329.....Capacity 80
Section 330.....Water pressure 80
Section 331.....Water distribution, delivery, and retention system 80-81
Section 332.....Alternative water supply..... 81
Section 333.....Ice units; separation of drains 81
Section 334.....Backsiphonage prevention; air gap..... 81
Section 335.....Backsiphonage prevention device; design standard..... 81
Section 336.....Backsiphonage prevention device; when required..... 81
Section 337.....Backsiphonage prevention device; carbonator..... 82
Section 338.....Backsiphonage prevention device; location..... 82
Section 339.....Prohibiting a cross connection..... 82
Section 340.....Water conditioning device; design..... 82
Section 341.....Water conditioning device; location 82
Section 342.....Hand washing facility; water temperature, and flow 82
Section 343.....Hand washing sinks; numbers and capacities..... 83
Section 344.....Hand washing facility; location 83
Section 345.....Hand washing facility maintenance 83
Section 346.....Availability of hand washing cleanser..... 83
Section 347.....Hand drying provisions..... 83
Section 348.....Restrictions on hand washing aids and devices 84
Section 349.....Waste receptacles for disposable towels..... 84
Section 350.....Toilets and urinals..... 84
Section 351.....Toilet room receptacle; covered..... 84
Section 352.....Enclosed toilet rooms..... 84
Section 353.....Toilet rooms accessibility 84
Section 354.....Availability of toilet tissue..... 84
Section 355.....Service sink..... 85
Section 356.....Scheduling inspection and service for a water system device 85
Section 357.....Water reservoir of fogging devices; cleaning 85
Section 358.....Mobile water tank and mobile retail food establishment water tank materials..... 85
Section 359.....Enclosed system; sloped to drain..... 85-86
Section 360.....Inspection and cleaning port; protected and secured 86
Section 361.....“V” type threads; use limitation..... 86
Section 362.....Tank vent; protected 86
Section 363.....Inlet and outlet; sloped to drain 86
Section 364.....Hose; construction and identification 86
Section 365.....Filter; compressed air..... 87
Section 366.....Protective cover or device..... 87
Section 367.....Mobile retail food establishment’s tank inlet..... 87
Section 368.....System flushing and disinfection..... 87
Section 369.....Using a pump and hoses; backsiphonage prevention..... 87
Section 370.....Protecting inlet, outlet, and hose fitting..... 87
Section 371.....Water tank, pump, and hoses dedication..... 87
Section 372.....Sewage holding tank of mobile retail food establishment; capacity and drainage..... 88
Section 373.....Removing mobile retail food establishment wastes..... 88
Section 374.....Establishment drainage systems 88
Section 375.....Conveying sewage..... 88
Section 376.....Approved sewage disposal system..... 88
Section 377.....Direct connection, prohibited..... 88-89
Section 378.....Grease trap..... 89
Section 379.....Flushing a waste retention tank..... 89
Section 380.....Other liquid wastes and rainwater..... 89
Section 381.....Refuse, recyclables, and returnables; indoor storage area 89

Section 382.....Outdoor storage surface; refuse, recyclables, and returnables 89
Section 383.....Outdoor enclosure; refuse, recyclables, and returnables..... 89
Section 384.....Receptacles 89-90
Section 385.....Outside receptacles 90
Section 386.....Storage areas, rooms, and receptacles; capacity and availability..... 90
Section 387.....Cleaning implements and supplies..... 90
Section 388.....Storage areas, redeeming machines, receptacles and waste handling units; location 90-91
Section 389.....Storing refuse, recyclables, and returnables..... 91
Section 390.....Storage areas, enclosures, and receptacles; good repair..... 91
Section 391.....Outside storage prohibitions 91
Section 392.....Covering receptacles..... 91
Section 393.....Using drain plugs..... 91
Section 394.....Maintaining refuse areas and enclosures 92
Section 395.....Cleaning receptacles 92
Section 396.....Frequency 92
Section 397.....Receptacles or vehicles..... 92
Section 398.....Community or individual facility..... 92

PHYSICAL FACILITIES……..93-101

Section 399.....Surface characteristics of materials for indoor area construction and repair 93
Section 400.....Surface characteristics of materials for outdoor area construction and repair 93
Section 401.....Installation and restrictions of floor carpeting 93-94
Section 402.....Cleanability of floors, walls, and ceilings..... 94
Section 403.....Cleanability of floors, walls, and ceilings relative to utility lines..... 94
Section 404.....Cleanability of floors and wall junctures; coved, and closed or sealed..... 94
Section 405.....Cleaning floors; dustless methods 94-95
Section 406.....Mats and duckboards as floor coverings..... 95
Section 407.....Wall and ceiling coverings and coatings..... 95
Section 408.....Wall and ceiling attachments..... 95
Section 409.....Exposure of wall and ceiling studs, joists, and rafters 95
Section 410.....Functionality of light bulbs and protective shielding..... 95
Section 411.....Lighting intensity..... 96
Section 412.....Design and installation of insect control devices..... 96
Section 413.....Protected outer openings..... 96
Section 414.....Protective barriers on exterior walls and roofs 97
Section 415.....Controlling pests..... 97
Section 416.....Removing dead or trapped birds, insects, rodents, and other pests..... 97
Section 417.....Designation of dressing areas or lockers..... 97
Section 418.....Designated employee areas..... 97-98
Section 419.....Medicine restrictions and storage……..... 98
Section 420.....Refrigerated medicines; storage..... 98
Section 421.....Storage of first aid supplies..... 98
Section 422.....Storage of other personal care items..... 98
Section 423.....Private homes and living or sleeping quarters; use prohibited..... 99
Section 424.....Separation of living or sleeping quarters 99
Section 425.....Storing maintenance tools..... 99
Section 426.....Maintaining premises of unnecessary items and litter 99
Section 427.....Overhead protection on outdoor servicing areas..... 99
Section 428.....Outdoor walking and driving surfaces graded to drain..... 99
Section 429.....Outdoor refuse areas; curbed and graded to drain 100
Section 430.....Repairing premises, structures, and attachments 100
Section 431.....Physical structures; restrictions and frequency of cleaning 100
Section 432.....Cleaning maintenance tools and preventing contamination..... 100
Section 433.....Drying mops 100
Section 434.....Limitation of absorbent materials on floors..... 100
Section 435.....Animal handling prohibited..... 101
Section 436.....Prohibiting animals..... 101

POISONOUS OR TOXIC MATERIALS……..102-105

Section 437.....Identifying information on original containers 102
Section 438.....Working containers; common name 102
Section 439.....Separation of poisonous or toxic materials 102
Section 440.....Restriction of poisonous or toxic materials..... 102
Section 441.....Conditions of poisonous or toxic materials use……..102-103
Section 442.....Poisonous or toxic material containers 103
Section 443.....Sanitizers; criteria 103
Section 444.....Chemicals for washing fruits and vegetables; criteria 103
Section 445.....Boiler water additives; criteria..... 103
Section 446.....Drying agents; criteria……103-104
Section 447.....Incidental food contact with lubricants..... 104
Section 448.....Restricted-use pesticides; criteria 104
Section 449.....Rodent bait stations..... 104
Section 450.....Use of tracking powders, pest control and monitoring 104
Section 451.....Separate storage and display of poisonous or toxic materials……...104-105
Section 452…...Incorporated by reference…….105
APPENDIX A.....**106-107**

APPENDIX B……108

INDEX……110-119

410 IAC 7-24

Sanitary Standards for the Operation of Retail Food Establishments

410 IAC 7-24-1 Applicability

Sec. 1. The definitions in this rule apply throughout this rule.

DEFINITIONS	Sections 2 through 105

410 IAC 7-24-2 "Acid foods" defined

Sec. 2. "Acid foods" means foods that have a natural pH of 4.6 or below.

410 IAC 7-24-3 "Acidified foods" defined

Sec. 3. (a) "Acidified foods" means low-acid foods to which acid or acid food is added. The term includes, but is not limited to:

(1) beans;
(2) cucumbers;
(3) cabbage;
(4) artichokes;
(5) cauliflower;
(6) puddings;
(7) peppers;
(8) tropical fruits; and
(9) fish;

singly or in any combination. These foods have an a_w greater than eighty-five hundredths (0.85), a finished equilibrium pH of 4.6 or below, and may be called pickled, such as "pickled cauliflower".

(b) The term does not include:

(1) carbonated beverages;
(2) jams;
(3) jellies;
(4) preserves; and
(5) acid foods;

including such foods as standardized and nonstandardized food dressings and condiment sauces, that contain small amounts of low-acid food and have a resultant finished equilibrium pH that does not significantly differ from that of the predominant acid or acid food, and foods that are stored, distributed, and retailed under refrigeration.

410 IAC 7-24-4 "Adulterated" defined

Sec. 4. "Adulterated" has the meaning set forth in IC 16-42-1 through IC 16-42-4.

410 IAC 7-24-5 "Approved" defined

Sec. 5. "Approved" means acceptable to the regulatory authority based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.

410 IAC 7-24-6 "a_w" defined

Sec. 6. "a_w" means water activity that is as follows:
(1) A measure of the free moisture in a food.
(2) The quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature.
(3) Indicated by the symbol a_w.

410 IAC 7-24-7 "Beverage" defined

Sec. 7. "Beverage" means a liquid for drinking, including water.

410 IAC 7-24-8 "Bottled drinking water" defined

Sec. 8. "Bottled drinking water" means water that is sealed in bottles, packages, or other containers and offered for sale for human consumption, including bottled mineral water.

410 IAC 7-24-9 "Casing" defined

Sec. 9. "Casing" means a tubular container for sausage products made of either natural or artificial (synthetic) material.

410 IAC 7-24-10 "Catering" defined

Sec. 10. "Catering" means the preparation of food in an approved retail food establishment and may include the transportation of such food for service and consumption at some other site.

410 IAC 7-24-11 "Certification number" defined

Sec. 11. "Certification number" means a unique combination of letters and numbers assigned by a shellfish control authority to a molluscan shellfish dealer according to the provisions of the National Shellfish Sanitation Program.

410 IAC 7-24-12 "CFR" defined

Sec. 12. "CFR" means the Code of Federal Regulations.

410 IAC 7-24-13 "CIP" defined

Sec. 13. "CIP" means cleaned in place by the circulation or flowing by mechanical means through a piping system of a detergent solution, water rinse, and sanitizing solution onto or over equipment surfaces that require cleaning, such as the method used, in part, to clean and sanitize a frozen dessert machine. The term does not include the cleaning of equipment, such as band saws, slicers, or mixers, that are subjected to in-place manual cleaning without the use of a CIP system.

410 IAC 7-24-14 "Color additive" defined

Sec. 14. "Color additive" has the meaning set forth in the Federal Food, Drug, and Cosmetic Act, Section 201(t) and 21 CFR 70.

410 IAC 7-24-15 "Comminuted" defined

Sec. 15. "Comminuted" means reduced in size by methods, including chopping, flaking, grinding, or mincing. The term includes the following:

(1) Fish or meat products that are reduced in size and restructured or reformulated, such as the following:

(A) Gefilte fish.

(B) Gyros.

(C) Ground beef.

(D) Sausage.

(2) A mixture of two (2) or more types of meat that have been reduced in size and combined, such as sausages made from two (2) or more meats.

410 IAC 7-24-16 "Commissary" defined

Sec. 16. "Commissary" means a registered catering establishment, restaurant, or any retail food establishment in which food, food containers, or food supplies are:

(1) kept;

(2) handled;

(3) prepared;

(4) packaged; or

(5) stored;

from which meals are catered and mobile retail food establishments or pushcarts are serviced.

410 IAC 7-24-17 "Confirmed disease outbreak" defined

Sec. 17. "Confirmed disease outbreak" means a foodborne disease outbreak in which laboratory analysis of appropriate specimens identifies a causative agent and epidemiological analysis implicates the food as the source of the illness.

410 IAC 7-24-18 "Consumer" defined

Sec. 18. "Consumer" means a person who is a member of the public who:

(1) takes possession of food;

(2) is not functioning in the capacity of an operator of a retail food establishment or food processing plant; and

(3) does not offer the food for resale.

410 IAC 7-24-19 "Corrosion-resistant material" defined

Sec. 19. "Corrosion-resistant material" means a material that maintains acceptable surface cleanability characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and sanitizing solutions, and other conditions of the use environment.

410 IAC 7-24-20 "Critical control point" defined

Sec. 20. "Critical control point" means a point or procedure in a specific food system where loss of control may result in an unacceptable health risk.

410 IAC 7-24-21 "Critical item" defined

Sec. 21. "Critical item" means a provision of this rule that, if in noncompliance, is more likely than other violations to significantly contribute to food contamination, illness, or environmental health hazard.

410 IAC 7-24-22 "Critical limit" defined

Sec. 22. "Critical limit" means the maximum or minimum value to which a physical, biological, or chemical parameter must be controlled at a critical control point to minimize the risk that the identified food safety hazard may occur.

410 IAC 7-24-23 "Department" defined

Sec. 23. "Department" means the Indiana state department of health or its authorized representative.

410 IAC 7-24-24 "Disclosure" defined

Sec. 24. "Disclosure" means a written statement that clearly identifies the animal-derived foods that are, or can be ordered, raw, undercooked, or without otherwise being processed to eliminate pathogens in their entirety, or items that contain an ingredient that is raw, undercooked, or without otherwise being processed to eliminate pathogens.

410 IAC 7-24-25 "Drinking water" defined

Sec. 25. (a) "Drinking water" means water that meets the requirements of 327 IAC 8.
(b) The term is traditionally known as potable water.
(c) The term includes water, except where the term used connotes that the water is not potable, such as the following:
(1) Boiler water.
(2) Mop water.
(3) Rainwater.
(4) Wastewater.
(5) Nondrinking water.

410 IAC 7-24-26 "Dry storage area" defined

Sec. 26. "Dry storage area" means a room or area designated for the storage of packaged or containerized bulk food that is not potentially hazardous and dry goods, such as single-service items.

410 IAC 7-24-27 "Easily cleanable" defined

Sec. 27. (a) "Easily cleanable" means a characteristic of a surface that:
(1) allows effective removal of soil by normal cleaning methods;
(2) is dependent on the material, design, construction, and installation of the surface; and
(3) varies with the likelihood of the surface's role in introducing pathogenic or toxigenic agents or other contaminants into food based on the surface's approved placement, purpose, and use.
(b) The term includes a tiered application of the criteria that qualify the surface as easily cleanable as specified under subsection (a) to different situations in which varying degrees of cleanability are required, such as the:
(1) appropriateness of stainless steel for a food preparation surface as opposed to the lack of need for stainless steel to be used for floors or for tables used for consumer dining; or
(2) need for a different degree of cleanability for a utilitarian attachment or accessory in the kitchen as opposed to a decorative attachment or accessory in the consumer dining area.

410 IAC 7-24-28 "Easily movable" defined

Sec. 28. "Easily movable" means:
(1) portable, mounted on casters, gliders, or rollers, or provided with a mechanical means to safely tilt a unit of equipment for cleaning; and

(2) having:
(A) no utility connection;
(B) a utility connection that disconnects quickly; or
(C) a flexible utility connection line of sufficient length to allow the equipment to be moved for cleaning of the equipment and adjacent area.

410 IAC 7-24-29 "Employee" defined

Sec. 29. "Employee" means any of the following:
(1) The person-in-charge.
(2) The person having supervisory or management duties.
(3) The person on the payroll.
(4) A family member.
(5) A volunteer.
(6) A person performing work under contractual agreement.
(7) Any other person working in a retail food establishment.

410 IAC 7-24-30 "EPA" defined

Sec. 30. "EPA" means the United States Environmental Protection Agency.

410 IAC 7-24-31 "Equipment" defined

Sec. 31. (a) "Equipment" means an article that is used in the operation of a retail food establishment, such as the following:
(1) A freezer.
(2) A grinder.
(3) A hood.
(4) An ice maker.
(5) A meat block.
(6) A mixer.
(7) An oven.
(8) A reach-in refrigerator.
(9) A scale.
(10) A sink.
(11) A slicer.
(12) A stove.
(13) A table.
(14) A temperature measuring device for ambient air.
(15) A vending machine.
(16) A warewashing machine.
(b) The term does not include items used for handling or storing large quantities of packaged foods that are received from a supplier in a cased or overwrapped lot, such as the following:
(1) Hand trucks.
(2) Forklifts.
(3) Dollies.
(4) Pallets.
(5) Racks.
(6) Skids.

410 IAC 7-24-32 "Exclude" defined

Sec. 32. "Exclude" means to prevent a person from working as a food employee or entering a retail food establishment except for those areas open to the general public.

410 IAC 7-24-33 "Fish" defined

Sec. 33. (a) "Fish" means fresh or saltwater finfish, crustaceans, all mollusks, and all other forms of aquatic life, such as:
(1) alligators;
(2) frogs;
(3) aquatic turtles;
(4) jellyfish;
(5) sea cucumbers;
(6) sea urchins; and
(7) the roe of such animals;
other than birds or mammals, if such animal life is intended for human consumption.
(b) The term includes an edible human food product derived in whole or in part from fish, including fish that have been processed in any manner.

410 IAC 7-24-34 "Food" defined

Sec. 34. "Food" means the following:
(1) Articles used for food, drink, confectionery, or condiment whether simple, mixed, or compound.
(2) Substances or ingredients used in the preparation of the items described in subdivision (1).

410 IAC 7-24-35 "Food additive" defined

Sec. 35. "Food additive" has the meaning stated in the Federal Food, Drug, and Cosmetic Act, Section 201(s) and 21 CFR 170.

410 IAC 7-24-36 "Foodborne disease outbreak" defined

Sec. 36. (a) "Foodborne disease outbreak" means an incident, except as specified under subsection (b), in which:
(1) there is an occurrence of two (2) or more cases of a similar illness resulting from the ingestion of a common food; and
(2) epidemiological analysis implicates the food as the source of the illness.
(b) The term includes a single case of illness from botulism or chemical poisoning.

410 IAC 7-24-37 "Food-contact surface" defined

Sec. 37. "Food-contact surface" means a surface of equipment or a utensil:
(1) with which food normally comes into contact; or
(2) from which food may drain, drip, or splash into a food or onto a surface normally in contact with food.

410 IAC 7-24-38 "Food employee" defined

Sec. 38. "Food employee" means an individual working with food, food equipment or utensils, or food-contact surfaces.

410 IAC 7-24-39 "Food processing plant" defined

Sec. 39. (a) "Food processing plant" means a commercial operation, such as:
(1) a wholesale food establishment regulated under IC 16-42-5 and 410 IAC 7-21;
(2) a dairy operation regulated under IC 15-2.1-23 and 345 IAC 8; and
(3) a meat and poultry operation regulated under IC 15-2.1-24;

that manufactures, packages, labels, or stores food for human consumption and does not provide food directly to a consumer.

(b) The term does not include a retail food establishment as defined under section 79 of this rule.

410 IAC 7-24-40 "Game animal" defined

Sec. 40. "Game animal" means an animal, the products of which are food, that is not:

(1) regulated under IC 15-2.1-24;

(2) fish as defined in section 33 of this rule; and

(3) possessed or raised in violation of state or federal law.

410 IAC 7-24-41 "General use pesticide" defined

Sec. 41. "General use pesticide" means a pesticide that is not classified by EPA for restricted use as specified in 40 CFR 152.175.

410 IAC 7-24-42 "Grade A standards" defined

Sec. 42. "Grade A standards" means the requirements of the United States Public Health Service, Food and Drug Administration (FDA) Grade A Pasteurized Milk Ordinance and Grade A Condensed and Dry Milk Ordinance with which certain fluid and dry milk and milk products comply.

410 IAC 7-24-43 "HACCP plan" defined

Sec. 43. "HACCP plan" means a written document that delineates the formal procedures for following the Hazard Analysis Critical Control Point principles developed by the National Advisory Committee on Microbiological Criteria for Foods.

410 IAC 7-24-44 "Hazard" defined

Sec. 44. "Hazard" means a biological, chemical, or physical property that may cause an unacceptable consumer health risk.

410 IAC 7-24-45 "Hermetically sealed container" defined

Sec. 45. "Hermetically sealed container" means a container that is designed and intended to be secure against the entry of microorganisms and, in the case of low-acid canned foods, to maintain the commercial sterility of its contents after processing.

410 IAC 7-24-46 "Highly susceptible population" defined

Sec. 46. "Highly susceptible population" means a group of persons who are more likely than other populations to experience foodborne disease because they are:

(1) immunocompromised or adults who are at least sixty-five (65) years of age and in a hospital;

(2) preschool age children in a facility that provides custodial care, such as a child care center; or

(3) children nine (9) years of age or younger in a school or custodial child care facility that are served juice.

410 IAC 7-24-47 "Imminent health hazard" defined

Sec. 47. "Imminent health hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury or illness based on the:

(1) number of potential injuries or illnesses; and

(2) nature, severity, and duration of the anticipated injury or illness.

410 IAC 7-24-48 "Injected" defined

Sec. 48. "Injected" means manipulating a meat so that infectious or toxigenic microorganisms may be introduced from its surface to its interior through tenderizing with deep penetration or injecting the meat, such as by processes that may be referred to as injecting, pinning, or stitch pumping.

410 IAC 7-24-49 "Juice" defined

Sec. 49. (a) "Juice" means the aqueous liquid expressed or extracted from:

(1) one (1) or more fruits or vegetables;

(2) purées of the edible portions of one (1) or more fruits or vegetables; or

(3) any concentrate of such liquid or purée.

The term does not apply to standards of identity.

(b) The term includes juice as:

(1) a whole beverage;

(2) an ingredient of a beverage; and

(3) a purée as an ingredient of a beverage.

410 IAC 7-24-50 "Kitchenware" defined

Sec. 50. "Kitchenware" means food preparation and storage utensils.

410 IAC 7-24-51 "Law" defined

Sec. 51. "Law" means applicable state and federal statutes and regulations and local ordinances.

410 IAC 7-24-52 "Linens" defined

Sec. 52. "Linens" means fabric items, such as the following:

(1) Cloth hampers.

(2) Cloth napkins.

(3) Table cloths.

(4) Wiping cloths.

(5) Work garments, including cloth gloves.

410 IAC 7-24-53 "Meat" defined

Sec. 53. (a) "Meat" means the food products of animals, such as:

(1) pork;

(2) beef;

(3) lamb; and

(4) ratite;

included under IC 15-2.1-24.

(b) The term does not include:

(1) fish;

(2) poultry; and

(3) game animals.

410 IAC 7-24-54 "Misbranded" defined

Sec. 54. "Misbranded" has the meaning set forth in IC 16-42-1 through IC 16-42-4, and 410 IAC 7-5.

410 IAC 7-24-55 "Mobile retail food establishment" defined

Sec. 55. "Mobile retail food establishment" means a retail food establishment that is:
(1) wheeled;
(2) on skids;
(3) mounted on a vehicle;
(4) a marine vessel; or
(5) otherwise readily movable;
such as a pushcart or trailer.

410 IAC 7-24-56 "Molluscan shellfish" defined

Sec. 56. "Molluscan shellfish" means any edible species of fresh or frozen:
(1) oysters;
(2) clams;
(3) mussels; and
(4) scallops;
or edible portions thereof, except when the scallop product consists only of the shucked adductor muscle.

410 IAC 7-24-57 "Packaged" defined

Sec. 57. (a) "Packaged" means:
(1) bottled;
(2) canned;
(3) cartoned;
(4) securely bagged; or
(5) securely wrapped;
whether packaged in a retail food establishment or a food processing plant.
(b) The term does not include a wrapper, carry-out box, or other nondurable container used to containerize food with the purpose of facilitating food protection during service and receipt of the food by the consumer.

410 IAC 7-24-58 "Person" defined

Sec. 58. "Person" means any of the following:
(1) An association.
(2) A corporation.
(3) An individual.
(4) A partnership.
(5) Any other legal entity, government, or governmental subdivision or agency.

410 IAC 7-24-59 "Personal care items" defined

Sec. 59. (a) "Personal care items" means items or substances that may be poisonous, toxic, or a source of contamination and are used to maintain or enhance a person's health, hygiene, or appearance.
(b) The term includes the following items, such as:
(1) Medicines.
(2) First aid supplies.
(3) Cosmetics.
(4) Toiletries.

410 IAC 7-24-60 "Person-in-charge" defined

Sec. 60. "Person-in-charge" means the individual present at a retail food establishment who is responsible for the operation at the time of inspection.

410 IAC 7-24-61 "pH" defined

Sec. 61. "pH" means the symbol for the negative logarithm of the hydrogen ion concentration, which is a measure of the degree of acidity or alkalinity of a solution. Values between zero (0) and seven (7) indicate acidity, and values between seven (7) and fourteen (14) indicate alkalinity. The value for pure distilled water is seven (7), which is considered neutral.

410 IAC 7-24-62 "Physical facilities" defined

Sec. 62. "Physical facilities" means the structure and interior surfaces of a retail food establishment, including floors, walls, ceilings, and accessories, such as the following:

(1) Soap and towel dispensers.

(2) Attachments, such as the following:

(A) Light fixtures.

(B) Heating or air conditioning system vents.

410 IAC 7-24-63 "Plumbing fixture" defined

Sec. 63. "Plumbing fixture" means a receptacle or device that:

(1) is permanently or temporarily connected to the water distribution system of the premises and demands a supply of water from the system; or

(2) discharges used water, waste materials, or sewage directly or indirectly to the drainage system of the premises.

410 IAC 7-24-64 "Plumbing system" defined

Sec. 64. "Plumbing system" means the following:

(1) The water supply and distribution pipes.

(2) Plumbing fixtures and traps.

(3) Soil, waste, and vent pipes.

(4) Sanitary and storm sewers and building drains, including their respective:

(A) connections;

(B) devices; and

(C) appurtenances;

within the premises.

(5) Water-treating equipment.

410 IAC 7-24-65 "Poisonous or toxic materials" defined

Sec. 65. "Poisonous or toxic materials" means substances that are not intended for ingestion and are included in four (4) categories, as follows:

(1) Cleaners and sanitizers, which include cleaning and sanitizing agents and agents such as the following:

(A) Caustics.

(B) Acids.

(C) Drying agents.

(D) Polishes.

(E) Other chemicals.

(2) Pesticides except sanitizers, which include substances such as insecticides and rodenticides.

(3) Substances necessary for the operation and maintenance of the establishment, such as nonfood grade

lubricants and personal care items that may be deleterious to health.

(4) Substances that are not necessary for the operation and maintenance of the establishment and are on the premises for retail sale, such as petroleum products and paints.

410 IAC 7-24-66 "Potentially hazardous food" defined

Sec. 66. (a) "Potentially hazardous food" means a food that is natural or synthetic and requires temperature control because it is in a form capable of supporting any of the following:

(1) The rapid and progressive growth of infectious or toxigenic microorganisms.

(2) The growth and toxin production of Clostridium botulinum.

(3) In raw shell eggs, the growth of Salmonella enteritidis.

(b) The term includes the following:

(1) A food of animal origin that is raw or heat-treated.

(2) A food of plant origin that is heat-treated or consists of raw seed sprouts.

(3) Cut melons.

(4) Garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support growth as specified under subsection (a).

(c) The term does not include any of the following:

(1) An air-cooled hard-boiled egg with shell intact.

(2) A food with an a_w value of eighty-five hundredths (0.85) or less.

(3) A food with a pH level of four and six-tenths (4.6) or below when measured at seventy-five (75) degrees Fahrenheit.

(4) A food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution.

(5) A food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or the growth of Salmonella enteritidis in eggs or Clostridium botulinum cannot occur, such as a food that:

(A) has an a_w and a pH that are above the levels specified under subdivisions (2) and (3); and

(B) may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms.

(6) A food that may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness, but that does not support the growth of microorganisms as specified under subsection (a).

410 IAC 7-24-67 "Poultry" defined

Sec. 67. "Poultry" means a:

(1) domesticated bird included under IC 15-2.1-24 and is not meat; or

(2) game animal.

410 IAC 7-24-68 "ppm" defined

Sec. 68. "ppm" means parts per million, which is equivalent to milligrams per liter.

410 IAC 7-24-69 "Premises" defined

Sec. 69. "Premises" means the physical facility, its contents, and the:

(1) contiguous land or property under the control of the retail food establishment; or

(2) land or property not described under subdivision (1) if its facilities and contents are under the control of the owner or operator of the retail food establishment and may impact personnel, facilities, or operations, if a retail food establishment is only one (1) component of a larger operation, such as a:

(A) health care facility;

(B) hotel;

(C) motel;

(D) school;

(E) recreational camp; or
(F) prison.

410 IAC 7-24-70 "Primal cut" defined

Sec. 70. "Primal cut" means a basic major cut into which carcasses and sides of meat are separated, such as a:
(1) beef round;
(2) pork loin;
(3) lamb flank; or
(4) veal breast.

410 IAC 7-24-71 "Public water system" defined

Sec. 71. "Public water system" has the meaning set forth in 327 IAC 8.

410 IAC 7-24-72 "Ready-to-eat food" defined

Sec. 72. (a) "Ready-to-eat food" means food that:
(1) is in a form that is edible without additional preparation to achieve food safety, as specified under section 162 of this rule, section 182(a) through 182(c) of this rule, or section 183 of this rule;
(2) is a raw or partially cooked animal food and the consumer is advised as specified under section 182(d) of this rule; or
(3) may receive additional preparation for palatability or aesthetic, epicurean, gastronomic, or culinary purposes.
(b) "Ready-to-eat food" includes, but is not limited to, the following:
(1) Raw animal food that is cooked as specified under section 182 or 183 of this rule or frozen as specified under section 162 of this rule.
(2) Raw fruits and vegetables that are washed as specified under section 175 of this rule.
(3) Fruits and vegetables that are cooked for hot holding, as specified under section 186 of this rule.
(4) All potentially hazardous food that is cooked to the temperature and time required for the specific food under section 182, 183, or 186 of this rule and cooled as specified in section 189 of this rule.
(5) Plant food for which further washing, cooking, or other processing is not required for food safety and from which:
(A) rinds;
(B) peels;
(C) husks; or
(D) shells;
if naturally present, are removed.
(6) Substances derived from plants, such as the following:
(A) Spices.
(B) Seasonings.
(C) Sugar.
(7) Bakery items such as:

(A) bread;
(B) cakes;
(C) pies;
(D) fillings; or
(E) icing;
for which further cooking is not required for food safety.
(8) The following products that are produced in accordance with USDA guidelines and that have received a lethality treatment for pathogens:
(A) Dry, fermented sausages, such as dry salami or pepperoni.
(B) Salt-cured meat and poultry products, such as prosciutto ham, country cured ham, and Parma ham.
(C) Dried meat and poultry products, such as jerky or beef sticks.

(9) Foods manufactured according to 21 CFR Part 113.

410 IAC 7-24-73 "Reduced oxygen packaging" defined

Sec. 73. (a) "Reduced oxygen packaging" means the following:
(1) The reduction of the amount of oxygen in a package by:
(A) removing oxygen;
(B) displacing oxygen and replacing it with another gas or combination of gases; or
(C) otherwise controlling the oxygen content to a level below that normally found in the surrounding twenty-one percent (21%) oxygen atmosphere.
(2) A process as specified in subdivision (1) that involves a food for which Clostridium botulinum is identified as a microbiological hazard in the final packaged form.
(b) The term includes the following:
(1) Vacuum packaging in which air is removed from a package of food and the package is hermetically sealed so that a vacuum remains inside the package, such as sous vide.
(2) Modified atmosphere packaging in which the atmosphere of a package of food is modified so that its composition is different from air but the atmosphere may change over time due to the permeability of the packaging material or the respiration of the food. Modified atmosphere packaging includes any of the following:
(A) Reduction in the proportion of oxygen.
(B) Total replacement of oxygen.
(C) An increase in the proportion of other gases, such as carbon dioxide or nitrogen.
(3) Controlled atmosphere packaging in which the atmosphere of a package of food is modified so that until the package is opened, its composition is different from air, and continuous control of that atmosphere is maintained, such as by using oxygen scavengers or a combination of total replacement of oxygen, nonrespiring food, and impermeable packaging material.

410 IAC 7-24-74 "Refuse" defined

Sec. 74. "Refuse" means solid waste not carried by water through the sewage system.

410 IAC 7-24-75 "Regulatory authority" defined

Sec. 75. "Regulatory authority" means the local, state, or federal enforcement body or authorized representative having jurisdiction over a retail food establishment.

410 IAC 7-24-76 "Reminder" defined

Sec. 76. "Reminder" means a written statement concerning the health risk of consuming animal foods raw, undercooked, or without otherwise being processed to eliminate pathogens.

410 IAC 7-24-77 "Restrict" defined

Sec. 77. "Restrict" means to limit the activities of a food employee so that there is no risk of transmitting a disease that is transmissible through food and the food employee does not work with:
(1) exposed food;
(2) clean equipment, utensils, or linens; and
(3) unwrapped single-service or single-use articles.

410 IAC 7-24-78 "Restricted use pesticide" defined

Sec. 78. "Restricted use pesticide" has the same meaning as when defined in law and rules of the office of the Indiana state chemist.

410 IAC 7-24-79 "Retail food establishment" defined

Sec. 79. (a) "Retail food establishment" means an operation as follows that:

(1) Stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, such as the following:

(A) A restaurant.
(B) A satellite or catered feeding location.
(C) A catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people.
(D) A market.
(E) A grocery store.
(F) A convenience store.
(G) A vending location.
(H) A conveyance used to transport people.
(I) An institution.
(J) A food bank.
(K) A commissary.
(L) A cottage industry.
(M) A hospice facility as defined in IC 16-25-11.
(N) A health care facility as defined in IC 16-21-2.
(O) A health facility as defined in IC 16-18-2.
(P) A child care facility as defined in IC 12-13-5, such as the following:
(i) Licensed child care centers licensed under 470 IAC 3-4.7.
(ii) Licensed child care institutions licensed under 470 IAC 3-11, 470 IAC 3-12, and 470 IAC 3-13.
(iii) Registered child care ministries registered under 470 IAC 3-4.5.
(Q) An assisted living facility as defined in IC 12-10-15.

(2) Relinquishes possession of food to a consumer directly or indirectly through a delivery service, such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

(b) The term includes the following:

(1) An element of the operation, such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority.

(2) An operation that is conducted in a:
(A) mobile;
(B) stationary;
(C) temporary; or
(D) permanent;
facility or location, where consumption is on or off the premises and regardless of whether there is a charge for the food.

(c) The term does not include the following:

(1) An establishment that offers only prepackaged foods that are not potentially hazardous.
(2) A produce stand that offers only whole, uncut fresh fruits and vegetables.
(3) A food processing plant operated under IC 16-42-5.
(4) A private home where food is prepared by a member of an organization that is operating under IC 16-42-5-4.
(5) An area where food that is prepared as specified in subdivision (4) is sold or offered for human consumption.
(6) A bed and breakfast establishment as defined and regulated under IC 16-41-31 and 410 IAC 7-15.5.
(7) A private home that receives catered or home-delivered food.
(8) A private home.

410 IAC 7-24-80 "Risk" defined

Sec. 80. "Risk" means the likelihood that an adverse health effect will occur within a population as a result of a hazard in food.

410 IAC 7-24-81 "Safe material" defined

Sec. 81. "Safe material" means any of the following:

(1) An article manufactured from or composed of materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any food.

(2) An additive that is used as specified in Section 409 or 706 of the Federal Food, Drug, and Cosmetic Act.

(3) Other materials that are not food or color additives and that are used in conformity with applicable regulations of the Food and Drug Administration.

410 IAC 7-24-82 "Sanitization" defined

Sec. 82. "Sanitization" means the application of cumulative heat or chemicals on cleaned food contact surfaces that, when evaluated for efficacy, is sufficient to yield a reduction of five (5) logs, which is equal to a ninety-nine and nine hundred ninety-nine thousandths percent (99.999%) reduction of representative disease microorganisms of public health importance.

410 IAC 7-24-83 "Sealed" defined

Sec. 83. "Sealed" means free of cracks or other openings that allow the entry or passage of moisture.

410 IAC 7-24-84 "Service animal" defined

Sec. 84. "Service animal" means a professionally trained animal, such as a guide dog, signal dog, or other animal that provides assistance to an individual with a disability.

410 IAC 7-24-85 "Servicing area" defined

Sec. 85. "Servicing area" means an operating base location to which a mobile retail food establishment or transportation vehicle returns for such functions as the following:

(1) Vehicle and equipment cleaning.

(2) Discharging liquid or solid wastes.

(3) Refilling water tanks and ice bins.

(4) Boarding food.

410 IAC 7-24-86 "Sewage" defined

Sec. 86. "Sewage" means liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.

410 IAC 7-24-87 "Shellfish control authority" defined

Sec. 87. "Shellfish control authority" means a state, federal, foreign, tribal, or other government entity legally responsible for administering a program that includes certification of molluscan shellfish harvesters and dealers for interstate commerce.

410 IAC 7-24-88 "Shellstock" defined

Sec. 88. "Shellstock" means raw, in-shell molluscan shellfish.

410 IAC 7-24-89 "Shiga toxin-producing Escherichia coli" defined

Sec. 89. "Shiga toxin-producing Escherichia coli" means any Escherichia coli capable of producing Shiga toxins (also called verocytotoxins or "Shiga-like" toxins). This includes, but is not limited to, Escherichia coli reported as serotype O157:H7, O157:NM, and O157:H-.

410 IAC 7-24-90 "Shucked shellfish" defined

Sec. 90. "Shucked shellfish" means molluscan shellfish that have one (1) or both shells removed.

410 IAC 7-24-91 "Single-service articles" defined

Sec. 91. "Single-service articles" means tableware, carry-out utensils, and other items, such as:
(1) bags;
(2) containers;
(3) place mats;
(4) stirrers;
(5) straws;
(6) toothpicks; and
(7) wrappers;
that are designed and constructed for one (1) time, one (1) person use after which they are intended for discard.

410 IAC 7-24-92 "Single-use articles" defined

Sec. 92. (a) "Single-use articles" means utensils and bulk food containers designed and constructed to be used once and discarded.
(b) The term includes items, such as:
(1) wax paper;
(2) butcher paper;
(3) plastic wrap;
(4) formed aluminum food containers;
(5) jars;
(6) plastic tubs or buckets;
(7) bread wrappers;
(8) pickle barrels;
(9) ketchup bottles; and
(10) number ten (10) cans;
that do not meet the materials, durability, strength, and cleanability specifications under sections 205, 217, and 229 of this rule for multiuse utensils.

410 IAC 7-24-93 "Slacking" defined

Sec. 93. "Slacking" means the process of moderating the temperature of a food, such as allowing a food to gradually increase from a temperature of minus ten (10) degrees Fahrenheit to twenty-five (25) degrees Fahrenheit in preparation for deep-fat frying or to facilitate even heat penetration during the cooking of previously block-frozen food, such as kale.

410 IAC 7-24-94 "Smooth" defined

Sec. 94. "Smooth" means the following:
(1) A food-contact surface having a surface free of pits and inclusions with a cleanability equal to or exceeding that of one hundred (100) grit number three (3) stainless steel.
(2) A nonfood-contact surface of equipment having a surface equal to that of commercial grade hot-rolled steel free of visible scale.

(3) A floor, wall, or ceiling having an even or level surface with no roughness or projections that render it difficult to clean.

410 IAC 7-24-95 "Table-mounted equipment" defined

Sec. 95. "Table-mounted equipment" means equipment that is not portable and is designed to be mounted off the floor on a table, counter, or shelf.

410 IAC 7-24-96 "Tableware" defined

Sec. 96. "Tableware" means:
(1) eating, drinking, and serving utensils for table use, such as flatware, including:
(A) forks;
(B) knives; and
(C) spoons;
(2) hollowware including:
(A) bowls:
(B) cups;
(C) serving dishes; and
(D) tumblers; and
(3) plates.

410 IAC 7-24-97 "Temperature measuring device" defined

Sec. 97. "Temperature measuring device" means:
(1) a thermometer;
(2) a thermocouple;
(3) a thermistor; or
(4) other device;
that indicates the temperature of food, air, or water.

410 IAC 7-24-98 "Temporary food establishment" defined

Sec. 98. "Temporary food establishment" means a retail food establishment that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration with the approval of the organizers of the event or celebration.

410 IAC 7-24-99 "USDA" defined

Sec. 99. "USDA" means the United States Department of Agriculture.

410 IAC 7-24-100 "Utensil" defined

Sec. 100. "Utensil" means a food-contact implement or container used in the storage, preparation, transportation, dispensing, sale, or service of food, such as the following:
(1) Kitchenware or tableware that is multiuse, single-service, or single-use.
(2) Gloves used in contact with food.
(3) Food temperature measuring devices.
(4) Probe-type price or identification tags used in contact with food.

410 IAC 7-24-101 "Variance" defined

Sec. 101. "Variance" means a written document issued by the department upon demonstration of good cause by the person requesting the variance that authorizes a waiver, modification, or deviation from one (1) or more of the state rules concerning food handling machinery or sanitary standards for the operation of food establishments.

410 IAC 7-24-102 "Vending machine" defined

Sec. 102. "Vending machine" means a self-service device that, upon activation, such as through the insertion of a:

(1) coin;
(2) paper currency;
(3) token;
(4) card; or
(5) key;

or by optional manual operation, dispenses unit servings of food in bulk or in packages without the necessity of replenishing the device between each vending operation.

410 IAC 7-24-103 "Vending machine location" defined

Sec. 103. "Vending machine location" means the:

(1) room;
(2) enclosure;
(3) space; or
(4) area;

where one (1) or more vending machines are installed and operated and includes the storage areas and areas on the premises that are used to service and maintain the vending machines.

410 IAC 7-24-104 "Warewashing" defined

Sec. 104. "Warewashing" means the cleaning and sanitizing of food-contact surfaces of equipment and utensils.

410 IAC 7-24-105 "Whole-muscle, intact beef" defined

Sec. 105. "Whole-muscle, intact beef" means whole muscle beef that is not:

(1) injected;
(2) mechanically tenderized;
(3) reconstructed; or
(4) scored and marinated;

from which beef steaks may be cut.

MANAGEMENT & SUPERVISION

PREREQUISITE	Sections 106 through 112

410 IAC 7-24-106 Public health protection

Sec. 106. (a) The regulatory authority shall uniformly apply this rule to all retail food establishments in a reasonable manner that promotes its underlying purpose of safeguarding public health and ensuring that food is:

(1) safe;
(2) not misbranded;
(3) unadulterated; and
(4) honestly presented;

when offered to the consumer.

(b) In enforcing this rule, the regulatory authority shall assess existing facilities or equipment that was in use before the effective date of this rule based on the following considerations:

(1) Whether the facilities or equipment are in good repair and capable of being maintained in a sanitary condition.
(2) Whether food-contact surfaces comply with sections 205 through 213, 215, 216, and 240 of this rule.
(3) Whether the capacities of cooling, heating, and holding equipment are sufficient to comply with section 259 of this rule.
(4) The existence of a documented agreement with the owner or operator of the retail food establishment that the facilities or equipment will be replaced or upgraded.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-107 Prerequisite for operation

Sec. 107. (a) A person may not operate a retail food establishment without first having registered with the department as required under IC 16-42-1-6.

(b) A retail food establishment registered with a local health department or other regulatory authority shall be considered registered with the department under IC 16-42-1-6.

(c) To allow verification that the retail food establishment is constructed, equipped, and otherwise meets the requirements of this rule, the regulatory authority shall be notified of an intent to operate at least thirty (30) days before registering under this rule.

(d) From one (1) year of the effective date of this rule, the owner or operator of the retail food establishment shall maintain at least one (1) copy of this rule on the premises at all times. Immediate electronic access to this rule shall be considered acceptable in meeting this requirement.

(e) For purposes of this section, a violation of subsections (a) through (d) is a noncritical item.

410 IAC 7-24-108 Access allowed at reasonable times after due notice

Sec. 108. (a) After the regulatory authority presents official credentials and expresses an intent to conduct an inspection, investigation, or to collect food samples, the person-in-charge shall allow the regulatory authority to determine if the retail food establishment is in compliance with this rule by allowing access to the establishment, and providing information and records specified in this rule and to which the regulatory authority is entitled according to law, during the retail food establishment's hours of operation and other reasonable times.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-109 Ceasing operations, reporting, and resumption of operations

Sec. 109. (a) Except as specified in subsection (b), the owner or operator of the retail food establishment shall immediately discontinue operations and notify the regulatory authority if an imminent health hazard may exist because of an emergency, such as the following:

(1) Fire.
(2) Flood.
(3) An extended interruption of electrical or water service.
(4) A sewage backup.
(5) A misuse of poisonous or toxic materials.
(6) An onset of an apparent foodborne illness outbreak.
(7) A gross insanitary occurrence or condition.
(8) Other circumstance that may endanger public health.

(b) The owner or operator of a retail food establishment need not discontinue operations in an area of an establishment that is unaffected by the imminent health hazard.

(c) If operations are discontinued as specified under this section or otherwise according to law, the retail food establishment shall obtain approval from the regulatory authority before resuming operations.

(d) For purposes of this section, a violation of subsection (a) is a critical item.

(e) For purposes of this section, a violation of subsection (b) or (c) is a noncritical item.

410 IAC 7-24-110 Requirement for facility and operating plans

Sec. 110. (a) The owner or other authorized agent of an existing or proposed retail food establishment shall submit to the regulatory authority properly prepared plans and specifications for review before any of the following:

(1) The construction of a retail food establishment.
(2) The conversion of an existing structure for use as a retail food establishment.
(3) The remodeling of a retail food establishment or a change of type of retail food establishment or food operation if the regulatory authority determines that plans and specifications are necessary to ensure compliance with this rule.

The retail food establishment owner or operator should use the 2000 Food Establishment Plan Review Guide and the temporary retail food establishment owner or operator should use the 2000 Pre-Operational Guide for Temporary Retail Food Establishment Plan Review Guide, both as published by the U.S. Food and Drug Administration and the Conference for Food Protection, as a source for determining recommended equipment specifications and operational standards for retail food establishments/temporary retail food establishments.

(b) The plans and specifications shall be approved by the regulatory authority prior to construction and the operation of the retail food establishment.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-111 Contents and specifications for facility and operating plans

Sec. 111. (a) The plans and specifications for a retail food establishment shall include, as required by the regulatory authority based on the type of operation, type of food preparation, and foods prepared, the following information to demonstrate compliance with this rule:

(1) Intended menu.
(2) Anticipated volume of food to be stored, prepared, and sold or served.
(3) Proposed layout, mechanical schematics, construction materials, and finish schedules.
(4) Proposed equipment types, manufacturers, model numbers, locations, dimensions, performance capacities, and installation specifications.
(5) Evidence that standard procedures that ensure compliance with this rule are developed or are being developed.
(6) Other information that may be required by the regulatory authority for the proper review of the proposed construction, conversion, or modification, and procedures for operating a retail food establishment.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-112 Food equipment; certification and classification

Sec. 112. (a) Food equipment that is certified or classified for sanitation by an American National Standards Institute accredited certification program will be deemed to comply with sections 161, 205 through 213, 215 through 217, 219 through 226, 229 through 232, 253 through 256, 261 through 266, 271, 277 through 282, 288, 305 through 306, and 333 of this rule.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

MOBILE RETAIL FOOD ESTABLISHMENT Section 113

410 IAC 7-24-113 Mobile Retail Food Establishment

Sec. 113. (a) A mobile retail food establishment must be physically transported to a commissary or servicing area, or both, at least once daily for all:

(1) supplies;

(2) cleaning; and

(3) servicing operations.

(b) A mobile retail food establishment shall comply with this rule except as otherwise provided in this section.

(c) A mobile retail food establishment serving only food prepared, packaged in individual servings, transported, and stored under conditions meeting the requirements of this rule, or beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment, need not comply with this rule pertaining to the following:

(1) The necessity of water and sewage systems.

(2) The cleaning and sanitizing of equipment and utensils if the required equipment for cleaning and sanitizing exists at the commissary; however, frankfurters may be prepared and served from these units without the required cleaning and sanitizing equipment only.

(d) A mobile retail food establishment shall provide only single-service articles for use by the consumer.

(e) A mobile retail food establishment requiring a water system shall have a potable water system under pressure. The system shall be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing, and hand washing, in accordance with this rule.

(f) If liquid waste results from the operation of a mobile retail food establishment, the waste shall be stored in a permanently installed retention tank that is of at least fifteen percent (15%) larger capacity than the water supply tank as specified in section 372 of this rule. Liquid waste shall not be discharged from the retention tank when the mobile retail food establishment is being moved.

(g) For purposes of this section, a violation of subsection (a), (c), (e), or (f) is a critical item.

(h) For purposes of this section, a violation of subsection (b) or (d) is a noncritical item.

VARIANCE Section 114

410 IAC 7-24-114 Variance

Sec. 114. (a) An owner or operator of a retail food establishment may request a variance from one (1) or more of the sections in this rule as specified in IC 16-19-3-4.3 and IC 16-42-5-5.2.

(b) An owner or operator of a retail food establishment that requests a variance from one (1) or more requirements of this rule must complete a variance application provided by the department. The application information must adequately and completely address all areas of concern described in the department's "Policy for Processing Variance Requests".

(c) The department will process the variance request in accordance with the published and posted policy referenced in subsection (b).

(d) From the effective date of this rule, an owner or operator of a retail food establishment shall not commence implementation of a modification to this rule without first obtaining approval from the department.

(e) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

HACCP PLAN Section 115

410 IAC 7-24-115 Contents of a HACCP plan

Sec. 115. (a) For a retail food establishment that is required under sections 114 and 195 of this rule to have a HACCP plan, the plan and specifications shall indicate the following:

(1) A categorization of the types of potentially hazardous foods that are specified in the menu, such as soups, sauces, salads, and bulk, solid foods, such as meat roasts, or other foods that are specified by the regulatory authority.

(2) A flow diagram by specific food or category type identifying critical control points and providing information on the following:

(A) Ingredients, materials, and equipment used in the preparation of that food.

(B) Formulations or recipes that delineate methods and procedural control measures that address the food safety concerns involved.

(3) A food employee and supervisory training plan that addresses the food safety issues of concern.

(4) A statement of standard operating procedures for the plan under consideration including clearly identifying the following:

(A) Each critical control point.

(B) The critical limits for each critical control point.

(C) The method and frequency for monitoring and controlling each critical control point by the food employee designated by the person-in-charge.

(D) The method and frequency for the person-in-charge to routinely verify that the food employee is following standard operating procedures and monitoring critical control points.

(E) Actions to be taken by the person-in-charge if the critical limits for each critical control point are not met.

(F) Records to be maintained by the person-in-charge to demonstrate that the HACCP plan is properly operated and managed.

(5) Additional scientific data or other information, as required by the regulatory authority, supporting the determination that food safety is not compromised by the proposal.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-116 Preventing health hazards; provisions for conditions not addressed

Sec. 116. (a) If necessary to protect against public health hazards or nuisances, the regulatory authority may temporarily impose specific requirements in addition to the requirements contained in this rule that are authorized by law.

(b) The regulatory authority shall document the conditions that necessitate the imposition of additional requirements and the underlying public health rationale. The documentation shall be provided to the retail food establishment, and a copy shall be maintained in the regulatory authority's file for the retail food establishment.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

SUPERVISION AND RESPONSIBILITY Sections 117 through 119

410 IAC 7-24-117 Assignment of supervision responsibility

Sec. 117. (a) The owner or operator of a retail food establishment shall have a person-in-charge present at the retail food establishment during all hours of operation.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-118 Demonstration of knowledge

Sec. 118. (a) Based on the risk of foodborne illness inherent to the retail food operation, during inspections and upon request, the person-in-charge shall demonstrate to the regulatory authority knowledge of foodborne disease prevention, application of the HACCP principles, and the requirements of this rule. The person-in-charge shall demonstrate this knowledge by either of the following:

(1) Having a certified food employee who has shown proficiency of required information through passing a test that is part of an accredited program, as per 410 IAC 7-22.

(2) If the retail food establishment is exempt from 410 IAC 7-22, the demonstration of knowledge shall be met by the following:

(A) Compliance with this rule by having no critical violation or violations during the current inspection.

(B) Responding correctly to the inspector's questions as they relate to the specific food operation. The areas of knowledge include the following:

(i) Describing the relationship between the prevention of foodborne disease and personal hygiene of a food employee.

(ii) Explaining the responsibility of the person-in-charge for preventing transmission of foodborne disease by a food employee who has a disease or medical condition that may cause foodborne disease.

(iii) Describing the symptoms associated with the diseases that are transmissible through food.

(iv) Explaining the significance of the relationship between maintaining the time and temperature of potentially hazardous food and the prevention of foodborne illness.

(v) Explaining the hazards involved in the consumption of raw or undercooked meat, poultry, eggs, and fish.

(vi) Stating the required food temperatures and times for safe cooking of potentially hazardous food including meat, poultry, eggs, and fish.

(vii) Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of potentially hazardous food.

(viii) Describing the relationship between the prevention of foodborne illness and the management and control of the following:

(AA) cross-contamination.

(BB) Hand contact with ready-to-eat foods.

(CC) Hand washing.

(DD) Maintaining the retail food establishment in a clean condition and in good repair.

(ix) Explaining the relationship between food safety and providing equipment that is as follows:

(AA) Sufficient in number and capacity.

(BB) Properly designed, constructed, located, installed, operated, maintained, and cleaned.

(x) Explaining correct procedures for cleaning and sanitizing utensils and food contact surfaces of equipment.

(xi) Identifying the source of water used and measures taken to ensure that it remains protected from contamination, such as providing protection from backflow and precluding the creation of cross connections.

(xii) Identifying poisonous or toxic materials in the retail food establishment and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to law.

(xiii) Identifying critical control points in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled in accordance with this rule.

(xiv) Explaining the details of how the person-in-charge and food employees comply with the HACCP plan if a plan is required by the law, this rule, or an agreement between the regulatory authority and the establishment.

(xv) Explaining the responsibilities, rights, and authorities assigned by this rule to the:

(AA) food employee;

(BB) person-in-charge; and

(CC) regulatory authority.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-119 Duties of the person-in-charge

Sec. 119. (a) When applicable, the person-in-charge of the retail food establishment shall ensure the following:

(1) Retail food establishment operations are not conducted in a private home or in a room used as living or sleeping quarters as specified under section 423 of this rule.

(2) Persons unnecessary to the retail food establishment operation are not allowed in the food preparation, food storage, or warewashing areas, except that brief visits and tours may be authorized by the person-in-charge if steps are taken to ensure that:

(A) exposed food;

(B) clean equipment, utensils, and linens; and

(C) unwrapped single-service and single-use articles;

are protected from contamination.

(3) Employees and other persons, such as delivery and maintenance persons and pesticide applicators, entering the food preparation, food storage, and warewashing areas comply with this rule.

(4) Employees are effectively cleaning their hands, by routinely monitoring the employees' hand washing.

(5) Employees are visibly observing foods as they are received to determine that they are:

(A) from approved sources;

(B) delivered at the required temperatures;

(C) protected from contamination;

(D) unadulterated; and

(E) accurately presented;

by routinely monitoring the employees' observations and periodically evaluating foods upon their receipt.

(6) Employees are properly cooking potentially hazardous food, being particularly careful in cooking those foods known to cause severe foodborne illness and death, such as eggs and comminuted meats, through daily oversight of the employees' routine monitoring of the cooking temperatures using appropriate temperature measuring devices properly scaled and calibrated as specified under sections 235 and 254 of this rule.

(7) Employees are using proper methods to rapidly cool potentially hazardous foods that are not held hot or are not for consumption within four (4) hours, through daily oversight of the employees' routine monitoring of food temperatures during cooling.

(8) Consumers who order raw or partially cooked ready-to-eat foods of animal origin are informed as specified under section 196 of this rule that the food is not cooked sufficiently to ensure its safety.

(9) Employees are properly sanitizing cleaned multiuse equipment and utensils before they are reused, through routine monitoring of solution temperature and exposure time for hot water sanitizing and chemical concentration, pH, temperature, and exposure time for chemical sanitizing.

(10) Consumers are notified that clean tableware is to be used when they return to self-service areas, such as salad bars and buffets, as specified under section 249 of this rule.

(11) Employees are preventing cross-contamination of ready-to-eat food from unwashed hands and are properly using suitable utensils, such as:

(A) deli tissue;

(B) spatulas;

(C) tongs;

(D) single-use gloves; or

(E) dispensing equipment;

when such items can be used.

(12) Employees are properly trained in food safety as it relates to their assigned duties.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

INFECTION CONTROL — Sections 120 through 127

410 IAC 7-24-120 Responsibility to require reporting by food employees and applicants

Sec. 120. (a) The owner or operator of a retail food establishment shall require food employee applicants to whom a conditional offer of employment is made and food employees to report to the person-in-charge information about their health and activities as they relate to diseases that are transmissible through food. A food employee or applicant shall report the information in a manner that allows the person-in-charge to prevent the likelihood of foodborne disease transmission, including the date of onset of jaundice or of an illness specified under subdivision (3), if the food employee or applicant:

(1) is diagnosed with an illness due to:

(A) Salmonella spp.;

(B) Shigella spp.;

(C) Shiga toxin-producing Escherichia coli;
(D) Hepatitis A virus; or
(E) Norovirus; or
(2) has a symptom caused by illness, infection, or other source that is:
(A) associated with an acute gastrointestinal illness, such as:
(i) diarrhea;
(ii) fever;
(iii) vomiting;
(iv) jaundice; or
(v) sore throat with fever; or
(B) a lesion containing pus, such as a boil or infected wound that is open or draining and is on:
(i) the hands or wrists unless an impermeable cover, such as a finger cot or stall, protects the lesion and a single-use glove is worn over the impermeable cover;
(ii) exposed portions of the arms unless the lesion is protected by an impermeable cover; or
(iii) other parts of the body, unless the lesion is covered by a dry, durable, tight-fitting bandage;
(3) had a past illness from an infectious agent specified under subdivision (1); or
(4) meets one (1) or more of the following high-risk conditions, such as:
(A) Being suspected of causing, or being exposed to, a confirmed disease outbreak caused by Salmonella spp., Shigella spp., Shiga toxin-producing Escherichia coli, Hepatitis A virus or Norovirus because the food employee or applicant:
(i) prepared food implicated in the outbreak;
(ii) consumed food implicated in the outbreak; or
(iii) consumed food at the event prepared by a person who is infected or ill with the infectious agent that caused the outbreak or who is suspected of being a shedder of the infectious agent.
(B) Living in the same household as a person who is diagnosed with a disease caused by Salmonella spp., Shigella spp., Shiga toxin-producing Escherichia coli, Hepatitis A virus or Norovirus.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-121 Exclusions and restrictions

Sec. 121. (a) The person-in-charge shall do the following:
(1) Exclude a food employee from a retail food establishment if the food employee is exhibiting vomiting and/or diarrhea symptoms.
(2) Exclude a food employee from a retail food establishment if the food employee is diagnosed with an infectious agent specified under section 120(a)(1) of this rule.
(3) Except as specified under subdivision (4), restrict a food employee from working with exposed clean equipment, utensils, and linens and unwrapped single-service and single-use articles in a retail food establishment if the food employee is:
(A) suffering from a symptom of sore throat with fever as specified under section 120(a)(2) of this rule;
(B) not experiencing a symptom of acute gastroenteritis specified under section 120(a)(2)(A) of this rule but has a stool that yields a specimen culture that is positive for Salmonella spp., Shigella spp., or Shiga toxin-producing Escherichia coli; or
(C) has a lesion containing pus, such as a boil or infected wound, that is open or draining as specified in section 120(a)(2)(B), and is not covered with an impermeable cover.
(4) If the population served is a highly susceptible population, exclude a food employee who:
(A) is experiencing a symptom of acute gastrointestinal illness specified under section 120(a)(2)(A) of this rule and meets a high-risk condition specified under section 120(a)(4) of this rule;
(B) is not experiencing a symptom of acute gastroenteritis specified under section 120(a)(2)(A) of this rule but has a stool that yields a specimen culture that is positive for Salmonella spp., Shigella spp., Shiga toxin-producing Escherichia coli or Norovirus;
(C) had a past illness from Salmonella typhi without three (3) successive negative stool cultures; or
(D) had a past illness from Salmonella spp., Shigella spp., or Shiga toxin-producing Escherichia coli without two (2) successive negative stool cultures.
(5) For a food employee who is jaundiced, if the onset of jaundice occurred within the last seven (7) calendar days, exclude the food employee from the food establishment.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-122 Removal of exclusions and restrictions

Sec. 122. (a) The person-in-charge may remove an exclusion specified under section 121(a)(1) of this rule if:

(1) the employee is free of vomiting and/or diarrhea symptoms for at least twenty-four (24) hours; or

(2) the person excluded as specified under section 121(a)(1) of this rule provides to the person-in-charge written medical documentation from a physician licensed to practice medicine, a nurse practitioner, or a physician assistant that specifies the vomiting and/or diarrhea result from a chronic noninfectious agent, such as Crohn's disease, irritable bowel syndrome, or ulcerative colitis; or other acute noninfectious condition.

(b) The person-in-charge may remove an exclusion specified under section 121(a)(2) of this rule if:

(1) the person-in-charge obtains approval from the regulatory authority; and

(2) the person excluded as specified under section 121(a)(1) of this rule provides to the person-in-charge written medical documentation from a physician licensed to practice medicine, a nurse practitioner, or a physician assistant that specifies that the excluded person may work in an unrestricted capacity in a retail food establishment, including an establishment that serves a highly susceptible population, because the person is free of the infectious agent of concern as specified in section 127 of this rule.

(c) The person-in-charge may remove a restriction specified under:

(1) section 121(a)(3) of this rule if the restricted person:

(A) is free of the symptoms specified under section 121(a)(3)(A) of this rule and no foodborne illness occurs that may have been caused by the restricted person;

(B) is suspected of causing foodborne illness but:

(i) is free of the symptoms specified under section 120(a)(2)(A)(ii) and (B) of this rule; and

(ii) provides written medical documentation from a physician licensed to practice medicine, a nurse practitioner, or a physician assistant stating that the restricted person is free of the infectious agent that is suspected of causing the person's symptoms or causing foodborne illness as specified in section 127 of this rule; or

(C) provides written medical documentation from a physician licensed to practice medicine, a nurse practitioner, or physician assistant stating that the symptoms experienced result from a chronic noninfectious condition, such as Crohn's disease, irritable bowel syndrome, or ulcerative colitis; or

(2) section 121(a)(3)(B) of this rule if the restricted person provides written medical documentation from a physician licensed to practice medicine, a nurse practitioner, or physician assistant according to the criteria specified in section 127 of this rule that indicates the stools are free of Salmonella spp., Shigella spp., Shiga toxin-producing Escherichia coli or Norovirus, whichever is the infectious agent of concern.

(d) The person-in-charge may remove an exclusion specified under section 121(a)(4) of this rule if the excluded person provides written medical documentation from a physician licensed to practice medicine, a nurse practitioner, or physician assistant:

(1) who specifies that the person is free of:

(A) the infectious agent of concern as specified in section 127 of this rule; or

(B) jaundice as specified under subsection (e) if Hepatitis A virus is the infectious agent of concern; or

(2) if the person is excluded under section 121(a)(4)(A) of this rule, stating that the symptoms experienced result from a chronic noninfectious condition, such as Crohn's disease, irritable bowel syndrome, or ulcerative colitis.

(e) The person-in-charge may remove an exclusion specified under section 121(a)(5) of this rule if:

(1) at least seven (7) days have passed since the onset of jaundice; or

(2) at least fourteen (14) days have passed since the onset of symptoms if no jaundice occurred.

(f) For purposes of this section, a violation of subsection (a), (b), (c), (d) and (e) is a noncritical item.

410 IAC 7-24-123 Responsibility of a food employee or an applicant to report to the person-in-charge

Sec. 123. (a) A food employee or a person who applies for a job as a food employee shall do the following:

(1) In a manner specified under section 120 of this rule, report to the person-in-charge the information specified under section 120 of this rule.

(2) Comply with exclusions and restrictions that are specified under section 121 of this rule.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-124 Obtaining information: personal history of illness, medical examination, and specimen analysis

Sec. 124. (a) The regulatory authority shall act when it has reasonable cause to believe that a food employee:
(1) has possibly transmitted disease;
(2) may be infected with a disease in a communicable form that is transmissible through food;
(3) may be a carrier of infectious agents that cause a disease that is transmissible through food; or
(4) is affected with:
(A) a boil;
(B) an infected wound; or
(C) an acute respiratory infection.
(b) The regulatory authority shall act to secure a confidential medical history of the food employee suspected of transmitting disease or making other investigations as deemed appropriate. The regulatory authority shall also require appropriate medical examinations, including collection of specimens for laboratory analysis, of a suspected food employee and other employees.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-125 Regulatory authority restriction or exclusion of food employee

Sec. 125. (a) Based on the findings of an investigation related to a food employee who is suspected of being infected or diseased, the regulatory authority may issue an order to the suspected employee or retail food establishment instituting one (1) or more of the following control measures:
(1) Restricting the employee's services to specific areas and tasks in a retail food establishment that present no risk of transmitting the disease.
(2) Excluding the employee from a retail food establishment.
(3) Closing the retail food establishment in accordance with law.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-126 Restriction or exclusion order

Sec. 126. (a) Based on the findings of the investigation as specified in section 124 of this rule and to control disease transmission, the regulatory authority may issue an order of restriction or exclusion to a suspected food employee or the owner or operator of the retail food establishment without prior warning, notice of a hearing, or a hearing if the order states the following:
(1) The reasons for the restriction or exclusion that is ordered.
(2) The evidence that the food employee or the owner or operator of the retail food establishment shall provide in order to demonstrate that the reasons for the restriction or exclusion are eliminated.
(3) That the suspected food employee or the owner or operator of the retail food establishment may request an appeal hearing by submitting a timely request as provided in law.
(4) The name and address of the regulatory authority representative to whom a request for an appeal hearing may be made.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-127 Release of a food employee from restriction or exclusion

Sec. 127. (a) The regulatory authority shall release a food employee from restriction or exclusion according to the following conditions:
(1) If the employee's stools are negative for Salmonella typhi based on testing of at least three (3) consecutive stool specimen cultures that are taken:
(A) not earlier than one (1) month after onset;
(B) at least forty-eight (48) hours after discontinuance of antibiotics; and
(C) at least twenty-four (24) hours apart.
(2) If one (1) of the cultures taken as specified in subdivision (1) is positive, repeat cultures are taken at intervals of one (1) month until at least three (3) consecutive negative stool specimen cultures are obtained.
(3) If the employee's stools are negative for Salmonella spp., Shigella spp., or Shiga toxin-producing Escherichia coli based on testing of two (2) consecutive stool specimen cultures that are taken:
(A) not earlier than forty-eight (48) hours after discontinuance of antibiotics; and
(B) at least twenty-four (24) hours apart.
(4) For a food employee who was infected with Hepatitis A virus if:
(A) at least seven (7) days have passed since the onset of jaundice;

(B) at least fourteen (14) days have passed since the onset of symptoms, if no jaundice occurred; or
(C) at least two (2) blood tests show falling liver enzymes.
(5) A food employee has not experienced symptoms of vomiting and/or diarrhea, not attributable to another non-infectious condition, for at least twenty-four (24) hours.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

HAND WASHING Sections 128 through 131

410 IAC 7-24-128 Hand cleaning and drying procedure

Sec. 128. (a) Food employees shall, except as specified in section 343(c) of this rule, clean their hands and exposed portions of their arms with a cleaning compound at a hand washing sink that is equipped as specified under section 342(a) of this rule by vigorously rubbing together the surfaces of their lathered hands and arms for at least twenty (20) seconds in water having a temperature of at least one hundred (100) degrees Fahrenheit and thoroughly rinsing with clean water. Employees shall pay particular attention to the areas underneath the fingernails and between the fingers. A nail brush shall be used when provided.
(b) Food employees shall dry their hands utilizing the provisions under section 347 of this rule. The use of a common towel is prohibited.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-129 When to wash hands

Sec. 129. (a) Food employees shall clean their hands and exposed portions of their arms as specified under section 128 of this rule immediately before engaging in food preparation, including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and the following:
(1) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
(2) After using the toilet room.
(3) After caring for or handling service animals or aquatic animals as specified in section 435(b) of this rule.
(4) After coughing, sneezing, or using a handkerchief or disposable tissue.
(5) After drinking, other than as specified in section 136(b) of this rule, using tobacco, or eating.
(6) After handling soiled surfaces, equipment, or utensils.
(7) During food preparation, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
(8) When switching between working with raw food and working with ready-to-eat food.
(9) Before touching food or food-contact surfaces.
(10) Before placing gloves on hands.
(11) After engaging in other activities that contaminate the hands.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-130 Where to wash hands

Sec. 130. (a) Food employees shall clean their hands in a hand washing sink or approved automatic hand washing facility and may not clean their hands in a sink used for food preparation or in a service sink or a curbed cleaning facility used for the disposal of mop water and similar liquid waste.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-131 Hand sanitizers

Sec. 131. (a) A hand sanitizer and a chemical hand sanitizing solution used as a hand dip shall be as follows:
(1) Comply with one (1) of the following:
(A) Be an approved drug that is listed in the FDA publication Approved Drug Products with Therapeutic Equivalence Evaluations as an approved drug based on safety and effectiveness.
(B) Have active antimicrobial ingredients that are listed in the FDA monograph for OTC Health-Care

Antiseptic Drug Products as an antiseptic hand wash.

(2) Consist of components that are one (1) of the following:

(A) Listed for such use in contact with food in 21 CFR 178 - Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers.

(B) Exempt from regulation as food additives under 21 CFR 170.39 - Threshold of regulation for substances used in food-contact articles.

(C) Generally recognized as safe (GRAS) for the intended use in contact with food within the meaning of the Federal Food, Drug and Cosmetic Act (FFDCA).

(D) Permitted for such use by an effective Food Contact Substance Notification as defined by paragraph 409(h) of the FFDCA and listed in FDA's Inventory of Effective Premarket Notifications for Food Contact Substances.

(3) Be applied only to hands that are cleaned as specified under section 128 of this rule.

(b) If a hand sanitizer or a chemical hand sanitizing solution used as a hand dip does not meet the criteria specified under subsection (a)(2), use shall be:

(1) followed by thorough hand rinsing in clean water before hand contact with food or by the use of gloves; or

(2) limited to situations that involve no direct contact with food by the bare hands.

(c) A chemical hand sanitizing solution used as a hand dip shall be maintained clean and at a strength equivalent to at least one hundred (100) milligrams per liter chlorine.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

EMPLOYEE HEALTH — Sections 132 through 138

410 IAC 7-24-132 Personal cleanliness

Sec. 132. (a) Food employees shall keep their hands and exposed portions of their arms clean.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-133 Hand and arm maintenance

Sec. 133. (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 while working with exposed food.

(c) If a lesion is present on the arms or hands, a food employee shall wear the following:

(1) An impermeable covering, such as a bandage and a single-use glove over the lesion, on the hands or wrist.

(2) A long sleeved shirt on other exposed portions of the arm where a bandaged lesion may be present.

(d) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

(e) For purposes of this section, a violation of subsection (c) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

410 IAC 7-24-134 Jewelry prohibition

Sec. 134. (a) While preparing food, a food employee shall not wear jewelry, including medical jewelry and watches, on their arms and hands. This section does not apply to a plain ring, such as a wedding band.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-135 Clean condition of outer clothing

Sec. 135. (a) Food employees shall wear clean outer clothing to prevent contamination of the following:

(1) Food.

(2) Equipment.

(3) Utensils.
(4) Linens.
(5) Single-service and single-use articles.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-136 Eating, drinking, or using tobacco

Sec. 136. (a) Except as specified in subsection (b), an employee shall chew gum, eat and drink food, or use any form of tobacco only in designated areas where the contamination of:
(1) exposed food;
(2) clean equipment, utensils, and linens;
(3) unwrapped single-service and single-use articles; or
(4) other items needing protection;
cannot result.
(b) A food employee may drink from a closed beverage container if the container is handled in a manner that prevents contamination of the following:
(1) The employee's hands.
(2) The container.
(3) Exposed food.
(4) Clean equipment, utensils, and linens.
(5) Unwrapped single-service and single-use articles.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-137 Discharges from the eyes, nose, and mouth

Sec. 137. (a) Food employees experiencing persistent sneezing, coughing, or a runny nose or when there are any other bodily discharges from the eyes, nose, or mouth may not work with the following:
(1) Exposed food.
(2) Clean equipment, utensils, and linens.
(3) Unwrapped single-service or single-use articles.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-138 Effectiveness of hair restraint

Sec. 138. (a) Except as provided in subsection (b), food employees shall wear hair restraints, such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting:
(1) exposed food;
(2) clean equipment, utensils, and linens; and
(3) unwrapped single-service and single-use articles.
(b) This section 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:
(1) exposed food;
(2) clean equipment, utensils, and linens; and
(3) unwrapped single-service and single-use articles.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

FOOD

FOOD AND FOOD SOURCES Sections 139 through 146

410 IAC 7-24-139 Food condition

Sec. 139. (a) Food shall be safe, unadulterated, and, as specified under section 140 of this rule, honestly presented.
(b) Food shall not be misbranded.
(c) For purposes of this section, a violation of subsection (a) is a critical item.
(d) For purposes of this section, a violation of subsection (b) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

410 IAC 7-24-140 Honest presentation of food

Sec. 140. (a) Food shall be offered for human consumption in a way that does not mislead or misinform the consumer.
(b) Food or color additives, colored overwraps, or lights may not be used to misrepresent the true appearance, color, or quality of a food.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-141 Discarding or reconditioning of unsafe, misbranded, adulterated, or contaminated food

Sec. 141. (a) A food that is unsafe, adulterated, misbranded, or not honestly presented as specified under section 140 of this rule shall be reconditioned according to an approved procedure or discarded.
(b) Food that is not from an approved source as specified under section 142, 143, 147, 154, 155, 164, or 165 of this rule shall be discarded.
(c) Ready-to-eat food that may have been contaminated by an employee who has been restricted or excluded as specified under section 121 of this rule shall be discarded.
(d) Food that is contaminated by food employees, consumers, or other persons through contact with soiled hands, bodily discharges, such as nasal or oral discharges, or other means shall be discarded.
(e) For purposes of this section, a violation of subsection (a) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.
(f) For purposes of this section, a violation of subsection (b), (c), or (d) is a critical item.

410 IAC 7-24-142 Food sources

Sec. 142. (a) Food shall be obtained from sources that comply with law at least equivalent to Indiana law.
(b) Food prepared in a private home may not be used or offered for human consumption in a retail food establishment.
(c) Packaged food shall be labeled as specified:
(1) in law, including IC 16-42-1, IC 16-42-2, 21 CFR 101, 9 CFR 317, and 9 CFR 381 Subpart N; and
(2) under sections 156 and 157 of this rule.
(d) Fish, other than molluscan shellfish, that are intended for consumption in their raw form and allowed as specified in section 182(d) of this rule may be offered for sale or service if they are:
(1) obtained from a supplier that freezes the fish as specified under section 164 of this rule; or
(2) frozen on the premises as specified under section 162 of this rule;
and records are retained as specified under section 163 of this rule.
(e) Whole-muscle, intact beef steaks that are intended for consumption in an undercooked form without a consumer advisory as specified in section 182(c) of this rule shall be:

(1) obtained from a food processing plant that packages the steaks and labels them to indicate that they meet the definition of whole-muscle, intact beef; or

(2) if individually cut in a retail food establishment:

(A) cut from whole-muscle, intact beef that is labeled by a food processing plant to indicate that the beef meets the definition of whole-muscle, intact beef;

(B) prepared so they remain intact; and

(C) if packaged for undercooking in a retail food establishment, labeled to indicate that they meet the definition of whole-muscle, intact beef.

(f) Meat and poultry that is not a ready-to-eat food and is in a packaged form when it is offered for sale or otherwise offered for consumption shall be labeled to include safe handling instructions as specified in law, including 9 CFR 317.2(l) and 9 CFR 381.125(b).

(g) For purposes of this section, a violation of subsections (a), (b), (c)(1), (d), (e), and (f) is a critical item.

(h) For purposes of this section, a violation of subsection (c)(2) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

410 IAC 7-24-143 Food in a hermetically sealed container

Sec. 143. (a) Food in a hermetically sealed container shall be obtained from a:

(1) food processing plant that is regulated by the food regulatory agency that has jurisdiction over the plant; or

(2) retail food establishment engaged in activities of a food processing plant for retail sale such as acidified foods or low-acid foods, meeting the same requirements as a food processing plant.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-144 Packaging integrity

Sec. 144. (a) Food packages shall be in good condition and protect the integrity of the contents so that the food is not exposed to adulteration or potential contaminants.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-145 Accurate representation of packaged food using standards of identity

Sec. 145. (a) Packaged food shall comply with standard of identity requirements in 21 CFR 131 through 21 CFR 169, 9 CFR 319, and the general requirements in 21 CFR 130 and 9 CFR 319, Subpart A.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-146 Food labels

Sec. 146. (a) Food packaged in a retail food establishment shall be labeled as specified in law, including the following:

(1) IC 16-42-1.

(2) IC 16-42-2.

(3) 410 IAC 7-5.

(4) 21 CFR 101.

(5) 9 CFR 317.

(b) Label information shall include the following:

(1) The common name of the food or, absent a common name, an adequately descriptive identity statement.

(2) If made from two (2) or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives if contained in the food.

(3) An accurate declaration of the quantity of contents.

(4) The name and place of business of the manufacturer, packer, or distributor.

(5) For any salmonid fish containing canthaxanthin as a color additive, the labeling of the bulk fish container, including a list of ingredients, displayed on the retail container or by other written means, such as a counter card, that discloses the use of canthaxanthin.

(c) Except as specified in subsection (d), bulk, unpackaged food not intended for immediate consumption that is available for consumer self-dispensing or that is portioned to consumer specifications shall be prominently labeled with either of the following information in plain view of the consumer:

(1) The manufacturer's or processor's label that was provided with the food.

(2) A card, sign, or other method of notification that includes the information specified under subsection (b)(1), (b)(2), and (b)(4).

(d) Bulk unpackaged food need not be labeled if:

(1) a health, nutrient content, or other claim is not made; or

(2) the food is manufactured or prepared on the premises of the retail food establishment.

(e) Retail food establishment or manufacturers' dating information on foods may not be concealed or altered.

(f) For purposes of this section, a violation of subsections (a) through (e) is a noncritical item.

DAIRY PRODUCTS Sections 147 through 150

410 IAC 7-24-147 Fluid milk and milk products

Sec. 147. (a) Fluid milk and milk products shall be obtained from sources that comply with Grade A standards as specified in law.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-148 Bulk milk

Sec. 148. (a) The bulk milk container dispensing tube shall be cut on the diagonal leaving no more than one (1) inch protruding from the chilled dispensing head.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-149 Eggs and milk products; pasteurized

Sec. 149. (a) Liquid, frozen, and dry eggs and egg products shall be pasteurized.

(b) Fluid and dry milk and milk products complying with Grade A standards as specified in law shall be obtained pasteurized.

(c) Frozen milk products, such as ice cream, shall be pasteurized as specified in 21 CFR 135.

(d) Cheese shall be obtained pasteurized unless alternative procedures to pasteurization are specified in 21 CFR 133.

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a critical item.

410 IAC 7-24-150 Shell eggs

Sec. 150. (a) Shell eggs shall be received clean and sound and may not exceed the restricted egg tolerances for United States Consumer Grade B as specified in 7 CFR 56, 9 CFR 590, United States Standards, Grades, and Weight classes for Shell Eggs (AMS 56.200 et seq.), and 370 IAC.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

PASTEURIZED FOOD Sections 151 through 153

410 IAC 7-24-151 Pasteurized eggs; substitute for raw shell eggs for certain recipes

Sec. 151. (a) Pasteurized eggs or egg products shall be substituted for raw shell eggs in the preparation of foods, such as caesar salad, hollandaise or béarnaise sauce, mayonnaise, and egg-fortified beverages that are not:

(1) cooked as specified under section 182(a)(1) or 182(a)(2) of this rule; or

(2) included in section 182(d) of this rule.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-152 Juice treated

Sec. 152. (a) Prepackaged juice shall:
(1) be obtained from a processor who has established and is utilizing a HACCP system as specified in 21 CFR Part 120;
(2) be obtained already pasteurized or otherwise treated to attain a 5-log reduction of the most resistant microorganism of public health significance as specified in 21 CFR Part 120.24; or
(3) bear a warning label as specified in 21 CFR 101.17(g).
(b) Juice packaged in a retail food establishment shall be:
(1) treated under a HACCP plan as specified in subsection 115(a)(2) through 115(a)(5) of this rule to attain a 5-log reduction, which is equal to a ninety-nine and nine hundred ninety-nine thousandths percent (99.999%) reduction, of the most resistant microorganism of public health significance; or
(2) labeled, if not treated to yield a 5-log reduction of the most resistant microorganism of public health significance as specified:
(A) under section 146 of this rule; and
(B) in 21 CFR 101.17(g) with the phrase, "WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.".
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-153 Pasteurized food and prohibited food

Sec. 153. (a) The following apply in a retail food establishment that serves a highly susceptible population:
(1) The following criteria apply to juice:
(A) For purposes of this subdivision only, children who are nine (9) years of age or less and receive food in a school, day care setting, or similar facility that provides custodial care are included as highly susceptible populations.
(B) Prepackaged juice or a prepackaged beverage containing juice that bears a warning label as specified in 21 CFR 101.17(g) Food Labeling or packaged juice or beverage containing juice that bears a warning label as specified under section 152(b)(2) of this rule may not be served or offered for sale.
(C) Unpackaged juice that is prepared on the premises for service or sale in a ready-to-eat form shall be processed under a HACCP plan that contains the information specified in section 115(a)(2) through 115(a)(5) of this rule and as specified under 21 CFR 120.24 Process controls.
(2) Pasteurized shell eggs or pasteurized liquid, frozen, or dry eggs or egg products shall be substituted for raw shell eggs in the preparation of the following:
(A) Foods, such as the following:
(i) Caesar salad.
(ii) Hollandaise or béarnaise sauce.
(iii) Mayonnaise.
(iv) Egg-fortified beverages.
(B) Except as specified in subdivision (5), recipes in which more than one (1) egg is broken and the eggs are combined.
(3) The following foods may not be served or offered for sale in a ready-to-eat form:
(A) Raw animal foods, such as the following:
(i) Raw fish.
(ii) Raw-marinated fish.
(iii) Raw molluscan shellfish.
(iv) Steak tartare.
(B) A partially cooked animal food, such as the following:
(i) Lightly cooked fish.
(ii) Rare meat.
(iii) Soft-cooked eggs that are made from raw shell eggs.
(iv) Meringue.
(C) Raw seed sprouts.
(4) Food employees may not contact ready-to-eat food as specified under section 171(b) of this rule.

(5) Subdivision (2)(B) does not apply if:

(A) the raw eggs are combined:

(i) immediately before cooking for one (1) consumer's serving at a single meal, cooked as specified under section 182(a)(1) of this rule, and served immediately, such as an omelet, soufflé, or scrambled eggs; or

(ii) as an ingredient immediately before baking and the eggs are thoroughly cooked to a ready-to-eat form, such as a cake, muffin, or bread; or

(B) the preparation of the food is conducted under a HACCP plan that:

(i) identifies the food to be prepared;

(ii) prohibits contacting ready-to-eat food with bare hands;

(iii) includes specifications and practices that ensure that Salmonella enteritidis growth is controlled before and after cooking, and Salmonella enteritidis is destroyed by cooking the eggs according to the temperature and time specified in section 182(a)(2) of this rule;

(iv) contains the information specified under section 115(a)(4) of this rule including procedures that control cross-contamination of ready-to-eat food with raw eggs and delineate cleaning and sanitization procedures for food-contact surfaces; and

(v) describes the training program that ensures that the food employee responsible for the preparation of the food understands the procedures to be used.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

FISH AND MOLLUSCAN SHELLFISH Sections 154 through 163

410 IAC 7-24-154 Fish

Sec. 154. (a) Fish that are received for sale or service shall be:

(1) commercially and legally produced, caught, or harvested; or

(2) approved by the department for sale or service.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-155 Molluscan shellfish

Sec. 155. (a) Molluscan shellfish shall be obtained from sources according to law and the requirements specified in the United States Department of Health and Human Services, Public Health Service, Food and Drug Administration, National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish.

(b) Molluscan shellfish received in interstate commerce shall be from sources that are listed in the Interstate Certified Shellfish Shippers List.

(c) Molluscan shellfish that are recreationally caught may not be received for sale or service.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

410 IAC 7-24-156 Shucked shellfish; packaging and identification

Sec. 156. (a) Raw shucked shellfish shall be obtained in nonreturnable packages that bear a legible label that identifies the:

(1) name, address, and certification number of the shucker-packer or repacker of the molluscan shellfish; and

(2) "sell by" date for packages with a capacity of less than one-half (½) gallon or the date shucked for packages with a capacity of one-half (½) gallon or more.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-157 Shellstock identification

Sec. 157. (a) Shellstock shall be obtained in containers bearing legible source identification tags or labels that are affixed by the harvester and each dealer that depurates, ships, or reships the shellstock, as specified in the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish, and that list the following:

(1) Except as specified under subsection (b), on the harvester's tag or label, the following information in the following order:

(A) The harvester's identification number that is assigned by the shellfish control authority.

(B) The date of harvesting.

(C) The most precise identification of the harvest location or aquaculture site that is practicable based on the system of harvest area designations that is in use by the shellfish control authority and including the abbreviation of the name of the state or country in which the shellfish are harvested.

(D) The type and quantity of shellfish.

(E) The following statement in bold, capitalized type: "This tag is required to be attached until container is empty or retagged and thereafter kept on file for ninety (90) days.".

(2) Except as specified in subsection (c), on each dealer's tag or label, the following information in the following order:

(A) The dealer's name and address and the certification number assigned by the shellfish control authority.

(B) The original shipper's certification number, including the abbreviation of the name of the state or country in which the shellfish are harvested.

(C) The same information as specified for a harvester's tag under subdivision (1)(B) through (1)(D).

(D) The following statement in bold, capitalized type: "This tag is required to be attached until container is empty and thereafter kept on file for ninety (90) days.".

(b) A container of shellstock that does not bear a tag or label or that bears a tag or label that does not contain all the information as specified under subsection (a) shall be subject to a hold order, as allowed by law, or seizure and destruction in accordance with 21 CFR 1240.60(d).

(c) If a place is provided on the harvester's tag or label for a dealer's name, address, and certification number, the dealer's information shall be listed first.

(d) If the harvester's tag or label is designed to accommodate each dealer's identification as specified under subsection (a)(2)(A) and (a)(2)(B), individual dealer tags or labels need not be provided.

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a critical item.

410 IAC 7-24-158 Shellstock condition

Sec. 158. (a) When received by a retail food establishment, shellstock shall be reasonably free of mud, dead shellfish, and shellfish with broken shells. Dead shellfish or shellstock with badly broken shells shall be discarded.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-159 Molluscan shellfish original container

Sec. 159. (a) Except as specified in subsections (b) and (c), molluscan shellfish shall not be removed from the container in which they are received other than immediately before sale or preparation for service.

(b) Shellstock may be removed from the container in which they are received, displayed on drained ice, or held in a display container, and a quantity specified by a consumer may be removed from the display or display container and provided to the consumer if the:

(1) source of the shellstock on display is identified as specified under section 157 of this rule and recorded as specified under section 160 of this rule; and

(2) shellstock are protected from contamination.

(c) Shucked shellfish may be removed from the container in which they were received and held in a display container from which individual servings are dispensed upon a consumer's request if the:

(1) labeling information for the shellfish on display as specified under section 156 of this rule is retained and correlated to the date when, or dates during which, the shellfish are sold or served; and

(2) shellfish are protected from contamination.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-160 Shellstock; maintaining identification

Sec. 160. (a) Except as specified under subsection (b)(2), shellstock tags shall remain attached to the container in which the shellstock are received until the container is empty.

(b) The identity of the source of shellstock that are sold or served shall be maintained by retaining shellstock tags or labels for ninety (90) calendar days from the date the container is emptied by using:

(1) a record keeping system that keeps the tags or labels in chronological order correlated to the date when, or dates during which, the shellstock are sold or served; and

(2) only one (1) tagged or labeled container at a time if shellstock are removed from their tagged or labeled container.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-161 Molluscan shellfish tanks

Sec. 161. (a) Except as specified under subsection (b), molluscan shellfish life support system display tanks may not be used to display shellfish that are offered for human consumption and shall be conspicuously marked so that it is obvious to the consumer that the shellfish are for display only.

(b) Molluscan shellfish life support system display tanks that are used to store and display shellfish that are offered for human consumption shall be operated and maintained in compliance with a HACCP plan to ensure the following:

(1) Water used with fish other than molluscan shellfish does not flow into the molluscan tank.

(2) The safety and quality of the shellfish as they were received are not compromised by the use of the tank.

(3) The identity of the source of the shellstock is retained as specified under section 160 of this rule.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-162 Parasite destruction

Sec. 162. (a) Except as specified in subsection (b), before service or sale in ready-to-eat form, raw, raw-marinated, partially cooked, or marinated-partially cooked fish other than molluscan shellfish shall be frozen throughout to a temperature of:

(1) minus four (4) degrees Fahrenheit or below for one hundred sixty-eight (168) hours (seven (7) days) in a freezer; or

(2) minus thirty-one (31) degrees Fahrenheit or below for fifteen (15) hours in a blast freezer.

(b) If the fish are tuna of the species:

(1) Thunnus alalunga;

(2) Thunnus albacares (Yellowfin tuna);

(3) Thunnus atlanticus;

(4) Thunnus maccoyii (Bluefin tuna, Southern);

(5) Thunnus obesus (Bigeye tuna); or

(6) Thunnus thynnus (Bluefin tuna, Northern);

the fish may be served or sold in a raw, raw-marinated, or partially cooked ready-to-eat form without freezing as specified under subsection (a).

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-163 Records; creation and retention

Sec. 163. (a) Except as specified in section 162(b) of this rule and subsection (b), if raw, raw-marinated, partially cooked, or marinated-partially cooked fish are served or sold in ready-to-eat form, the person-in-charge shall record the freezing temperature and time to which the fish are subjected and shall retain the records at the retail food establishment for ninety (90) calendar days beyond the time of service or sale of the fish.

(b) If the fish are frozen by a supplier, a written agreement or statement from the supplier stipulating that the fish supplied are frozen to a temperature and for a time specified under section 162 of this rule may substitute for the records specified under subsection (a).

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

WILD MUSHROOMS Section 164

410 IAC 7-24-164 Wild mushrooms

Sec. 164. (a) Except as specified in subsection (b), mushroom species picked in the wild shall be obtained from sources where each mushroom is individually inspected and found to be safe by a mushroom identification expert.

(b) This section does not apply to the following:

(1) Cultivated wild mushroom species that are grown, harvested, and processed in an operation that is regulated by the food regulatory agency that has jurisdiction over the operation.

(2) Wild mushroom species if they are in packaged form and are the product of a food processing plant that is regulated by the food regulatory agency that has jurisdiction over the plant.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

GAME ANIMALS Section 165

410 IAC 7-24-165 Game animals

Sec. 165. (a) If game animals are received for sale or service they shall be slaughtered and processed under a state or federal inspection program with requirements that are at least equal to IC 15-2.1-24.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

RECEIVING TEMPERATURES Section 166

410 IAC 7-24-166 Specifications for receiving temperatures of food

Sec. 166. (a) Except as specified in subsection (b), refrigerated, potentially hazardous food shall be at a temperature of forty-one (41) degrees Fahrenheit or below when received.

(b) If a temperature other than forty-one (41) degrees Fahrenheit for a potentially hazardous food is specified in law governing its distribution, such as laws governing milk, molluscan shellfish, and shell eggs, the food may be received at the specified temperature.

(c) Potentially hazardous food that is cooked to a temperature and for a time specified under sections 182, 183, and 186 of this rule and received hot shall be at a temperature of one hundred thirty-five (135) degrees Fahrenheit or above.

(d) A food that is labeled frozen and shipped frozen by a food processing plant shall be received frozen.

(e) Upon receipt, potentially hazardous food shall be free of evidence of previous temperature abuse.

(f) For purposes of this section, a violation of subsections (a) through (e) is a critical item.

ADDITIVES Sections 167 through 168

410 IAC 7-24-167 Food additives

Sec. 167. (a) Food may not contain unapproved food additives or additives that exceed amounts specified in 21 CFR 170 through 21 CFR 180 relating to food additives, generally recognized as safe or prior sanctioned substances that exceed amounts specified in 21 CFR 181 through 21 CFR 186, substances that exceed amounts specified in 9 CFR 424.21(b) food ingredients and source of radiation, or pesticide residues that exceed provisions specified in 40 CFR 185.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-168 Protection from unapproved food or color additives

Sec. 168. (a) Food shall be protected from contamination that may result from the addition of unsafe or unapproved:
(1) food or color additives; and
(2) levels of approved food and color additives.
(b) A food employee may not:
(1) apply sulfiting agents to fresh fruits and vegetables intended for raw consumption or to a food considered to be a good source of vitamin B_1; or
(2) serve or sell food specified under subdivision (1) that is treated with sulfiting agents before receipt by the owner or operator of the retail food establishment, except that grapes need not meet this subdivision.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

ICE Sections 169 through 170

410 IAC 7-24-169 Ice

Sec. 169. (a) Ice for use as a food or a cooling medium shall be made from drinking water.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-170 Ice used as exterior coolant; prohibited as ingredient

Sec. 170. (a) After use as a medium for cooling the exterior surfaces of:
(1) food, such as melons or fish;
(2) packaged foods, such as canned beverages; or
(3) cooling coils and tubes of equipment;
ice may not be used as food.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

PREVENTING CONTAMINATION Sections 171 through 173

410 IAC 7-24-171 Preventing contamination from hands

Sec. 171. (a) Food employees shall wash their hands as specified under section 128 of this rule.
(b) Except when washing fruits and vegetables as specified in section 175 of this rule, shucking oysters and clams, deveining shrimp and other crustaceans, applying a garnish, or when otherwise approved through a variance, food employees shall not contact exposed, ready-to-eat food with hands that have not been washed as specified in sections 129 and 130 of this rule and shall use suitable utensils, such as the following:
(1) Deli tissue.
(2) Spatulas.
(3) Tongs.
(4) Single-use gloves.
(5) Dispensing equipment.
(c) Food employees shall minimize bare hand and arm contact with exposed food that is not in a ready-to-eat form.
(d) For purposes of this section, a violation of subsection (a) or (b) is a critical item.
(e) For purposes of this section, a violation of subsection (c) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

410 IAC 7-24-172 Preventing contamination when tasting

Sec. 172. (a) A food employee may not reuse a utensil once it has been used to taste food that is to be sold or served.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-173 Packaged and unpackaged food; separation, packaging, and segregation

Sec. 173. (a) Food shall be protected from cross-contamination by the following:

(1) Separating raw animal foods during storage, preparation, holding, and display from:

(A) raw ready-to-eat food, including other raw animal food, such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food, such as vegetables; and

(B) cooked ready-to-eat food.

(2) Except when combined as ingredients, separating types of raw animal foods from each other, such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by:

(A) using separate equipment for each type, or arranging each type of food in equipment so that cross-contamination of one (1) type with another is prevented; and

(B) preparing each type of food at different times or in separate areas.

(3) Cleaning equipment and utensils as specified under section 296(a) of this rule and sanitizing as specified under section 303 of this rule.

(4) Cleaning hermetically sealed containers of food of visible soil before opening.

(5) Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened.

(6) Storing damaged, spoiled, or recalled food being held in the retail food establishment as specified under section 202 of this rule.

(7) Separating fruits and vegetables, before they are washed, as specified under section 175 of this rule from ready-to-eat food.

(b) Subsection (a)(4) does not apply to the following:

(1) Whole, uncut raw fruits and vegetables and nuts in the shell that require peeling or hulling before consumption.

(2) Primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks.

(3) Whole, uncut, processed meats, such as country hams and smoked or cured sausages, that are placed on clean, sanitized racks.

(4) Food being cooled as specified under section 190(b)(2) of this rule.

(5) Shellstock.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

FOOD IDENTIFICATION AND STORAGE Sections 174 through 181

410 IAC 7-24-174 Food storage containers; identified with common name of food

Sec. 174. (a) Working containers holding food or food ingredients that are removed from their original packages for use in the retail food establishment, such as:

(1) cooking oils;

(2) flour;

(3) herbs;

(4) potato flakes;

(5) salt;

(6) spices; and

(7) sugar;

shall be identified with the common name of the food, except that containers holding food that can be readily and unmistakably recognized, such as dry pasta, need not be identified.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-175 Washing fruits and vegetables

Sec. 175. (a) Raw fruits and vegetables shall be thoroughly washed in water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, served, or offered for human consumption in ready-to-eat form, except:

(1) as specified in subsection (b); and

(2) that whole, raw fruits and vegetables that are intended for washing by the consumer before consumption need not be washed before they are sold.

(b) Fruits and vegetables may be washed by using chemicals as specified under section 444 of this rule.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-176 Storage or display of food in contact with water or ice

Sec. 176. (a) Packaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, or container or its positioning in the ice or water.

(b) Except as specified in subsections (c) and (d), unpackaged food may not be stored in direct contact with undrained ice.

(c) Whole, raw fruits or vegetables; cut, raw vegetables, such as celery or carrot sticks or cut potatoes; and tofu may be immersed in ice or water.

(d) Raw chicken and raw fish that are received immersed in ice in shipping containers may remain in that condition while in storage awaiting preparation, display, service, or sale.

(e) For purposes of this section, a violation of subsections (a) through (d) is a noncritical item.

410 IAC 7-24-177 Food storage

Sec. 177. (a) Except as specified in subsections (b) and (c), food shall be protected from contamination by storing the food as follows:

(1) In a clean, dry location.

(2) Where it is not exposed to splash, dust, or other contamination.

(3) At least six (6) inches above the floor.

(4) In a manner to prevent overcrowding.

(5) In packages, covered containers, or wrappings.

(b) Food in packages and working containers may be stored less than six (6) inches above the floor on case lot handling equipment.

(c) Pressurized beverage containers, cased food in waterproof containers, such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.

(d) For purposes of this section, a violation of subsection (a)(1), (a)(2), (a)(3), (a)(4), (b), or (c) is a noncritical item.

(e) For purposes of this section, a violation of subsection (a)(5) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

410 IAC 7-24-178 Food storage; prohibited areas

Sec. 178. (a) Food may not be stored as follows:

(1) In the following:

(A) Locker rooms.

(B) Toilet rooms.

(C) Dressing rooms.

(D) Garbage rooms.

(E) Mechanical rooms, when contamination is likely to occur.

(2) Under the following:

(A) Sewer lines that are not shielded to intercept potential drips.

(B) Leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed.

(C) Open stairwells.

(D) Other sources of contamination.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-179 Food display

Sec. 179. (a) Except for nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling, or washing by the consumer before consumption, food on display shall be protected from contamination by the use of:

(1) packaging;
(2) counter, service line, or salad bar food guards;
(3) display cases; or
(4) other effective means.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-180 Condiments; protection

Sec. 180. (a) Condiments shall be protected from contamination by being kept in:

(1) dispensers that are designed to provide protection;
(2) protected food displays provided with the proper utensils;
(3) original containers designed for dispensing; or
(4) individual packages or portions.

(b) Condiments at a vending machine location shall be in individual packages or provided in dispensers that are filled at an approved location, such as the following:

(1) The retail food establishment that provides food to the vending machine location.
(2) A food processing plant that is regulated by the agency that has jurisdiction over the operation.
(3) A properly equipped facility that is located on the site of the vending machine location.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-181 Consumer self-service operations

Sec. 181. (a) Raw, unpackaged animal food, such as beef, lamb, pork, poultry, and fish, may not be offered for consumer self-service. This section does not apply to:

(1) consumer self-service of ready-to-eat foods at buffets or salad bars that serve foods, such as sushi or raw shellfish; or
(2) ready-to-cook individual portions for immediate cooking and consumption on the premises, such as:
(A) consumer-cooked meats or consumer-selected ingredients for Mongolian barbecue; or
(B) raw, frozen, shell-on shrimp or lobster.

(b) Consumer self-service operations for ready-to-eat foods shall be provided with suitable utensils or effective dispensing methods that protect the food from contamination.

(c) Consumer self-service operations, such as buffets and salad bars, shall be monitored by food employees trained in safe operating procedures.

(d) For purposes of this section, a violation of subsection (a) is a critical item.

(e) For purposes of this section, a violation of subsection (b) or (c) is a noncritical item.

COOKING FOOD — Sections 182 through 185

410 IAC 7-24-182 Cooking of raw animal foods

Sec. 182. (a) Except as specified under subsections (b) through (d), raw animal foods, such as eggs, fish, meat, poultry, and foods containing these raw animal foods, shall be cooked to heat all parts of the food to a temperature and for a time that complies with one (1) of the following methods based on the food that is being cooked:

(1) One hundred forty-five (145) degrees Fahrenheit or above for fifteen (15) seconds for the following:
(A) Raw shell eggs that are broken and prepared in response to a consumer's order and for immediate service.
(B) Except as specified under subdivisions (2) and (3) and subsection (b), fish, meat, and game animal.

(2) One hundred fifty-five (155) degrees Fahrenheit for fifteen (15) seconds or the temperature specified in the chart in subsection (b) that corresponds to the holding time for the following:

(A) Injected meats.
(B) Raw eggs, such as eggs that are pooled, that are not prepared as specified under subdivision (1).
(C) Comminuted meat, fish, or game animal.
(3) One hundred sixty-five (165) degrees Fahrenheit or above for fifteen (15) seconds for the following:
(A) Poultry.
(B) Game animals.
(C) Stuffed:
(i) fish;
(ii) meat;
(iii) pasta; or
(iv) poultry.
(D) Stuffing containing fish, meat, or poultry.

(b) Whole beef roasts, corned beef roasts, pork roasts, and cured pork roasts, such as ham, shall be cooked as follows:

(1) In an oven that is preheated to the temperature specified for the roast's weight in the chart in subdivision (3) and that is held at that temperature.

(2) As specified in the chart in subdivision (3), to heat all parts of the food to a temperature and for the holding time that corresponds to that temperature.

(3) The minimum cooking temperatures and holding times at a specified temperature are as follows:

MINIMUM COOKING TEMPERATURES AND HOLDING TIMES AT SPECIFIED TEMPERATURE			
165°F for 15 seconds	Poultry and foods containing poultry; stuffed meat, fish, or pasta; and stuffing containing fish or meat; foods containing game animals.		
165°F for 2 minutes	Microwave cooking for raw animal foods: covered, rotated, or stirred throughout or midway through the cooking process and held for 2 minutes covered.		
158°F for 1 second 155°F for 15 seconds 150°F for 1 minute or 145°F for 3 minutes	Injected meats; comminuted raw meat, fish, or game animal; and raw shell eggs that are not prepared for immediate service (pooled or hot held).		
145°F for 15 seconds	Raw shell eggs prepared for immediate service; meat, fish, and game animal not otherwise specified in this chart.		
158°F for 0 seconds 157°F for 14 seconds 155°F for 22 seconds 153°F for 34 seconds 151°F for 54 seconds 149°F for 85 seconds 147°F for 134 seconds 145°F for 4 minutes 144°F for 5 minutes 142°F for 8 minutes 140°F for 12 minutes 138°F for 18 minutes 136°F for 28 minutes 135°F for 36 minutes 133°F for 56 minutes 131°F for 89 minutes or 130°F for 112 minutes	Roasts of beef, corned beef, pork, and cured pork: Note – holding time may include post-cooking heat rise.		
	Oven Type	Roast Weight Less than 10 lbs.	Roast Weight More than 10 lbs.
	Still Dry	Oven temperature ≥ 350°F	Oven temperature ≥ 250°F
	Convection	Oven temperature ≥ 325°F	Oven temperature ≥ 250°F
	High Humidity [1]	Oven temperature ≤ 250°F	Oven temperature ≤ 250°F
135°F	Potentially hazardous food cooked for hot holding: fruits, vegetables, and potentially hazardous foods not otherwise listed that will be hot held.		
[1] Relative humidity greater than ninety (90) percent for at least 1 hour as measured in the cooking chamber or exit of the oven or in a moisture-impermeable bag that provides one hundred (100) percent humidity.			

(c) A raw or undercooked whole-muscle, intact beef steak may be served or offered for sale in a ready-to-eat form if the:

(1) food establishment serves a population that is not a highly susceptible population;

(2) steak is labeled to indicate that it meets the definition of whole-muscle, intact beef as specified under

section 142(e) of this rule; and

(3) steak is cooked on both the top and bottom to a surface temperature of one hundred forty-five (145) degrees Fahrenheit or above and a cooked color change is achieved on all external surfaces.

(d) A raw animal food, such as:

(1) raw egg;

(2) raw fish;

(3) raw-marinated fish;

(4) raw molluscan shellfish; or

(5) steak tartare;

or a partially cooked food, such as lightly cooked fish, soft cooked eggs, or rare meat other than whole-muscle, intact beef steaks as specified in subsection (c), may be served or offered for sale in a ready-to-eat form if the retail food establishment serves a population that is not a highly susceptible population and the consumer is informed as specified under section 196 of this rule that to ensure its safety, the food should be cooked as specified under subsection (a) or (b).

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a critical item.

410 IAC 7-24-183 Microwave cooking

Sec. 183. (a) Raw animal foods cooked in a microwave oven shall be:

(1) rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat;

(2) covered to retain surface moisture;

(3) heated to a temperature of at least one hundred sixty-five (165) degrees Fahrenheit in all parts of the food; and

(4) allowed to stand covered for two (2) minutes after cooking to obtain temperature equilibrium.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-184 Microwave ovens

Sec. 184. (a) Microwave ovens shall meet the safety standards specified in 21 CFR 1030.10.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-185 Preparation for immediate service

Sec. 185. (a) Cooked and refrigerated food that is prepared for immediate service in response to an individual consumer order, such as a roast beef sandwich au jus, may be served at any temperature.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

HOLDING TEMPERATURES Sections 186 through 187

410 IAC 7-24-186 Cooking for hot holding

Sec. 186. (a) Fruits, vegetables, and any potentially hazardous foods not covered under sections 182 and 183 of this rule that are cooked for hot holding shall be cooked to an internal temperature of one hundred thirty-five (135) degrees Fahrenheit.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-187 Potentially hazardous food; hot and cold holding

Sec. 187. (a) Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under section 193 of this rule, potentially hazardous food shall be maintained as follows:

(1) At one hundred thirty-five (135) degrees Fahrenheit or above, except that roasts cooked to a temperature and for a time specified under section 182(b) of this rule or reheated as specified in section 188(e) of this rule may be held at a temperature of one hundred thirty (130) degrees Fahrenheit.

(2) At a temperature specified in the following:
(A) At forty-one (41) degrees Fahrenheit or less.
(B) At forty-five (45) degrees Fahrenheit or between forty-five (45) degrees Fahrenheit and forty-one (41) degrees Fahrenheit in existing refrigeration equipment that is not capable of maintaining the food at forty-one (41) degrees Fahrenheit or less if:
(i) the equipment is in place and in use in the retail food establishment; and
(ii) by April 29, 2010, the equipment is upgraded or replaced to maintain food at a temperature of forty-one (41) degrees Fahrenheit or less.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

REHEATING OF FOOD — Section 188

410 IAC 7-24-188 Reheating for hot holding

Sec. 188. (a) Except as specified under subsections (b), (c), and (e), potentially hazardous food that is cooked, cooled, and reheated for hot holding shall be reheated so that all parts of the food reach a temperature of at least one hundred sixty-five (165) degrees Fahrenheit for fifteen (15) seconds.
(b) Except as specified under subsection (c), potentially hazardous food reheated in a microwave oven for hot holding shall be reheated so that all parts of the food reach a temperature of at least one hundred sixty-five (165) degrees Fahrenheit and the food is rotated or stirred, covered, and allowed to stand covered for two (2) minutes after reheating.
(c) Ready-to-eat food taken from:
(1) a commercially processed, hermetically sealed container; or
(2) an intact package from a food processing plant that is inspected by the food regulatory authority that has jurisdiction over the plant;
shall be heated to a temperature of at least one hundred thirty-five (135) degrees Fahrenheit for hot holding.
(d) Reheating for hot holding shall be done rapidly, and the time the food is between the temperature specified under section 187(a)(2) of this rule and one hundred sixty-five (165) degrees Fahrenheit may not exceed two (2) hours.
(e) Remaining unsliced portions of roasts of beef that are cooked as specified under section 182(b) of this rule may be reheated for hot holding using the oven parameters and minimum time and temperature conditions specified under section 182(b) of this rule.
(f) For purposes of this section, a violation of subsection (a), (b), (c), (d), or (e) is a critical item.

COOLING FOOD — Sections 189 through 190

410 IAC 7-24-189 Potentially hazardous food; cooling

Sec. 189. (a) Cooked potentially hazardous food shall be cooled as follows:
(1) Within two (2) hours, from one hundred thirty-five (135) degrees Fahrenheit to seventy (70) degrees Fahrenheit.
(2) Within four (4) hours, from seventy (70) degrees Fahrenheit to forty-one (41) degrees Fahrenheit or less, or to forty-five (45) degrees Fahrenheit as specified under section 187(a)(2) of this rule.
(3) The entire cooling process must be completed within six (6) continuous hours.
(b) Potentially hazardous food shall be cooled within four (4) hours to forty-one (41) degrees Fahrenheit or less, or to forty-five (45) degrees Fahrenheit as specified under section 187(a)(2) of this rule if prepared from ingredients at ambient temperature, such as reconstituted foods and canned tuna.
(c) Except as specified in subsection (d), a potentially hazardous food received in compliance with laws allowing a temperature above forty-one (41) degrees Fahrenheit during shipment from the supplier as specified in section 166(b) of this rule, shall be cooled within four (4) hours to forty-one (41) degrees Fahrenheit or less, or forty-five (45) degrees Fahrenheit or less as specified under section 187(a)(2) of this rule.
(d) Shell eggs need not comply with subsection (c) if the eggs are placed immediately upon their receipt in refrigerated equipment that is capable of maintaining food at forty-one (41) degrees Fahrenheit or less, or forty-five (45) degrees Fahrenheit or less as specified under section 187(a)(2) of this rule.

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a critical item.

410 IAC 7-24-190 Cooling methods

Sec. 190. (a) Cooling shall be accomplished in accordance with the time and temperature criteria specified under section 189 of this rule by using one (1) or more of the following methods based on the type of food being cooled:

(1) Placing the food in shallow pans.
(2) Separating the food into smaller or thinner portions.
(3) Using rapid cooling equipment.
(4) Stirring the food in a container placed in an ice water bath.
(5) Using containers that facilitate heat transfer.
(6) Adding ice as an ingredient.
(7) Other effective methods.

(b) When placed in cooling or cold holding equipment, food containers in which food is being cooled shall be:

(1) arranged in the equipment to provide maximum heat transfer through the container walls; and
(2) loosely covered, or uncovered if protected from overhead contamination as specified under section 177(a)(2) of this rule, during the cooling period to facilitate heat transfer from the surface of the food.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

DATE MARKING AND DISPOSITION Sections 191 through 192

410 IAC 7-24-191 Ready-to-eat, potentially hazardous food; date marking

Sec. 191. (a) Except as specified in subsection (d), refrigerated, ready-to-eat, potentially hazardous food prepared and held in a retail food establishment for more than twenty-four (24) hours shall be clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, based on one (1) of the temperature and time combinations specified as follows and the day of preparation shall be counted as day one (1):

(1) Forty-one (41) degrees Fahrenheit or less for a maximum of seven (7) days.
(2) Forty-five (45) degrees Fahrenheit or between forty-one (41) degrees Fahrenheit and forty-five (45) degrees Fahrenheit for a maximum of four (4) days in existing refrigeration equipment that is not capable of maintaining the food at forty-one (41) degrees Fahrenheit or less if:
(A) the equipment is in place and in use in the food establishment, and
(B) the equipment is upgraded or replaced to maintain food at a temperature of forty-one (41) degrees Fahrenheit or less as specified in section 187(a)(2)(B)(ii) of this rule.

(b) Except as specified in (d) and (e) of this section, refrigerated, ready-to-eat, potentially hazardous food prepared and packaged by a food processing plant shall be clearly marked, at the time the original container is opened in a retail food establishment and if the food is held for more than twenty-four (24) hours, to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, based on the temperature and time combinations specified in subsection (a) and:

(1) the day the original container is opened in the retail food establishment shall be counted as day one (1); and
(2) the day or date marked by the retail food establishment may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on food safety.

(c) A refrigerated, ready-to-eat potentially hazardous food that is frequently rewrapped, such as lunchmeat or a roast, or for which date marking is impractical, such as soft serve mix or milk in a dispensing machine, may be marked as specified in subsection (a) or (b) of this section, or by an alternative method such as:

(1) a logging system that tracks the batch or lot;
(2) tagging the batch or lot in a manner that effectively identifies the food to be monitored; or
(3) any other method that identifies the date by which the food must be consumed or discarded.

(d) Subsections (a) and (b) do not apply to individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.

(e) Subsection (b) does not apply to the following when the face has been cut, but the remaining portion is whole and intact:

(1) Fermented sausages produced in a federally inspected food processing plant that are not labeled "Keep Refrigerated" and which retain the original casing on the product;

(2) Shelf stable, dry, fermented sausages; and
(3) Shelf stable salt-cured products such as prosciutto and parma (ham) produced in a federally inspected
food processing plant that are not labeled "Keep Refrigerated".
(f) A refrigerated, ready-to-eat, potentially hazardous food ingredient or a portion of a refrigerated, ready-to-eat, potentially hazardous food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.
(g) For the purposes of this section, a violation of subsections (a), (b), (c), (d), (e) or (f) is a critical item.

410 IAC 7-24-192 Disposition of ready-to-eat potentially hazardous food; date marking

Sec. 192. (a) A food specified in section 191(a) or 191(b) of this rule shall be discarded if it:
(1) exceeds either of the temperature and time combinations specified in section 191(a) of this rule, except time that the product is frozen;
(2) is in a container or package that does not bear a date or day; or
(3) is appropriately marked with a date or day that exceeds a temperature and time combination as specified in section 191(a) of this rule.
(b) Refrigerated, ready-to-eat, potentially hazardous food prepared in a retail food establishment and dispensed through a vending machine with an automatic shutoff control shall be discarded if it exceeds a temperature and time combination as specified in section 191(a) of this rule.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

TIME AS A PUBLIC HEALTH CONTROL Section 193

410 IAC 7-24-193 Time as a public health control

Sec. 193. (a) Except as specified under subsection (b), if time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of potentially hazardous food before cooking or for ready-to-eat potentially hazardous food that is displayed or held for service for immediate consumption:
(1) the food shall be:
(A) clearly marked or otherwise identified to indicate the time that is four (4) hours past the point in time; and
(B) cooked and served, served if ready-to-eat, or discarded, within four (4) hours from the point in time;
when the food is removed from temperature control;
(2) the food in unmarked containers or packages or marked to exceed a four (4) hour limit shall be discarded; and
(3) written procedures shall be:
(A) approved by the regulatory authority prior to use; and
(B) maintained in the retail food establishment and made available to the regulatory authority, upon request, that ensure compliance with:
(i) this section; and
(ii) section 189 of this rule for food that is prepared, cooked, and refrigerated before time is used as a public health control.
(b) In a retail food establishment that serves a highly susceptible population, time alone shall not be used as the public health control for raw eggs.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-194 Confidentiality of trade secrets

Sec. 194. (a) The regulatory authority shall treat as confidential in accordance with IC 24-2-3 and IC 5-14-3:
(1) the information contained in plans and specifications listed in section 111 of this rule;
(2) a HACCP plan; or
(3) inspection report forms that meet the criteria of a trade secret.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

REDUCED OXYGEN PACKAGING Section 195

410 IAC 7-24-195 Reduced oxygen packaging; criteria

Sec. 195. (a) Except for a food establishment that obtains a variance as specified under section 114 of this rule, a retail food establishment that packages food using a reduced oxygen packaging method and Clostridium botulinum is identified as a microbiological hazard in the final packaged form shall ensure that there are at least two (2) barriers in place to control the growth and toxin formation of Clostridium botulinum.

(b) A food establishment that packages food using a reduced oxygen packaging method and Clostridium botulinum is identified as a microbiological hazard in the final packaged form shall have a HACCP plan that contains the information specified under section 115(a)(4) of this rule and that does the following:

(1) Identifies the food to be packaged.

(2) Limits the food packaged to a food that does not support the growth of Clostridium botulinum because it complies with one (1) or more of the following:

(A) Has an a_w of 0.91 or less.

(B) Has a pH of 4.6 or less.

(C) Is a meat or poultry product cured at a food processing plant regulated by the United States Department of Agriculture using substances specified in 9 CFR 424.21 and is received in an intact package.

(D) Is a food with a high level of competing organisms such as raw meat or raw poultry.

(3) Specifies methods for maintaining food at forty-one (41) degrees Fahrenheit or below.

(4) Describes how the packages shall be prominently and conspicuously labeled on the principal display panel in bold type on a contrasting background with instructions to:

(A) maintain the food at forty-one (41) degrees Fahrenheit or below; and

(B) discard the food if within fourteen (14) calendar days of its packaging, it is not served for on-premises consumption, consumed if served, or sold for off-premises consumption.

(5) Limits the refrigerated shelf life to not more than fourteen (14) calendar days from packaging to consumption, except the time the product is maintained frozen, or the original manufacturer's "sell by" or "use by" date, whichever occurs first.

(6) Includes operational procedures that:

(A) prohibit contacting food with bare hands;

(B) identify a designated area and the method by which:

(i) physical barriers or methods of separation of raw foods and ready-to-eat foods minimize cross-contamination; and

(ii) access to the processing equipment is limited to responsible, trained personnel familiar with the potential hazards of the operation; and

(C) delineate cleaning and sanitization procedures for food-contact surfaces.

(7) Describes the training program that ensures that the individual responsible for the reduced oxygen packaging operation understands the following:

(A) Concepts required for a safe operation.

(B) Equipment and facilities.

(C) Procedures specified under subdivision (6) and section 115(a)(4) of this rule.

(c) Except for fish that is frozen before, during, and after packaging, a food establishment may not package fish using a reduced oxygen packaging method.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

CONSUMER ADVISORY Section 196

410 IAC 7-24-196 Consumption of raw or undercooked foods of animal origin

Sec. 196. (a) Except as specified in sections 182(c), 182(d)(3), and 153 of this rule, if an animal food such as:

(1) beef;

(2) eggs;

(3) fish;

(4) lamb;
(5) milk;
(6) pork;
(7) poultry; or
(8) shellfish;
is served or sold raw, undercooked, or without otherwise being processed to eliminate pathogens, either in ready-to-eat form or as an ingredient in another ready-to-eat food, the owner or operator of the retail food establishment shall inform consumers of the significantly increased risk of consuming such foods by way of a disclosure and reminder, as specified in subsections (b) and (c) using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written or visual means.
(b) A disclosure shall include:
(1) a description of the animal-derived foods, such as:
(A) oysters on the half shell (raw oysters);
(B) raw-egg caesar salad; and
(C) hamburgers (can be cooked to order); or
(2) identification of the animal-derived foods by asterisking them to a footnote that states that the items are served raw or undercooked or contain (or may contain) raw or undercooked ingredients.
(c) A reminder shall include asterisking the animal-derived foods requiring disclosure to a footnote that states one (1) of the following:
(1) Regarding the safety of these items, written information is available upon request.
(2) Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.
(3) Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.
(d) Long term care health facilities and other institutional facilities, which provide meals to residents who are at least sixty-five (65) years of age, shall provide written information to resident consumers informing them of the risks associated with consuming food described in subsection (a). The facility shall have a record of the notice on file as long as residency is maintained at the facility by the consumer.
(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a critical item.

HANDLING OF FROZEN FOODS Sections 197 through 199

410 IAC 7-24-197 Time and temperature control of frozen food

Sec. 197. (a) Stored frozen foods shall be maintained frozen and should be stored at zero (0) degrees Fahrenheit.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-198 Potentially hazardous food; slacking

Sec. 198. (a) Frozen potentially hazardous food that is slacked to moderate the temperature shall be held:
(1) under refrigeration that maintains the food temperature at forty-one (41) degrees Fahrenheit or less or at forty-five (45) degrees Fahrenheit or less as specified under section 187(a)(2)(B) of this rule; or
(2) at any temperature if the food remains frozen.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-199 Thawing of food

Sec. 199. (a) Except as specified in subdivision (4), potentially hazardous food shall be thawed:
(1) under refrigeration that maintains the food temperature at forty-one (41) degrees Fahrenheit or less or at forty-five (45) degrees Fahrenheit or less as specified under section 187(a)(2)(B) of this rule;
(2) completely submerged under running water:
(A) at a water temperature of seventy (70) degrees Fahrenheit or below;
(B) with sufficient water velocity to agitate and float off loose particles in an overflow;
(C) for a period of time that does not allow thawed portions of ready-to-eat food to rise above forty-one

(41) degrees Fahrenheit or forty-five (45) degrees Fahrenheit as specified under section 187(a)(2)(B) of this rule; or

(D) for a period of time that does not allow thawed portions of a raw animal food requiring cooking as specified under section 182(a) or 182(b) of this rule to be above forty-one (41) degrees Fahrenheit or forty-five (45) degrees Fahrenheit as specified under section 187(a)(2) of this rule, for more than four (4) hours including the time:

(i) the food is exposed to the running water and the time needed for preparation for cooking; or

(ii) it takes under refrigeration to lower the food temperature to forty-one (41) degrees Fahrenheit or forty-five (45) degrees Fahrenheit as specified under section 187(a)(2)(B) of this rule;

(3) as part of a cooking process if the food that is frozen is:

(A) cooked as specified under section 182(a), 182(b), or 183 of this rule; or

(B) thawed in a microwave oven and immediately transferred to conventional cooking equipment with no interruption in the process; or

(4) using any procedure if a portion of frozen ready-to-eat food is thawed and prepared for immediate service in response to an individual consumer's order.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

SOURCES OF CONTAMINATION Sections 200 through 204

410 IAC 7-24-200 Food contact with equipment and utensils

Sec. 200. (a) Food shall only contact surfaces of equipment and utensils that are cleaned as specified under sections 248, 276, 287, and 295 through 302 of this rule and sanitized as specified under section 303 of this rule.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-201 Returned food; reservice or sale

Sec. 201. (a) Except as specified in subsection (b), after being served or sold and in the possession of a consumer, food that is unused or returned by the consumer may not be offered as food for human consumption.

(b) A container of food that is not potentially hazardous may be transferred from one (1) consumer to another if:

(1) the food is dispensed so that it is protected from contamination and the container is closed between uses, such as a narrow-neck bottle containing ketchup, steak sauce, or wine; or

(2) the food, such as crackers, salt, or pepper, is in an unopened original package and is maintained in sound condition.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-202 Segregation of distressed merchandise

Sec. 202. (a) Products that are held by the owner or operator in a retail food establishment for credit, redemption, or return to the distributor, such as damaged, spoiled, or recalled products, shall be segregated and held in designated areas that are separated from:

(1) food;

(2) equipment;

(3) utensils;

(4) linens; and

(5) single-service and single-use articles.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-203 Food preparation

Sec. 203. (a) During preparation, unpackaged food shall be protected from environmental sources of contamination.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-204 Miscellaneous sources of contamination

Sec. 204. (a) Food shall be protected from contamination that may result from a factor or source not specified under section 151, 168, 170 through 181, 200, 201, 203, 234, 236, 245 through 247, 249, or 260 of this rule.

(b) For purposes of this section, a violation of subsection (a) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

EQUIPMENT, UTENSIL, LINEN, SINGLE-USE & SINGLE-SERVICE ITEMS

EQUIPMENT DESIGN AND MATERIALS Sections 205 through 226

410 IAC 7-24-205 Characteristics of materials for utensils and food-contact surfaces

Sec. 205. (a) Materials that are used in the construction of utensils and food-contact surfaces of equipment may not allow the migration of deleterious substances or impart colors, odors, or tastes to food and under normal use conditions shall be as follows:

(1) Safe.
(2) Durable, corrosion-resistant, and nonabsorbent.
(3) Sufficient in weight and thickness to withstand repeated warewashing.
(4) Finished to have a smooth, easily cleanable surface.
(5) Resistant to the following:
(A) Pitting.
(B) Chipping.
(C) Crazing.
(D) Scratching.
(E) Scoring.
(F) Distortion.
(G) Decomposition.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-206 Cast iron; use limitation

Sec. 206. (a) Except as specified in this section, cast iron may not be used for utensils or food-contact surfaces of equipment.

(b) Cast iron may be used as a surface for cooking.

(c) Cast iron may be used in utensils for serving food if the utensils are used only as part of an uninterrupted process from cooking through service.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-207 Lead in ceramic, china, and crystal utensils; use limitation

Sec. 207. (a) Ceramic, china, crystal utensils, and decorative utensils, such as hand-painted ceramic or china, that are used in contact with food shall be lead-free or contain levels of lead not exceeding the limits of the following utensil categories:

Utensil Category	Description	Maximum Lead ppm
Hot Beverage Mugs	Coffee Mugs	0.5
Large Hollowware	Bowls ≥ 1.16 Quart	1
Small Hollowware	Bowls < 1.16 Quart	2.0
Flat Utensils	Plates, Saucers	3.0

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-208 Copper; use limitation

Sec. 208. (a) Except as specified in subsection (b), copper and copper alloys, such as brass, may not be used in contact with:

(1) a food that has a pH below 6, such as vinegar, fruit juice, or wine; or

(2) for a fitting or tubing installed between a backflow prevention device and a carbonator.

(b) Copper and copper alloys may be used in contact with beer brewing ingredients that have a pH below 6 in the prefermentation and fermentation steps of a beer brewing operation, such as a brew pub or microbrewery.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-209 Galvanized metal; use limitation

Sec. 209. (a) Galvanized metal may not be used for utensils or food-contact surfaces of equipment that are used in contact with acidic food.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-210 Sponges; use limitation

Sec. 210. (a) Sponges may not be used in contact with cleaned and sanitized or in-use food-contact surfaces.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-211 Lead in pewter alloys; use limitation

Sec. 211. (a) Pewter alloys containing lead in excess of five-hundredths percent (0.05%) may not be used as a food-contact surface.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-212 Lead in solder and flux; use limitation

Sec. 212. (a) Solder and flux containing lead in excess of two-tenths percent (0.2%) may not be used as a food-contact surface.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-213 Wood; use limitation

Sec. 213. (a) Except as specified in this section, wood and wood wicker may not be used as a food-contact surface.

(b) Hard maple or an equivalently hard, close-grained wood may be used for the following:

(1) Cutting boards, cutting blocks, bakers' tables, and utensils, such as the following:

(A) Rolling pins.

(B) Doughnut dowels.

(C) Salad bowls.

(D) Chopsticks.

(2) Wooden paddles used in confectionery operations for pressure scraping kettles when manually preparing confections at a temperature of two hundred thirty (230) degrees Fahrenheit or above.

(c) Whole, uncut raw fruits and vegetables and nuts in the shell may be kept in the wood shipping containers in which they were received until the fruits, vegetables, or nuts are used.

(d) If the nature of the food requires removal of rinds, peels, husks, or shells before consumption, the whole, uncut, raw food may be kept in:

(1) untreated wood containers; or

(2) treated wood containers if the containers are treated with a preservative that meets the requirements specified in 21 CFR 178.3800.

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a noncritical item.

410 IAC 7-24-214 Food equipment; cutting surfaces

Sec. 214. (a) Surfaces, such as cutting blocks and boards, that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and sanitized or discarded if they are not capable of being resurfaced.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-215 Nonstick coatings; use limitation

Sec. 215. (a) Multiuse kitchenware, such as:
(1) frying pans;
(2) griddles;
(3) sauce pans;
(4) cookie sheets; and
(5) waffle bakers;
that have a perfluorocarbon resin coating shall be used with nonscoring or nonscratching utensils and cleaning aids.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-216 Nonfood-contact surfaces

Sec. 216. (a) Nonfood-contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-217 Durability and strength of equipment and utensils

Sec. 217. (a) Equipment and utensils shall be designed and constructed to be durable and to retain their characteristic qualities under normal use conditions.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-218 Repair and proper adjustment of equipment

Sec. 218. (a) Equipment shall be maintained in a state of repair and condition that meets the requirements specified under section 112, 161, 205 through 217, 219 through 226, 229 through 232, 240, 253 through 256, 261 through 266, 271, 277 through 279, 280 through 282, 288, 305, 306, or 333 of this rule.
(b) Equipment components, such as:
(1) doors;
(2) seals;
(3) hinges;
(4) fasteners; and
(5) kick plates;
shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications.
(c) Cutting or piercing parts of can openers shall be kept sharp to minimize the creation of metal fragments that can contaminate food when the container is opened.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-219 "V" threads; use limitation

Sec. 219. (a) "V" type threads may not be used on food-contact surfaces. This section does not apply to hot oil cooking or filtering equipment.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-220 Hot oil filtering equipment

Sec. 220. (a) Hot oil filtering equipment shall meet the characteristics specified under section 229 or 230 of this rule and shall be readily accessible for filter replacement and cleaning of the filter.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-221 Kick plates; removable

Sec. 221. (a) Kick plates shall be designed so that the areas behind them are accessible for inspection and cleaning by being:
(1) removable by one (1) of the methods specified under section 229 of this rule or capable of being rotated open; and
(2) removable or capable of being rotated open without unlocking equipment doors.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-222 Equipment openings, closures, and deflectors

Sec. 222. (a) A cover or lid for equipment shall overlap the opening and be sloped to drain.
(b) An opening located within the top of a unit of equipment that is designed for use with a cover or lid shall be flanged upward at least two-tenths (.2) of an inch.
(c) Except as specified under subsection (d):
(1) fixed piping;
(2) temperature measuring devices;
(3) rotary shafts; and
(4) other parts extending into equipment;
shall be provided with a watertight joint at the point where the item enters the equipment.
(d) If a watertight joint is not provided:
(1) the piping, temperature measuring devices, rotary shafts, and other parts extending through the openings shall be equipped with an apron designed to deflect condensation, drips, and dust from openings into the food; and
(2) the opening shall be flanged as specified in subsection (b).
(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a noncritical. item.

410 IAC 7-24-223 Bearings and gearboxes; leakproof

Sec. 223. (a) Equipment containing bearings and gears that require lubricants shall be designed and constructed so that the lubricant cannot leak, drip, or be forced into food or onto food-contact surfaces.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-224 Beverage tubing; separation

Sec. 224. (a) Beverage tubing and cold-plate beverage cooling devices may not be installed in contact with ice stored for human consumption. This section does not apply to cold plates that are constructed integrally with an ice storage bin.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-225 Condenser unit; separation

Sec. 225. (a) If a condenser unit is an integral component of equipment, the condenser unit shall be separated from the food and food storage space by a dustproof barrier.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-226 Equipment compartments; drainage

Sec. 226. (a) Equipment compartments that are subject to accumulation of moisture due to conditions, such as:
(1) condensation;
(2) food or beverage drip; or
(3) water from melting ice;
shall be sloped to an outlet that allows complete draining.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

INSTALLATION OF EQUIPMENT — Sections 227 through 228

410 IAC 7-24-227 Fixed equipment; spacing or sealing

Sec. 227. (a) Equipment that is fixed because it is not easily movable shall be installed so that it is:
(1) spaced to allow access for cleaning along the sides, behind, and above the equipment;
(2) spaced from adjoining equipment, walls, and ceilings a distance of not more than one thirty-second ($^1/_{32}$) inch; or
(3) sealed to adjoining equipment or walls, if the equipment is exposed to spillage or seepage.
(b) Table-mounted equipment that is not easily movable shall be installed to allow cleaning of the equipment and areas underneath and around the equipment by being:
(1) sealed to the table; or
(2) elevated on legs as specified under section 228(d) of this rule.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-228 Fixed equipment; elevation or sealing

Sec. 228. (a) Except as specified in subsections (b) and (c), floor-mounted equipment that is not easily movable shall be sealed to the floor or elevated on legs that provide at least a six (6) inch clearance between the floor and the equipment.
(b) If no part of the floor under the floor-mounted equipment is more than six (6) inches from the point of cleaning access, the clearance space may be only four (4) inches.
(c) This section does not apply to display:
(1) shelving units;
(2) refrigeration units; and
(3) freezer units;
located in consumer shopping areas, such as in a grocery store, if the floor under the units is maintained clean.
(d) Except as specified in subsection (e), table-mounted equipment that is not easily movable shall be elevated on legs that provide at least a four (4) inch clearance between the table and the equipment.
(e) The clearance space between the table and table-mounted equipment may be:
(1) three (3) inches if the horizontal distance of the table top under the equipment is no more than twenty (20) inches from the point of access for cleaning; or
(2) two (2) inches if the horizontal distance of the table top under the equipment is no more than three (3) inches from the point of access for cleaning.
(f) For purposes of this section, a violation of subsection (a), (b), (c), (d), or (e) is a noncritical item.

CLEANABILITY OF EQUIPMENT — Sections 229 through 232

410 IAC 7-24-229 Cleanability of food-contact surfaces

Sec. 229. (a) Multiuse food-contact surfaces shall be as follows:
(1) Smooth.

(2) Free of the following:
(A) Breaks.
(B) Open seams.
(C) Cracks.
(D) Chips.
(E) Inclusions.
(F) Pits.
(G) Similar imperfections.
(3) Free of sharp internal angles, corners, and crevices.
(4) Finished to have smooth welds and joints.
(5) Except as specified in subsection (b), accessible for cleaning and inspection either:
(A) without being disassembled;
(B) by disassembling without the use of tools; or
(C) by easily disassembling with the use of handheld tools commonly available to maintenance and cleaning personnel, such as the following:
(i) Screwdrivers.
(ii) Pliers.
(iii) Open-end wrenches.
(iv) Allen wrenches.
(b) Subsection (a)(5) does not apply to the following:
(1) Cooking oil storage tanks.
(2) Distribution lines for cooking oils.
(3) Beverage syrup lines or tubes.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-230 CIP equipment

Sec. 230. (a) CIP equipment shall meet the characteristics specified under section 229 of this rule and shall be designed and constructed so that:
(1) cleaning and sanitizing solutions circulate throughout a fixed system and contact all interior food-contact surfaces; and
(2) the system is self-draining or capable of being completely drained of cleaning and sanitizing solutions.
(b) CIP equipment that is not designed to be disassembled for cleaning shall be designed with inspection access points to ensure that all interior food-contact surfaces throughout the fixed system are being effectively cleaned.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-231 Cleanability of can openers

Sec. 231. (a) Cutting or piercing parts of can openers shall be readily removable for cleaning and for replacement.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-232 Cleanability of nonfood-contact surfaces

Sec. 232. (a) Nonfood-contact surfaces shall be free of unnecessary ledges, projections, and crevices and designed and constructed to allow easy cleaning and to facilitate maintenance.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

UTENSILS Sections 233 through 235

410 IAC 7-24-233 Utensils; consumer self-service

Sec. 233. (a) A food dispensing utensil shall be available for each container displayed at a consumer self-service unit, such as a buffet or salad bar.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-234 In-use utensils; between-use storage

Sec. 234. (a) During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored in one (1) of the following ways:
(1) Except as specified under subdivision (2), in the food with their handles above the top of the food and the container.
(2) In food that is not potentially hazardous with their handles above the top of the food within containers or equipment that can be closed, such as bins of ice, sugar, flour, or cinnamon.
(3) On a clean portion of the food preparation table or cooking equipment if both the in-use utensil and food-contact surfaces of food preparation tables or cooking equipment are cleaned and sanitized at a frequency specified under section 296, 297, or 303 of this rule.
(4) In running water of sufficient velocity to flush particulates to the drain if used with moist food, such as ice cream or mashed potatoes.
(5) In a clean, protected location if the utensils, such as ice scoops, are used only with a food that is not potentially hazardous.
(6) In water maintained clean and at a temperature of at least one hundred thirty-five (135) degrees Fahrenheit.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-235 Good repair and calibration

Sec. 235. (a) Utensils shall be maintained in a state of repair or condition that complies with the requirements specified under section 112, 161, 205 through 217, 219 through 226, 229 through 232, 240, 253 through 256, 261 through 266, 271, 277 through 279, 281, 282, 288, 305, 306, or 333 of this rule or shall be discarded.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

LINENS Sections 236 through 238

410 IAC 7-24-236 Linens and napkins; use limitation

Sec. 236. (a) Linens and napkins may not be used in contact with food unless they are used temporarily to line a container for the service of foods and the linens and napkins are replaced each time the container is refilled for a new consumer.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-237 Clean linens

Sec. 237. (a) Clean linens shall be free from food residues and other soiling matter.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-238 Storage of soiled linens

Sec. 238. (a) Soiled linens shall be kept in clean, nonabsorbent receptacles or clean, washable laundry bags and stored and transported to prevent contamination of the following:
(1) Food.
(2) Clean equipment.
(3) Clean utensils.
(4) Single-service and single-use articles.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-239 Equipment, utensils, and linens

Sec. 239. (a) Except as specified in subsection (c), cleaned equipment and utensils, laundered linens, and single-service and single-use articles shall be stored as follows:
(1) In a clean, dry location.
(2) Where they are not exposed to splash, dust, or other contamination.
(3) At least six (6) inches above the floor.
(4) In a manner to prevent overcrowding.
(b) Clean equipment and utensils shall be stored as follows:
(1) As specified in subsection (a).
(2) In a self-draining position that allows air drying.
(3) Covered or inverted.
(c) Items that are kept in closed packages may be stored less than six (6) inches above the floor on the following:
(1) Dollies.
(2) Pallets.
(3) Racks.
(4) Skids.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

SINGLE-SERVICE / SINGLE-USE ARTICLES Sections 240 through 244

410 IAC 7-24-240 Characteristics of materials used in single-service and single-use articles

Sec. 240. (a) Materials that are used to make single-service and single-use articles may not:
(1) allow the migration of deleterious substances; or
(2) impart colors, odors, or tastes to food.
(b) These materials shall be:
(1) safe; and
(2) clean.
(c) For purposes of this section, a violation of subsection (a)(1) or (b)(1) is a critical item.
(d) For purposes of this section, a violation of subsection (a)(2) or (b)(2) is a noncritical item.

410 IAC 7-24-241 Single-service and single-use articles; required use

Sec. 241. (a) An owner or operator of a retail food establishment without facilities specified under section 248, 276, 287, or 295 through 303 of this rule for cleaning and sanitizing kitchenware and tableware shall provide only single-use kitchenware, single-service articles, and single-use articles for use by food employees and single-service articles for use by consumers.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-242 Single-service, single-use, and shell articles; use limitation

Sec. 242. (a) Single-service and single-use articles may not be reused.
(b) Mollusk and crustacea shells and cedar planks may not be used more than once as serving containers.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-243 Single-service and single-use articles

Sec. 243. (a) Except as specified in subsection (c), single-service and single-use articles shall be stored as follows:
(1) In a clean, dry location.
(2) Where they are not exposed to splash, dust, or other contamination.
(3) At least six (6) inches above the floor.

(4) In a manner to prevent overcrowding.

(b) Single-service and single-use articles shall be stored as specified under subsection (a) and shall be kept in the original protective package or stored by using other means that afford protection from contamination until used.

(c) Items that are kept in closed packages may be stored less than six (6) inches above the floor on the following:

(1) Dollies.
(2) Pallets.
(3) Racks.
(4) Skids.

(d) For purposes of this section, a violation of subsections (a) through (c) is a noncritical item.

410 IAC 7-24-244 Storage prohibitions

Sec. 244. (a) Except as specified in subsection (b), cleaned and sanitized equipment, utensils, laundered linens, and single-service and single-use articles may not be stored as follows:

(1) In the following:
(A) Locker rooms.
(B) Toilet rooms.
(C) Garbage rooms.
(D) Mechanical rooms, when contamination is likely to occur.

(2) Under the following:
(A) Sewer lines that are not shielded to intercept potential drips.
(B) Leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed.
(C) Open stairwells.
(D) Other sources of contamination.

(b) Laundered linens and single-service and single-use articles that are packaged or in a facility, such as a cabinet, may be stored in a locker room.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

WIPING CLOTHS Section 245

410 IAC 7-24-245 Wiping cloths; used for one purpose

Sec. 245. (a) Cloths that are in use for wiping food spills shall be used for no other purpose.

(b) Cloths used for wiping food spills shall be:

(1) dry and used for wiping food spills from tableware and carry-out containers; or
(2) wet and cleaned as specified under section 312(d) of this rule, stored in a chemical sanitizer as specified under section 294 of this rule, and used for wiping spills from food-contact and nonfood-contact surfaces of equipment.

(c) Wet or dry cloths that are used with raw animal foods shall be kept separate from cloths used for other purposes, and wet cloths used with raw animal foods shall be kept in a separate sanitizing solution.

(d) Wet wiping cloths used with a freshly made sanitizing solution and dry wiping cloths shall be free of food debris and visible soil.

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a noncritical item.

GLOVE USE Section 246

410 IAC 7-24-246 Gloves; use limitation

Sec. 246. (a) If used, single-use gloves shall be:

(1) used for only one (1) task, such as working with ready-to-eat food or with raw animal food;
(2) used for no other purpose; and

(3) discarded when:
(A) damaged or soiled; or
(B) interruptions occur in the operation.

(b) Except as specified in subsection (c), slash-resistant gloves that are used to protect the hands during operations requiring cutting shall be used in direct contact only with food that is subsequently cooked as specified under section 182, 183, or 186 of this rule, such as frozen food or a primal cut of meat.

(c) Slash-resistant gloves may be used with ready-to-eat food that will not be subsequently cooked if the slash-resistant gloves:
(1) have a smooth, durable, and nonabsorbent outer surface; or
(2) are covered with a smooth, durable, nonabsorbent glove or a single-use glove.

(d) Cloth gloves may not be used in direct contact with food unless the food is subsequently cooked as required under section 182, 183, or 186 of this rule, such as frozen food or a primal cut of meat.

(e) For purposes of this section, a violation of subsection (a), (b), (c)(2), or (d) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or an environmental health hazard.

(f) For purposes of this section, a violation of subsection (c)(1) is a noncritical item.

RETURNABLES Sections 247 through 248

410 IAC 7-24-247 Refilling returnables

Sec. 247. (a) A take-home food container returned to a retail food establishment may not be refilled at a retail food establishment with a potentially hazardous food.

(b) Except as specified in subsection (c), a take-home food container refilled with food that is not potentially hazardous shall be cleaned as specified under section 248 of this rule.

(c) Personal take-out beverage containers, such as:
(1) thermally insulated bottles;
(2) nonspill coffee cups; and
(3) promotional beverage glasses;
may be refilled by employees or the consumer if refilling is a contamination-free process as specified under section 261(a)(1), 261(a)(2), and 261(a)(4) of this rule.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-248 Returnables; cleaning for refilling

Sec. 248. (a) Except as specified in this section, returned empty containers intended for cleaning and refilling with food shall be cleaned and refilled in a regulated food processing plant.

(b) Food containers for beverages may be refilled at a retail food establishment if:
(1) only a beverage that is not a potentially hazardous food is used as specified under section 247(a) of this rule;
(2) the design of the container and of the rinsing equipment and the nature of the beverage, when considered together, allow for effective cleaning;
(3) the consumer-owned container returned to the retail food establishment for refilling is refilled for sale or service only to the same consumer; and
(4) the container is refilled by:
(A) an employee of the retail food establishment; or
(B) the owner of the container if the beverage system includes a contamination-free transfer process that cannot be bypassed by the container owner.

(c) Consumer-owned containers that are not food-specific may be filled at a water vending machine or system.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

TABLEWARE Sections 249 through 252

410 IAC 7-24-249 Using clean tableware for second portions and refills

Sec. 249. (a) Except for refilling a consumer's drinking cup or container without contact between the pouring utensil and the lip-contact area of the drinking cup or container, food employees may not use tableware, including single-service articles, soiled by the consumer to provide second portions or refills.
(b) Except as specified in subsection (c), self-service consumers may not be allowed to use soiled tableware, including single-service articles, to obtain additional food from the display and serving equipment and shall be informed by the use of a placard, sign, or menu.
(c) Drinking cups and containers may be reused by self-service consumers if refilling is a contamination-free process as specified under section 261(a)(1), 261(a)(2), and 261(a)(4) of this rule.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-250 Handling of kitchenware and tableware

Sec. 250. (a) Single-service articles, single-use articles, and utensils that have been sanitized shall be handled, displayed, and dispensed so that contamination of food-contact and lip-contact surfaces is prevented.
(b) Knives, forks, and spoons that are not prewrapped shall be presented so that only the handles are touched by employees and by consumers if consumer self-service is provided.
(c) Except as specified under subsection (b), single-service articles that are intended for food-contact or lip-contact shall be furnished for consumer self-service with the original individual wrapper intact or from an approved dispenser.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-251 Handling of soiled and clean kitchenware

Sec. 251. (a) Soiled tableware shall be removed from consumer eating and drinking areas and handled so that clean tableware is not contaminated.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-252 Protection of preset tableware

Sec. 252. (a) If tableware is preset:
(1) it shall be protected from contamination by being wrapped, covered, or inverted; or
(2) exposed, unused settings shall be:
(A) removed when a consumer is seated; or
(B) cleaned and sanitized before further use if the settings are not removed when a consumer is seated.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

TEMPERATURE MEASURING DEVICES Sections 253 through 259

410 IAC 7-24-253 Durability and strength of food temperature measuring devices

Sec. 253. (a) Food temperature measuring devices may not have sensors or stems constructed of glass, except that thermometers with glass sensors or stems that are encased in a shatterproof coating, such as candy thermometers, may be used.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-254 Accuracy of temperature measuring devices

Sec. 254. (a) Food temperature measuring devices that are scaled in Fahrenheit shall be accurate to plus or minus two (2) degrees Fahrenheit in the intended range of use.

(b) Food temperature measuring devices that are dually scaled in Celsius and Fahrenheit shall be accurate to plus or minus one (1) degree Celsius in the intended range of use.

(c) Food temperature measuring devices shall be calibrated in accordance with manufacturer's specifications as necessary to ensure their accuracy.

(d) Ambient air temperature, water pressure, and water temperature measuring devices shall be maintained in good repair and be accurate within the intended range of use.

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a noncritical item.

410 IAC 7-24-255 Accuracy of ambient air and water temperature measuring devices

Sec. 255. (a) Ambient air and water temperature measuring devices that are scaled in Fahrenheit shall be accurate to plus or minus three (3) degrees Fahrenheit in the intended range of use.

(b) Ambient air and water temperature measuring devices that are dually scaled in Celsius and Fahrenheit shall be designed to be easily readable and accurate to plus or minus one and five-tenths (1.5) degrees Celsius in the intended range of use.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-256 Function of temperature measuring devices

Sec. 256. (a) In a mechanically refrigerated or hot food storage unit, the sensor of a temperature measuring device shall be located to measure the air temperature in the warmest part of a mechanically refrigerated unit and in the coolest part of a hot food storage unit.

(b) Except as specified in subsection (c), cold or hot holding equipment used for potentially hazardous food shall be designed to include and shall be equipped with at least one (1) integral or permanently affixed temperature measuring device that is located to allow easy viewing of the device's temperature display.

(c) Subsection (b) does not apply to equipment for which the placement of a temperature measuring device is not a practical means for measuring the ambient air surrounding the food because of the design, type, and use of the equipment, such as the following:

(1) Calrod units.
(2) Heat lamps.
(3) Cold plates.
(4) Bainsmarie.
(5) Steam tables.
(6) Insulated food transport containers.
(7) Salad bars.

(d) Temperature measuring devices shall be designed to be easily readable.

(e) Food temperature measuring devices and water temperature measuring devices on warewashing machines shall have a numerical scale, printed record, or digital readout in increments no greater than two (2) degrees Fahrenheit in the intended range of use.

(f) For purposes of this section, a violation of subsection (a), (b), (c), (d), or (e) is a noncritical item.

410 IAC 7-24-257 Food temperature measuring devices

Sec. 257. (a) Food temperature measuring devices shall be provided and readily accessible for use in ensuring attainment and maintenance of food temperatures as specified under section 139 through 160, 162 through 167, 169 through 183, 185 through 191, 193 through 200, 203, 234, 236, 245 through 247, or 249 of this rule.

(b) A temperature measuring device with a suitable small diameter probe that is designed to measure the temperature of thin masses shall be provided and readily accessible to accurately measure the temperature in thin foods, such as meat patties and fish filets.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-258 Temperature measuring devices; manual warewashing

Sec. 258. (a) In manual warewashing operations, a temperature measuring device shall be provided and readily accessible for frequently measuring the washing and sanitizing temperatures.
(b) In a warewashing machine, an auxiliary temperature measuring device shall be provided and readily accessible for frequently measuring the internal washing and sanitizing temperatures.
(c) For purposes of this section, a violation of subsection (a) and (b) is a noncritical item.

410 IAC 7-24-259 Cooling, heating, and holding capacities

Sec. 259. (a) Equipment for cooling and heating food and holding cold and hot food shall be sufficient in number and capacity to provide food temperatures as specified under section 139 through 160, 162 through 167, 169 through 183, 185 through 191, 193 through 200, 203, 234, 236, 245 through 247, or 249 of this rule.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

VENDING Sections 260 through 268

410 IAC 7-24-260 Vended potentially hazardous food; original container

Sec. 260. (a) Potentially hazardous food dispensed through a vending machine shall be in the package in which it was placed at the retail food establishment or food processing plant at which it was prepared.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-261 Dispensing equipment; protection of equipment and food

Sec. 261. (a) In equipment that dispenses or vends liquid food or ice in unpackaged form, the following applies:
(1) The delivery tube, chute, orifice, and splash surfaces directly above the container receiving the food shall be designed in a manner, such as with barriers, baffles, or drip aprons, so that drips from condensation and splash are diverted from the opening of the container receiving the food.
(2) The delivery tube, chute, and orifice shall be protected from manual contact, such as by being recessed.
(3) The delivery tube or chute and orifice of equipment used to vend liquid food or ice in unpackaged form to self-service consumers shall be designed so that the delivery tube or chute and orifice are protected from dust, insects, rodents, and other contamination by a self-closing door if the equipment is:
(A) located in an outside area that does not otherwise afford the protection of an enclosure against the:
(i) rain;
(ii) windblown debris;
(iii) insects;
(iv) rodents; and
(v) other contaminants;
that are present in the environment; or
(B) available for self-service during hours when it is not under the full-time supervision of a food employee.
(4) The dispensing equipment actuating lever or mechanism and filling device of consumer self-service beverage dispensing equipment shall be designed to prevent contact with the lip-contact surface of glasses or cups that are refilled.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-262 Vending machine; vending stage closure

Sec. 262. (a) The dispensing compartment of a vending machine, including a machine that is designed to vend prepackaged snack food that is not potentially hazardous, such as chips, party mixes, and pretzels, shall be equipped with a self-closing door or cover if the machine is:
(1) located in an outside area that does not otherwise afford the protection of an enclosure against the:
(A) rain;

(B) windblown debris;
(C) insects;
(D) rodents; and
(E) other contaminants;
that are present in the environment; or
(2) available for self-service during hours when it is not under the full-time supervision of a food employee.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-263 Can openers on vending machines

Sec. 263. (a) Cutting or piercing parts of can openers on vending machines shall be protected from the following:
(1) Manual contact.
(2) Dust.
(3) Insects.
(4) Rodents.
(5) Other contamination.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-264 Vending machines; automatic shutoff

Sec. 264. (a) A machine vending potentially hazardous food shall have an automatic control that prevents the machine from vending food if:
(1) there is a power failure, mechanical failure, or other condition that results in an internal machine temperature that cannot maintain food temperatures as specified under section 139 through 160, 162 through 167, 169 through 183, 185 through 191, 193 through 200, 203, 234, 236, 245 through 247, or 249 of this rule; and
(2) a condition specified under subdivision (1) occurs, until the machine is serviced and restocked with food that has been maintained at temperatures specified under section 139 through 160, 162 through 167, 169 through 183, 185 through 191, 193 through 200, 203, 234, 236, 245 through 247, or 249 of this rule.
(b) When the automatic shutoff within a machine vending potentially hazardous food is activated in a:
(1) refrigerated vending machine, the ambient temperature may not exceed forty-one (41) degrees Fahrenheit or forty-five (45) degrees Fahrenheit as specified under section 187(a)(2)(B) of this rule for more than thirty (30) minutes; or
(2) hot holding vending machine, the ambient temperature may not be less than one hundred thirty-five (135) degrees Fahrenheit for more than one hundred twenty (120) minutes;
immediately after the machine is filled, serviced, or restocked.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-265 Vending machines; liquid waste products

Sec. 265. (a) Vending machines designed to store beverages that are packaged in containers made from paper products shall be equipped with diversion devices and retention pans or drains for container leakage.
(b) Vending machines that dispense liquid food in bulk shall be as follows:
(1) Provided with an internally mounted waste receptacle for the collection of the following:
(A) Drip.
(B) Spillage.
(C) Overflow.
(D) Other internal wastes.
(2) Equipped with an automatic shutoff device that will place the machine out of operation before the waste receptacle overflows.
(c) Shutoff devices, specified under subsection (b)(2), shall prevent water or liquid food from continuously running if there is a failure of a flow control device in the water or liquid food system or waste accumulation that could lead to overflow of the waste receptacle.
(d) For purposes of this section, a violation of subsections (a) through (c) is a noncritical item.

410 IAC 7-24-266 Vending machine doors and openings

Sec. 266. (a) Vending machine doors and access opening covers to food and container storage spaces shall be tight-fitting so that the space along the entire interface between the doors or covers and the cabinet of the machine, if the doors or covers are in a closed position, is no greater than one-sixteenth ($^1/_{16}$) inch by any of the following:

(1) Being covered with louvers, screens, or materials that provide an equivalent opening of not greater than one-sixteenth ($^1/_{16}$) inch. Screening of twelve (12) mesh to one (1) inch meets this requirement.

(2) Being effectively gasketed.

(3) Having interface surfaces that are at least one-half (½) inch wide.

(4) Jambs or surfaces used to form an L-shaped entry path to the interface.

(b) Vending machine service connection openings through an exterior wall of a machine shall be closed by sealants, clamps, or grommets so that the openings are no larger than one-sixteenth ($^1/_{16}$) inch.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-267 Overhead protection on outdoor food vending areas

Sec. 267. (a) If located outdoors, a machine used to vend food shall be provided with overhead protection, except that machines vending canned beverages need not meet this requirement.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-268 Receptacles in vending machines

Sec. 268. (a) A refuse receptacle may not be located within a vending machine, except that a receptacle for beverage bottle crown closures may be located within a vending machine.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

WAREWASHING EQUIPMENT REQUIREMENTS Section 269

410 IAC 7-24-269 Warewashing equipment requirements

Sec. 269. (a) A retail food establishment shall be equipped with at least one (1) of the following options for purposes of washing, rinsing, and sanitizing of equipment and utensils:

(1) Manual warewashing equipment as specified in section 270 of this rule.

(2) A warewashing machine.

(b) The warewashing equipment or machine must be used in accordance with this rule.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

MANUAL WAREWASHING Sections 270 through 276

410 IAC 7-24-270 Manual warewashing; sink compartment requirements

Sec. 270. (a) Except as specified in subsection (c), a sink with at least three (3) compartments shall be provided for manually washing, rinsing, and sanitizing equipment and utensils.

(b) Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils. If equipment or utensils are too large for the warewashing sink, a warewashing machine or alternative equipment as specified in subsection (c) shall be used.

(c) Alternative manual warewashing equipment may be used when there are special cleaning needs or constraints and its use is approved. Alternative manual warewashing equipment may include the following:

(1) High-pressure detergent sprayers.

(2) Low-pressure or line-pressure spray detergent foamers.

(3) Other task-specific cleaning equipment.

(4) Brushes or other implements.
(5) Two (2) compartment sinks as specified under subsections (d) and (e).
(6) Receptacles that substitute for the compartments of a multicompartment sink.
(d) Before a two (2) compartment sink is used:
(1) the owner or operator of a retail food establishment shall have its use approved; and
(2) the nature of warewashing shall be limited to batch operations for cleaning kitchenware, such as between cutting one (1) type of raw meat and another or cleanup at the end of a shift as follows:
(A) A limited number of items shall be cleaned.
(B) The cleaning and sanitizing solutions shall be made up immediately before use and drained immediately after use.
(C) A detergent-sanitizer shall be used to sanitize and shall be applied as specified under section 275 of this rule or a hot water sanitization immersion step shall be used as specified under section 302(a)(3) of this rule.
(e) A two (2) compartment sink may not be used for warewashing operations where cleaning and sanitizing solutions are used for a continuous or intermittent flow of kitchenware or tableware in an ongoing warewashing process.
(f) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a noncritical item.

410 IAC 7-24-271 Manual warewashing equipment; heaters and baskets

Sec. 271. (a) If hot water is used for sanitization in manual warewashing operations, the sanitizing compartment of the sink shall be as follows:
(1) Designed with an integral heating device that is capable of maintaining water at a temperature not less than one hundred seventy (170) degrees Fahrenheit.
(2) Provided with a rack or basket to allow complete immersion of equipment and utensils into the hot water.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-272 Warewashing equipment; clean solutions

Sec. 272. (a) The wash, rinse, and sanitize solutions shall be maintained clean.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-273 Manual warewashing equipment; wash solution temperature

Sec. 273. (a) The temperature of the wash solution in manual warewashing equipment shall be maintained at not less than one hundred ten (110) degrees Fahrenheit or the temperature specified on the cleaning agent manufacturer's label instructions.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-274 Manual warewashing equipment; hot water sanitization temperatures

Sec. 274. (a) If immersion in hot water is used for sanitizing in a manual operation, the temperature of the water shall be maintained at one hundred seventy (170) degrees Fahrenheit or above.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-275 Manual warewashing equipment; chemical sanitization using detergent-sanitizers

Sec. 275. (a) If a detergent-sanitizer is used to sanitize in a cleaning and sanitizing procedure where there is no distinct water rinse between the washing and sanitizing steps, the agent applied in the sanitizing step shall be the same detergent-sanitizer that is used in the washing step.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-276 Washing; procedures for alternative manual warewashing equipment

Sec. 276. (a) If washing in sink compartments or a warewashing machine is impractical, such as when the equipment is fixed or the utensils are too large, washing shall be done by using alternative manual warewashing equipment, as specified in section 270(c) of this rule, in accordance with the following procedures:

(1) Equipment shall be disassembled as necessary to allow access of the detergent solution to all parts.

(2) Equipment components and utensils shall be scraped or rough cleaned to remove food particle accumulation.

(3) Equipment and utensils shall be washed as specified under section 301(a) of this rule.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

MECHANICAL WAREWASHING Sections 277 through 287

410 IAC 7-24-277 Warewashing machine; pressure measuring devices

Sec. 277. (a) Pressure measuring devices that display the pressures in the water supply line for the fresh hot water sanitizing rinse shall have increments of one (1) pound per square inch or smaller and shall be accurate to two (2) pounds per square inch in the fifteen (15) to twenty-five (25) pounds per square inch range.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-278 Warewashing machine; data plate operating specifications

Sec. 278. (a) A warewashing machine shall be provided with an easily accessible and readable data plate affixed to the machine by the manufacturer that indicates the machine's design and operating specifications, including the following:

(1) Temperatures required for washing, rinsing, and sanitizing.

(2) Pressure required for the fresh water sanitizing rinse unless the machine is designed to use only a pumped sanitizing rinse.

(3) Conveyor speed for conveyor machines or cycle time for stationary rack machines.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-279 Warewashing machine; internal baffles

Sec. 279. (a) Warewashing machine wash and rinse tanks shall be equipped with baffles, curtains, or other means to minimize internal cross-contamination of the solutions in wash and rinse tanks.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-280 Warewashing machine; temperature measuring devices

Sec. 280. (a) A warewashing machine shall be equipped with a temperature measuring device that indicates the temperature of the water as follows:

(1) In each wash and rinse tank.

(2) As the water enters the hot water sanitizing final rinse manifold or in the chemical sanitizing solution tank.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-281 Warewashing machine; automatic dispensing of detergents and sanitizers

Sec. 281. (a) A warewashing machine that uses a chemical for sanitization and that is installed after the effective date of this rule shall be equipped to:

(1) automatically dispense detergents and sanitizers; and

(2) incorporate a visual means to verify that detergents and sanitizers are delivered or a visual or audible

alarm to signal if the detergents and sanitizers are not delivered to the respective washing and sanitizing cycles.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-282 Warewashing machine; flow pressure device

Sec. 282. (a) Warewashing machines that provide a fresh hot water sanitizing rinse shall be equipped with a pressure gauge or similar device, such as a transducer, that measures and displays the water pressure in the supply line immediately before entering the warewashing machine.

(b) If the flow pressure measuring device is upstream of the fresh hot water sanitizing rinse control valve, the device shall be mounted in a one-fourth (¼) inch iron pipe size (IPS) valve.

(c) Subsections (a) and (b) do not apply to a machine that uses only a pumped or recirculated sanitizing rinse.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-283 Warewashing machine; manufacturer's operating instructions

Sec. 283. (a) A warewashing machine and its auxiliary components shall be operated in accordance with the machine's data plate and other manufacturer's instructions.

(b) A warewashing machine's conveyor speed or automatic cycle times shall be maintained accurately timed in accordance with manufacturer's specifications.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-284 Warewashing machine; wash solution temperature

Sec. 284. (a) The temperature of the wash solution in spray-type warewashing machines that use hot water to sanitize may not be less than:

(1) for a stationary rack, single temperature machine, one hundred sixty-five (165) degrees Fahrenheit;

(2) for a stationary rack, dual temperature machine, one hundred fifty (150) degrees Fahrenheit;

(3) for a single tank, conveyor, dual temperature machine, one hundred sixty (160) degrees Fahrenheit; or

(4) for a multitank, conveyor, multitemperature machine, one hundred fifty (150) degrees Fahrenheit.

(b) The temperature of the wash solution in spray-type warewashing machines that use chemicals to sanitize may be not less than one hundred twenty (120) degrees Fahrenheit.

Hot Water Machine Type	Type of Temperature	Wash Temperature of Machine	Sanitization Temperature of the Machine
Stationary Rack	Single Temperature	165°F	165°F
Stationary Rack	Dual Temperature	150°F	180°F
Single Tank	Dual Temperature	160°F	180°F
Multitank	Multitemperature	150°F	180°F
Chemical Machine		120°F	Not Applicable

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-285 Warewashing machine; hot water sanitization temperatures

Sec. 285. (a) Except as specified in subsection (b), in a mechanical operation, the temperature of the fresh hot water sanitizing rinse as it enters the manifold may be not more than one hundred ninety-four (194) degrees Fahrenheit or less than:

(1) for a stationary rack, single temperature machine, one hundred sixty-five (165) degrees Fahrenheit; or

(2) for all other machines, one hundred eighty (180) degrees Fahrenheit.

(b) The maximum temperature specified under subsection (a), does not apply to the high pressure and temperature systems with wand-type, hand-held, spraying devices used for the in-place cleaning and sanitizing of equipment, such as meat saws.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-286 Warewashing machine; sanitization pressure

Sec. 286. (a) The flow pressure of the fresh hot water sanitizing rinse in a warewashing machine may not be less than fifteen (15) pounds per square inch or more than twenty-five (25) pounds per square inch as measured in the waterline immediately downstream or upstream from the fresh hot water sanitizing rinse control valve.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-287 Warewashing machine; loading of soiled items;

Sec. 287. (a) Soiled items to be cleaned in a warewashing machine shall be loaded into racks, trays, or baskets or onto conveyors in a position that:
(1) exposes the items to the unobstructed spray from all cycles; and
(2) allows the items to drain.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

WAREWASHING – GENERAL Sections 288 through 304

410 IAC 7-24-288 Warewashing sinks and drainboards; self-draining

Sec. 288. (a) Sinks and drainboards of warewashing sinks and machines shall be self-draining.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-289 Drainboards

Sec. 289. (a) Drainboards, utensil racks, or tables large enough to accommodate all soiled and cleaned items that may accumulate during hours of operation shall be provided for necessary utensil holding before cleaning and after sanitizing.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-290 Warewashing machine; cleaning frequency

Sec. 290. (a) A warewashing machine; the compartments of sinks, basins, or other receptacles used for washing and rinsing equipment, utensils, or raw foods or laundering wiping cloths; and drainboards or other equipment used to substitute for drainboards as specified under section 289 of this rule shall be cleaned as follows:
(1) Before use.
(2) Throughout the day at a frequency necessary to prevent recontamination of equipment and utensils and to ensure that the equipment performs its intended function.
(3) If used, at least every twenty-four (24) hours.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-291 Sanitizing solutions; testing devices

Sec. 291. (a) A test kit or other device that accurately measures the concentration in ppm of sanitizing solutions shall be provided and used.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-292 Warewashing machine; cleaning agents

Sec. 292. (a) When used for warewashing, the wash compartment of a sink, mechanical warewasher, or wash receptacle of alternative manual warewashing equipment as specified in section 270(c) of this rule shall contain a wash solution of:

(1) soap;
(2) detergent;
(3) acid cleaner;
(4) alkaline cleaner;
(5) degreaser;
(6) abrasive cleaner; or
(7) other cleaning agent;

according to the cleaning agent manufacturer's label instructions.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-293 Warewashing sinks and machines; use limitation

Sec. 293. (a) A warewashing sink shall not be used for hand washing or as a service sink.

(b) If a warewashing sink is used to wash wiping cloths, wash produce, or thaw food, the sink shall be cleaned as specified under section 290 of this rule before and after each time it is used to wash wiping cloths, wash produce, or thaw food. Sinks used to wash or thaw food shall be sanitized as specified under section 303 of this rule before and after using the sink to wash or thaw food.

(c) A warewashing machine shall not be used for laundering linens, wiping cloths, food, floor mats, or other items not specified as an intended use of the machine by its manufacturer.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-294 Manual or machine warewashing; chemical sanitization; temperature, pH, concentration, and hardness

Sec. 294. (a) A chemical sanitizer used in a sanitizing solution for a manual or machine warewashing operation at exposure times specified under section 303(b)(3) of this rule shall be listed in 21 CFR 178.1010, used in accordance with the manufacturer's label use instructions as specified in section 441 of this rule, and used as follows:

(1) A chlorine solution shall have a minimum temperature based on the concentration and pH of the solution as listed in the following chart:

Minimum Concentration	Minimum Temperature		Times (taken from section 303 of this rule)
ppm	pH 10 or less °F	pH 8 or less °F	
25	120	120	10 seconds
50	100	75	7 seconds
100	55	55	10 seconds

(2) An iodine solution shall have a:

(A) minimum temperature of seventy-five (75) degrees Fahrenheit;

(B) pH of 5.0 or less or a pH no higher than the level for which the manufacturer specifies the solution is effective; and

(C) concentration between twelve and one-half (12.5) ppm and twenty-five (25) ppm.

(3) A quaternary ammonium compound solution shall:

(A) have a minimum temperature of seventy-five (75) degrees Fahrenheit;

(B) have a concentration as specified under section 443 of this rule and as indicated by the manufacturer's use directions included in the labeling; and

(C) be used only in water with five hundred (500) ppm hardness or less or in water having a hardness no greater than specified by the manufacturer's label.

(4) If another solution of a chemical specified under subdivisions (1) through (3) is used, the owner or operator of a retail food establishment shall demonstrate to the regulatory authority that the solution achieves sanitization and the use of the solution shall be approved.

(5) If a chemical sanitizer other than chlorine, iodine, or a quaternary ammonium compound is used, it shall be applied in accordance with the manufacturer's use directions included in the labeling.

(6) If chemical sanitizer is used in the retail food establishment, the chemical sanitizer must be present in the establishment.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-295 Equipment food-contact surfaces, nonfood-contact surfaces, and utensils

Sec. 295. (a) Equipment food-contact surfaces and utensils shall be clean to sight and touch.

(b) The food-contact surfaces of cooking equipment and pans shall be kept free of encrusted grease deposits and other soil accumulations.

(c) Nonfood-contact surfaces of equipment shall be kept free of an accumulation of:

(1) dust;

(2) dirt;

(3) food residue; and

(4) other debris;

and shall be cleaned at a frequency necessary to preclude accumulation of soil residue.

(d) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

(e) For purposes of this section, a violation of subsection (c) is a noncritical item.

410 IAC 7-24-296 Equipment food-contact surfaces and utensils; cleaning frequency

Sec. 296. (a) Equipment food-contact surfaces and utensils shall be cleaned as follows:

(1) Except as specified in subsection (b), before each use with a different type of raw animal food such as the following:

(A) Beef.

(B) Fish.

(C) Lamb.

(D) Pork.

(E) Poultry.

(2) Each time there is a change from working with raw foods to working with ready-to-eat foods.

(3) Between uses with raw fruits and vegetables and with potentially hazardous food.

(4) Before using or storing a food temperature measuring device.

(5) At any time during the operation when contamination may have occurred.

(b) Subsection (a)(1) does not apply if the food-contact surface or utensil is in contact with a succession of different raw animal foods each requiring a higher cooking temperature as specified under section 182 of this rule than the previous food, such as preparing raw fish followed by cutting raw poultry on the same cutting board.

(c) Except as specified in subsection (d), if used with potentially hazardous food, equipment food-contact surfaces and utensils shall be cleaned throughout the day at least every four (4) hours.

(d) Surfaces of utensils and equipment contacting potentially hazardous food may be cleaned less frequently than every four (4) hours if the following applies:

(1) In storage, containers of potentially hazardous food and their contents are maintained at temperatures specified under section 139 through 160, 162 through 167, 169 through 183, 185 through 191, 193 through 200, 203, 234, 236, 245 through 247, or 249 of this rule and the containers are cleaned when they are empty.

(2) Utensils and equipment are used to prepare food in a refrigerated room or area that is maintained at one (1) of the temperatures in the following chart and:

(A) The utensils and equipment are cleaned at the frequency in the following chart that corresponds to the temperature:

Temperature	Cleaning Frequency
41°F or less	24 hours
> 41°F - 45°F	20 hours
> 45°F - 50°F	16 hours
> 50°F - 55°F	10 hours

(B) The cleaning frequency based on the ambient temperature of the refrigerated room or area is documented in the retail food establishment.

(3) Containers in serving situations, such as salad bars, delis, and cafeteria lines:

(A) hold ready-to-eat potentially hazardous food that is maintained at the temperatures specified under section 139 through 160, 162 through 167, 169 through 183, 185 through 191, 193 through 200, 203, 234, 236, 245 through 247, or 249 of this rule;

(B) are intermittently combined with additional supplies of the same food that is at the required temperature; and

(C) are cleaned at least every twenty-four (24) hours.

(4) Temperature measuring devices are maintained in contact with food, such as when left in a container of deli food or in a roast, held at temperatures specified under section 139 through 160, 162 through 167, 169 through 183, 185 through 191, 193 through 200, 203, 234, 236, 245 through 247, or 249 of this rule.

(5) Equipment is used for storage of packaged or unpackaged food, such as a reach-in refrigerator, and the equipment is cleaned at a frequency necessary to preclude accumulation of soil residues.

(6) The cleaning schedule is approved based on consideration of the following:

(A) Characteristics of the equipment and its use.

(B) The type of food involved.

(C) The amount of food residue accumulation.

(D) The temperature at which the food is maintained during the operation and the potential for the rapid and progressive multiplication of pathogenic or toxigenic microorganisms that are capable of causing foodborne disease.

(7) In-use utensils are intermittently stored in a container of water in which the water is maintained at one hundred thirty-five (135) degrees Fahrenheit or more and the utensils and container are cleaned at least every twenty-four (24) hours or at a frequency necessary to preclude accumulation of soil residues.

(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a critical item.

410 IAC 7-24-297 Not potentially hazardous food contact surfaces cleaning frequency

Sec. 297. (a) Except when dry cleaning methods are used as specified under section 299 of this rule, surfaces of utensils and equipment contacting food that is not potentially hazardous shall be cleaned as follows:

(1) At any time when contamination may have occurred.

(2) At least every twenty-four (24) hours for iced tea dispensers and consumer self-service utensils, such as tongs, scoops, or ladles.

(3) Before restocking consumer self-service equipment and utensils, such as condiment dispensers and display containers.

(4) In equipment, such as ice bins and beverage dispensing nozzles, and enclosed components of equipment, such as ice makers, cooking oil storage tanks and distribution lines, beverage and syrup dispensing lines or tubes, coffee bean grinders, and water vending equipment:

(A) at a frequency specified by the manufacturer; or

(B) absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-298 Cooking and baking equipment

Sec. 298. (a) The food-contact surfaces of cooking and baking equipment shall be cleaned at least every twenty-four (24) hours. This section does not apply to hot oil cooking and filtering equipment if it is cleaned as specified in section 296(d)(6) of this rule.

(b) The cavities and door seals of microwave ovens shall be cleaned at least every twenty-four (24) hours by using the manufacturer's recommended cleaning procedure.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-299 Dry cleaning

Sec. 299. (a) If used, dry cleaning methods, such as brushing, scraping, and vacuuming, shall contact only surfaces that are soiled with dry food residues that are not potentially hazardous.

(b) Cleaning equipment used in dry cleaning food-contact surfaces may not be used for any other purpose.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-300 Precleaning

Sec. 300. (a) Food debris on equipment and utensils shall be:

(1) scrapped over a waste disposal unit or garbage receptacle; or

(2) removed in a warewashing machine with a prewash cycle.

(b) If necessary for effective cleaning, utensils and equipment shall be preflushed, presoaked, or scrubbed with abrasives.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-301 Wet cleaning

Sec. 301. (a) Equipment food-contact surfaces and utensils shall be effectively washed to remove or completely loosen soils by using the manual or mechanical means necessary, such as the application of one (1) of the following:

(1) Detergents containing wetting agents and emulsifiers.

(2) Acid, alkaline, or abrasive cleaners.

(3) Hot water.

(4) Brushes.

(5) Scouring pads.

(6) High-pressure sprays.

(7) Ultrasonic devices.

(b) The washing procedures selected shall be based on the following:

(1) The type and purpose of the equipment or utensil.

(2) The type of soil to be removed.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-302 Rinsing procedures

Sec. 302. (a) Washed utensils and equipment shall be rinsed so that abrasives are removed and cleaning chemicals are removed or diluted through the use of water or a detergent-sanitizer solution by using one (1) of the following procedures:

(1) Use of a distinct, separate water rinse after washing and before sanitizing if using:

(A) a three (3) compartment sink;

(B) alternative manual warewashing equipment equivalent to a three (3) compartment sink as specified in section 270(c) of this rule; or

(C) a three (3) step washing, rinsing, and sanitizing procedure in a warewashing system for CIP equipment.

(2) Use of a detergent-sanitizer as specified under section 275 of this rule if using:

(A) alternative warewashing equipment as specified in section 270(c) of this rule that is approved for use with a detergent-sanitizer; or

(B) a warewashing system for CIP equipment.

(3) Use of a nondistinct water rinse that is integrated in the hot water sanitization immersion step of a two (2) compartment sink operation.

(4) If using a warewashing machine that does not recycle the sanitizing solution as specified under subdivision (5), or alternative manual warewashing equipment, such as sprayers, use of a nondistinct water rinse that is:

(A) integrated in the application of the sanitizing solution; and

(B) wasted immediately after each application.

(5) If using a warewashing machine that recycles the sanitizing solution for use in the next wash cycle, use of a nondistinct water rinse that is integrated in the application of the sanitizing solution.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-303 Cleaning and sanitizing food contact surfaces

Sec. 303. (a) Utensils and food-contact surfaces of equipment shall be sanitized immediately after cleaning.
(b) After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in:
(1) hot water manual operations by immersion for at least thirty (30) seconds as specified under section 274 of this rule;
(2) hot water mechanical operations by being cycled through equipment that is set up as specified under section 283, 285, or 286 of this rule and achieving a utensil surface temperature of one hundred sixty (160) degrees Fahrenheit as measured by an irreversible registering temperature indicator; or
(3) chemical manual or mechanical operations, including the application of sanitizing chemicals by immersion, manual swabbing, brushing, or pressure spraying methods, using a solution as specified under section 294 of this rule by providing:
(A) except as specified under clause (B), an exposure time of at least ten (10) seconds for a chlorine solution specified under section 294(a)(1) of this rule;
(B) an exposure time of at least seven (7) seconds for a chlorine solution of fifty (50) ppm that has a pH of 10 or less and a temperature of at least one hundred (100) degrees Fahrenheit or a pH of 8 or less and a temperature of at least seventy five (75) degrees Fahrenheit;
(C) an exposure time of at least thirty (30) seconds for other chemical sanitizing solutions; or
(D) an exposure time used in relationship with a combination of temperature, concentration, and pH that, when evaluated for efficacy, yields sanitization as defined in section 82 of this rule.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-304 Equipment and utensils; air drying required

Sec. 304. (a) After cleaning and sanitizing, equipment and utensils:
(1) shall be air-dried or used after adequate draining as specified in 21 CFR 178.1010(a), before contact with food; and
(2) may not be cloth-dried except that utensils that have been air-dried may be polished with cloths that are maintained clean and dry.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

VENTILATION Sections 305 through 310

410 IAC 7-24-305 Ventilation hood systems; filters

Sec. 305. (a) Filters or other grease extracting equipment shall be designed to be readily removable for cleaning and replacement if not designed to be cleaned in place.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-306 Ventilation hood systems; drip prevention

Sec. 306. (a) Exhaust ventilation hood systems in food preparation and warewashing areas, including components, such as hoods, fans, guards, and ducting, shall be designed to prevent grease or condensation from draining or dripping onto the following:
(1) Food.
(2) Equipment.
(3) Utensils.
(4) Linens.
(5) Single-service and single-use articles.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-307 Ventilation hood systems; adequacy

Sec. 307. (a) Ventilation hood systems and devices shall meet the requirements of the Indiana department of fire and building services and be sufficient in number and capacity to prevent grease or condensation from collecting on walls and ceilings.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-308 Design of heating, ventilating, and air conditioning system vents

Sec. 308. (a) Heating, ventilating, and air conditioning systems shall be designed and installed so that makeup air intake and exhaust vents do not cause contamination of:
(1) food;
(2) food-contact surfaces;
(3) equipment; or
(4) utensils.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-309 Mechanical ventilation

Sec. 309. (a) Mechanical ventilation shall be provided in accordance with requirements of the Indiana department of fire and building services and shall be of sufficient capacity to keep rooms free of the following:
(1) Excessive heat.
(2) Steam.
(3) Condensation.
(4) Vapors.
(5) Obnoxious odors.
(6) Smoke.
(7) Fumes.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-310 Cleaning ventilation systems

Sec. 310. (a) Intake and exhaust air ducts shall be cleaned and filters changed so they are not a source of contamination by the following:
(1) Dust.
(2) Dirt.
(3) Other materials.
(b) If vented to the outside, ventilation systems may not create a:
(1) public health hazard;
(2) nuisance; or
(3) unlawful discharge.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

LAUNDRY Sections 311 through 316

410 IAC 7-24-311 Clothes washers and dryers

Sec. 311. (a) Except as specified in subsection (b), if work clothes or linens are laundered on the premises, a mechanical clothes washer and dryer shall be provided and used.
(b) If on-premises laundering is limited to wiping cloths intended to be used wet, or wiping cloths are air-dried as specified under section 316 of this rule, a mechanical clothes washer and dryer need not be provided.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-312 Specifications for laundering

Sec. 312. (a) Linens that do not come in direct contact with food shall be laundered between operations if they become:
(1) wet;
(2) sticky; or
(3) visibly soiled.
(b) Cloth gloves used as specified in section 246(d) of this rule shall be laundered before being used with a different type of raw animal food, such as the following:
(1) Beef.
(2) Lamb.
(3) Pork.
(4) Fish.
(c) Linens and napkins that are used as specified under section 236 of this rule and cloth napkins shall be laundered between each use.
(d) Wet wiping cloths shall be laundered daily.
(e) Dry wiping cloths shall be laundered as necessary to prevent contamination of food and clean serving utensils.
(f) For purposes of this section, a violation of subsection (a), (b), (c), (d), or (e) is a noncritical item.

410 IAC 7-24-313 Mechanical washing

Sec. 313. (a) Except as specified in subsection (b), linens shall be mechanically washed.
(b) In retail food establishments in which only wiping cloths are laundered as specified in section 311(b) of this rule, the wiping cloths may be laundered in a:
(1) mechanical washer;
(2) sink designated only for laundering wiping cloths; or
(3) warewashing or food preparation sink;
that is cleaned as specified under section 290 of this rule.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-314 Use of laundry facilities

Sec. 314. (a) Except as specified in subsection (b), laundry facilities on the premises of a retail food establishment shall be used only for the washing and drying of items used in the operation of the establishment.
(b) Separate laundry facilities located on the premises for the purpose of general laundering, such as for institutions providing boarding and lodging, may also be used for laundering retail food establishment items.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-315 Equipment, clothes washers, dryers, and storage cabinets

Sec. 315. (a) Except as specified in subsection (b), equipment, a cabinet used for the storage of food, or a cabinet that is used to store cleaned and sanitized equipment, utensils, laundered linens, and single-service and single-use articles may not be located as follows:
(1) In the following:
(A) Locker rooms.
(B) Toilet rooms.
(C) Garbage rooms.
(D) Mechanical rooms, when contamination is likely to occur.
(2) Under the following:
(A) Sewer lines that are not shielded to intercept potential drips.
(B) Leaking water lines including leaking automatic fire sprinkler heads or under lines on which water has condensed.
(C) Open stairwells.

(D) Other sources of contamination.

(b) A storage cabinet used for linens or single-service or single-use articles may be stored in a locker room.

(c) If a mechanical clothes washer or dryer is provided, it shall be located so that the washer or dryer is protected from contamination and only where there is no:

(1) exposed food;

(2) clean equipment, utensils, and linens; and

(3) unwrapped single-service and single-use articles.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-316 Wiping cloths; air drying locations

Sec. 316. (a) Wiping cloths laundered in a retail food establishment that does not have a mechanical clothes dryer as specified in section 311(b) of this rule shall be air-dried in a location and in a manner that prevents contamination of the following:

(1) Food.

(2) Equipment.

(3) Utensils.

(4) Linens.

(5) Single-service and single-use articles.

(6) Wiping cloths.

This section does not apply if wiping cloths are stored after laundering in a sanitizing solution as specified under section 294 of this rule.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

EQUIPMENT – GENERAL Sections 317 through 319

410 IAC 7-24-317 Lubricants for food-contact surfaces

Sec. 317. (a) Lubricants shall be applied to food-contact surfaces that require lubrication in a manner that does not contaminate food-contact surfaces.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-318 Protection of equipment

Sec. 318. (a) Equipment shall be reassembled so that food-contact surfaces are not contaminated.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-319 Case lot handling equipment; moveability

Sec. 319. (a) Equipment, such as:

(1) dollies;

(2) pallets;

(3) racks; and

(4) skids;

used to store and transport large quantities of packaged foods received from a supplier in a cased or overwrapped lot shall be designed to be moved by hand or by conveniently available equipment, such as hand trucks and forklifts, to allow for routine cleaning and maintenance of the premises.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

WATER, PLUMBING, WATER FIXTURES AND WASTE

WATER	Sections 320 through 321

410 IAC 7-24-320 Water source

Sec. 320. (a) Drinking water shall be obtained from a source that meets the quality standards as specified in 327 IAC 8-2.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-321 System flushing and disinfection

Sec. 321. (a) A drinking water system shall be flushed and disinfected before being placed in service after the following:
(1) Construction, repair, or modification.
(2) An emergency situation, such as a flood, that may introduce contaminants to the system.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

PLUMBING / WATER	Sections 322 through 333

410 IAC 7-24-322 Design, construction, and installation of approved plumbing system and cleanable fixtures

Sec. 322. (a) A plumbing system shall:
(1) be designed, constructed, and installed according to applicable Indiana plumbing code; and
(2) meet the capacity needs of the retail food establishment.
(b) A plumbing fixture, such as a:
(1) hand washing facility;
(2) toilet; or
(3) urinal;
shall be easily cleanable.
(c) For purposes of this section, a violation of subsection (a) is a critical item.
(d) For purposes of this section, a violation of subsection (b) is a noncritical item.

410 IAC 7-24-323 Approved plumbing system materials

Sec. 323. (a) A plumbing system and hoses conveying water shall be constructed and repaired with approved materials according to law.
(b) Water treatment devices shall be made of safe materials.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-324 Plumbing system maintained in good repair

Sec. 324. (a) A plumbing system shall be:
(1) repaired according to law; and
(2) maintained in good repair.
(b) For purposes of this section, a violation of subsection (a)(1) is a critical item.
(c) For purposes of this section, a violation of subsection (a)(2) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or environmental health hazard.

410 IAC 7-24-325 Bottled drinking water

Sec. 325. (a) Bottled drinking water used or sold in a retail food establishment shall be obtained from approved sources in accordance with 21 CFR 129.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-326 Nondrinking water

Sec. 326. (a) Nondrinking water shall be used only for nonculinary purposes, such as the following:
(1) Air conditioning.
(2) Nonfood equipment cooling.
(3) Fire protection.
(4) Irrigation.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-327 Water sampling

Sec. 327. (a) Except when used as specified under section 326 of this rule, water from a nonpublic water system shall be sampled and tested at least annually and as required by state water quality regulations.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-328 Water sample report

Sec. 328. (a) The most recent sample report for the nonpublic water system shall be provided to the regulatory authority upon request.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-329 Capacity

Sec. 329. (a) The water source and system shall be of sufficient capacity to meet the water demands of the retail food establishment.
(b) Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the retail food establishment.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-330 Water pressure

Sec. 330. (a) Water under pressure shall be provided to all fixtures, equipment, and nonfood equipment that are required to use water except that water supplied as specified under section 332(a)(1) and 332(a)(2) of this rule to a temporary retail food establishment or in response to a temporary interruption of a water supply need not be under pressure.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-331 Water distribution, delivery, and retention system

Sec. 331. (a) Water shall be received from the source through the use of any of the following:
(1) A public water supply main.
(2) An approved private water supply system.
(3) One (1) or more of the following, which shall be constructed, maintained, and operated according to law:
(A) A nonpublic water supply main, water pumps, pipes, hoses, connections, and other appurtenances.
(B) Water transport vehicles.
(C) Water containers.
(D) An alternative water supply.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-332 Alternative water supply

Sec. 332. (a) Water meeting the requirements specified under section 320, 321, or 325 through 330 of this rule shall be made available for a mobile facility, for a temporary retail food establishment without a permanent water supply, and for a retail food establishment with a temporary interruption of its water supply through any of the following:

(1) A supply of containers of commercially bottled drinking water.
(2) One (1) or more closed portable water containers.
(3) An enclosed vehicular water tank.
(4) An on-premises water storage tank.
(5) Piping, tubing, or hoses connected to an adjacent approved source.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-333 Ice units; separation of drains

Sec. 333. (a) Liquid waste drain lines may not pass through an ice machine or ice storage bin.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

BACKSIPHONAGE Sections 334 through 339

410 IAC 7-24-334 Backsiphonage prevention; air gap

Sec. 334. (a) An air gap between the water supply inlet and the flood level rim of the plumbing fixture, equipment, or nonfood equipment shall be at least twice the diameter of the water supply inlet and may not be less than one (1) inch.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-335 Backsiphonage prevention device; design standard

Sec. 335. (a) A backsiphonage prevention device installed on a water supply system shall meet the standards in 675 IAC 16-1.3 for:

(1) construction;
(2) installation;
(3) maintenance;
(4) inspection; and
(5) testing;

for that specific application and type of device.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-336 Backsiphonage prevention device; when required

Sec. 336. (a) A plumbing system shall be installed to preclude backsiphonage of a solid, liquid, or gas contaminant into the water supply system at each point of use at the retail food establishment, including on hose bibbs with or without a hose attached, and backsiphonage prevention is required by plumbing code by:

(1) providing an air gap as specified under section 334 of this rule; or
(2) installing an approved backsiphonage prevention device as specified under section 335 of this rule.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-337 Backsiphonage prevention device, carbonator

Sec. 337. (a) If not provided with an air gap as specified under section 368 of this rule, a double check valve with an intermediate vent preceded by a screen of not less than one hundred (100) mesh to twenty-five and four-tenths (25.4) millimeters (one hundred (100) mesh to one (1) inch) shall be installed upstream from a carbonating device and downstream from any copper in the water supply line.
(b) A single or double check valve attached to the carbonator need not be of the vented type if an air gap or vented backflow prevention device has been otherwise provided as specified under subsection (a).
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-338 Backsiphonage prevention device; location

Sec. 338. (a) A backsiphonage prevention device shall be located so that it may be serviced and maintained.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-339 Prohibiting a cross connection

Sec. 339. (a) Except for firefighting purposes, a person may not create a cross connection by connecting a pipe or conduit between the drinking water system and a nondrinking water system or a water system of unknown quality.
(b) The piping of a nondrinking water system shall be durably identified so that it is readily distinguishable from piping that carries drinking water.
(c) For purposes of this section, a violation of subsection (a) is a critical item.
(d) For purposes of this section, a violation of subsection (b) is a noncritical item.

410 IAC 7-24-340 Water conditioning device; design

Sec. 340. (a) A water filter, screen, and other water conditioning device installed on water lines shall be designed to facilitate disassembly for periodic servicing and cleaning. A water filter element shall be of the replaceable type.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-341 Water conditioning device; location

Sec. 341. (a) A water filter, screen, and other water conditioning device installed on water lines shall be located to facilitate disassembly for periodic servicing and cleaning.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

HAND WASHING SINKS — Sections 342 through 349

410 IAC 7-24-342 Hand washing facility; water temperature and flow

Sec. 342. (a) A hand washing facility shall be equipped to provide water having a temperature of at least one hundred (100) degrees Fahrenheit by means of a mixing valve or combination faucet.
(b) A steam mixing valve may not be used at a hand washing sink.
(c) A self-closing, slow-closing, or metering faucet shall provide a flow of water for at least fifteen (15) seconds without the need to reactivate the faucet.
(d) An automatic hand washing facility shall be installed in accordance with manufacturer's instructions.
(e) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a noncritical item.

410 IAC 7-24-343 Hand washing sinks; numbers and capacities

Sec. 343. (a) Except as specified in subsection (b):
(1) at least one (1) hand washing sink;
(2) a number of hand washing sinks necessary for their convenient use by employees in areas specified under section 344 of this rule; and
(3) not fewer than the number of hand washing sinks required by 675 IAC 16-1.3;
shall be provided.
(b) If approved and capable of removing the types of soils encountered in the food operations involved, automatic hand washing facilities may be substituted for hand washing sinks in a retail food establishment that has at least one (1) hand washing sink.
(c) If approved, when food exposure is limited and hand washing sinks cannot be made available, employees in some mobile or temporary retail food establishments or at some vending machine locations may use other effective means for hand washing.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

410 IAC 7-24-344 Hand washing facility; location

Sec. 344. (a) A hand washing facility shall be accessible at all times and located as follows:
(1) To allow convenient use by employees in:
(A) food preparation;
(B) food dispensing; and
(C) warewashing;
areas.
(2) In, or immediately adjacent to, toilet rooms.
(3) So as to not contaminate food-contact and clean warewashing surfaces.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-345 Hand washing facility; maintenance

Sec. 345. (a) A hand washing facility shall be maintained clean at all times for employee use.
(b) A hand washing facility may not be used for purposes other than hand washing.
(c) A hand washing facility shall be used in accordance with manufacturer's instructions.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

410 IAC 7-24-346 Availability of hand washing cleanser

Sec. 346. (a) Each hand washing sink or group of two (2) adjacent sinks shall be provided with a supply of hand cleaning:
(1) liquid;
(2) powder; or
(3) bar;
soap.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-347 Hand drying provisions

Sec. 347. (a) Each hand washing sink or group of adjacent sinks shall be provided with one (1) of the following:
(1) Individual, disposable towels.
(2) A continuous towel system that supplies the user with a clean towel.
(3) A heated-air hand drying device.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-348 Restrictions on hand washing aids and devices

Sec. 348. (a) A sink used for food preparation or utensil washing, or a service sink or curbed cleaning facility used for the disposal of mop water or similar wastes, may not be provided with the hand washing aids and devices required for a hand washing sink as specified under sections 346, 347, and 386(c) of this rule.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-349 Waste receptacles for disposable towels

Sec. 349. (a) A hand washing sink or group of adjacent sinks that is provided with disposable towels shall be provided with a waste receptacle as specified under section 386(c) of this rule.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

RESTROOMS Sections 350 through 354

410 IAC 7-24-350 Toilets and urinals

Sec. 350. (a) At least one (1) toilet and not fewer than the toilets required by law shall be provided. If authorized by law and urinals are substituted for toilets, the substitution shall be done as specified in laws of the Indiana department of fire and building services.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-351 Toilet room receptacle; covered

Sec. 351. (a) A toilet room used by females shall be provided with a covered receptacle for sanitary napkins.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-352 Enclosed toilet rooms

Sec. 352. (a) A toilet room located on the premises shall be completely enclosed and provided with a tight-fitting and self-closing door, except that this requirement does not apply to a toilet room that is located outside a retail food establishment and does not open directly into the retail food establishment, such as a toilet room that is provided by the management of a shopping mall.
(b) Toilet room doors shall be kept closed, except during cleaning and maintenance.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-353 Toilet rooms accessibility

Sec. 353. (a) Toilet rooms shall be conveniently located and accessible to employees during all hours of operation.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-354 Availability of toilet tissue

Sec. 354. (a) A supply of toilet tissue shall be available at each toilet.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

SERVICE SINK Section 355

410 IAC 7-24-355 Service sink

Sec. 355. (a) At least one (1) service sink or one (1) curbed cleaning facility equipped with:
(1) a floor drain;
(2) hot water having a temperature of at least one hundred (100) degrees Fahrenheit; and
(3) cold water;
shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste. The service sink or curbed cleaning facility, or both, shall not be used in substitution for or as a warewashing or food preparation sink.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-356 Scheduling inspection and service for a water system device

Sec. 356. (a) A device, such as a water treatment device or backflow preventer, shall be scheduled for inspection and service, in accordance with manufacturer's instructions and as necessary to prevent device failure based on local water conditions, and records demonstrating inspection and service shall be provided to the regulatory authority upon request.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-357 Water reservoir of fogging devices; cleaning

Sec. 357. (a) A reservoir that is used to supply water to a device, such as a produce fogger, shall be:
(1) maintained in accordance with manufacturer's specifications; and
(2) cleaned in accordance with manufacturer's specifications or according to the procedures specified under subsection (b), whichever is more stringent.
(b) Cleaning procedures shall include at least the following steps and shall be conducted at least once a week:
(1) Draining and complete disassembly of the water and aerosol contact parts.
(2) Brush-cleaning the reservoir, aerosol tubing, and discharge nozzles with a suitable detergent solution.
(3) Flushing the complete system with water to remove the detergent solution and particulate accumulation.
(4) Rinsing by immersing, spraying, or swabbing the reservoir, aerosol tubing, and discharge nozzles with at least fifty (50) ppm hypochlorite solution.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

MOBILE WATER / WASTE HOLDING TANKS Sections 358 through 373

410 IAC 7-24-358 Mobile water tank and mobile retail food establishment water tank materials

Sec. 358. (a) Materials that are used in the construction of a mobile water tank, mobile retail food establishment water tank, and appurtenances shall be as follows:
(1) Safe.
(2) Durable, corrosion-resistant, and nonabsorbent.
(3) Finished to have a smooth, easily cleanable surface.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-359 Enclosed system; sloped to drain

Sec. 359. (a) A mobile water tank shall be as follows:
(1) Enclosed from the filling inlet to the discharge outlet.

(2) Sloped to an outlet that allows complete drainage of the tank.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-360 Inspection and cleaning port; protected and secured

Sec. 360. (a) If a water tank is designed with an access port for inspection and cleaning, the opening shall be in the top of the tank and as follows:
(1) Flanged upward at least one-half (½) inch.
(2) Equipped with a port cover assembly that is as follows:
(A) Provided with a gasket and a device for securing the cover in place.
(B) Flanged to overlap the opening and sloped to drain.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-361 "V" type threads; use limitation

Sec. 361. (a) A fitting with "V" type threads on a water tank inlet or outlet shall be allowed only when a hose is permanently attached.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-362 Tank vent; protected

Sec. 362. (a) If provided, a water tank vent shall terminate in a downward direction and shall be covered with:
(1) sixteen (16) mesh to one (1) inch screen or equivalent when the vent is in a protected area; or
(2) a protective filter when the vent is in an area that is not protected from windblown dirt and debris.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-363 Inlet and outlet; sloped to drain

Sec. 363. (a) A water tank and its inlet and outlet shall be sloped to drain.
(b) A water tank inlet shall be positioned so that it is protected from contaminants, such as:
(1) waste discharge;
(2) road dust;
(3) oil; or
(4) grease.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-364 Hose; construction and identification

Sec. 364. (a) A hose used for conveying drinking water from a water tank shall be as follows:
(1) Safe.
(2) Durable, corrosion-resistant, and nonabsorbent.
(3) Resistant to the following:
(A) Pitting.
(B) Chipping.
(C) Crazing.
(D) Scratching.
(E) Scoring.
(F) Distortion.
(G) Decomposition.
(4) Finished with a smooth interior surface.
(5) Clearly and durably identified as to its use if not permanently attached.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-365 Filter; compressed air

Sec. 365. (a) A filter that does not pass oil or oil vapors shall be installed in the air supply line between the compressor and drinking water system when compressed air is used to pressurize the water tank system.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-366 Protective cover or device

Sec. 366. (a) A:
(1) cap and keeper chain;
(2) closed cabinet;
(3) closed storage tube; or
(4) other approved protective cover or device;
shall be provided for a water inlet, outlet, and hose.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-367 Mobile retail food establishment's water tank inlet

Sec. 367. (a) A mobile retail food establishment's water tank inlet shall be as follows:
(1) Three-fourths (¾) inch in inner diameter or less.
(2) Provided with a hose connection of a size or type that will prevent its use for any other service.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-368 System flushing and disinfection

Sec. 368. (a) A water tank, pump, and hoses shall be flushed and sanitized before being placed in service after the following:
(1) Construction.
(2) Repair.
(3) Modification.
(4) Periods of nonuse.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-369 Using a pump and hoses; backsiphonage prevention

Sec. 369. (a) A person shall operate a water tank, pump, and hoses so that backsiphonage and other contamination of the water supply are prevented.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-370 Protecting inlet, outlet, and hose fitting

Sec. 370. (a) If not in use, a water tank hose inlet and outlet fitting shall be protected using a cover or device as specified under section 366 of this rule.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-371 Water tank, pump, and hoses dedication

Sec. 371. (a) Except as specified in subsection (b), a water tank, pump, and hoses used for conveying drinking water shall be used for no other purpose.
(b) Water tanks, pumps, and hoses approved for liquid foods may be used for conveying drinking water if they are cleaned and sanitized before they are used to convey water.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-372 Sewage holding tank of mobile retail food establishment; capacity and drainage

Sec. 372. (a) A sewage holding tank in a mobile retail food establishment shall be as follows:
(1) Sized fifteen percent (15%) larger in capacity than the water supply tank.
(2) Sloped to a drain that is one (1) inch in inner diameter or greater, equipped with a shut-off valve.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-373 Removing mobile retail food establishment wastes

Sec. 373. (a) Sewage and other liquid wastes shall be removed from a mobile retail food establishment at an approved waste servicing area or by a sewage transport vehicle in such a way that a public health hazard or nuisance is not created.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

WASTEWATER Sections 374 through 380

410 IAC 7-24-374 Establishment drainage systems

Sec. 374. (a) Retail food establishment drainage systems, including grease traps, that convey sewage shall be designed and installed as specified under section 322(a) of this rule.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-375 Conveying sewage

Sec. 375. (a) Sewage shall be conveyed to the point of disposal through an approved sanitary sewage system or other system, including use of:
(1) sewage transport vehicles;
(2) waste retention tanks;
(3) pumps;
(4) pipes;
(5) hoses; and
(6) connections;
that are constructed, maintained, and operated according to law.
(b) Except for mobile or temporary retail food establishments, after the effective date of this rule, an owner or operator of a new retail food establishment shall not utilize a holding tank as a means of sewage disposal.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-376 Approved sewage disposal system

Sec. 376. (a) Sewage shall be disposed through an approved facility that is:
(1) a public sewage treatment plant; or
(2) an individual sewage disposal system that is:
(A) sized;
(B) constructed;
(C) maintained; and
(D) operated;
according to law.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-377 Direct connection, prohibited

Sec. 377. (a) Except as specified in this section, a direct connection may not exist between the sewage system and a drain originating from equipment in which food, portable equipment, or utensils are placed.

(b) If allowed under the Indiana plumbing code, a warewashing machine may have a direct connection between its waste outlet and a floor drain when the:
(1) machine is located within five (5) feet of a trapped floor drain; and
(2) machine outlet is connected to the inlet side of a properly vented floor drain trap.
(c) If allowed by law, a warewashing or culinary sink may have a direct connection.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

410 IAC 7-24-378 Grease trap

Sec. 378. (a) If used, a grease trap shall be located to be easily accessible for cleaning.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-379 Flushing a waste retention tank

Sec. 379. (a) A tank for liquid waste retention shall be thoroughly flushed and drained in a sanitary manner during the servicing operation.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-380 Other liquid wastes and rainwater

Sec. 380. (a) Condensate drainage and other nonsewage liquids and rainwater shall be drained from the point of discharge to disposal according to law.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

REFUSE, RECYCLABLES AND RETURNABLES Sections 381 through 399

410 IAC 7-24-381 Refuse, recyclables, and returnables; indoor storage area

Sec. 381. (a) If located within the retail food establishment, a storage area for refuse, recyclables, and returnables shall meet the requirements specified under section 399, 401 through 404, 406 through 409, 413, or 414 of this rule.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-382 Outdoor storage surface; refuse, recyclables, and returnables

Sec. 382. (a) An outdoor storage surface for refuse, recyclables, and returnables shall be as follows:
(1) Constructed of nonabsorbent material, such as concrete or asphalt.
(2) Smooth, durable, and sloped to drain.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-383 Outdoor enclosure; refuse, recyclables, and returnables

Sec. 383. (a) If used, an outdoor enclosure for refuse, recyclables, and returnables shall be constructed of durable and cleanable materials.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-384 Receptacles

Sec. 384. (a) Except as specified in subsection (b), receptacles and waste handling units for refuse, recyclables, and returnables and for use with materials containing food residue shall be as follows:
(1) Durable.

(2) Cleanable.
(3) Insect-resistant.
(4) Rodent-resistant.
(5) Leakproof.
(6) Nonabsorbent.

(b) Plastic bags and wet strength paper bags may be used to line receptacles for storage inside the retail food establishment or within closed outside receptacles.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-385 Outside receptacles

Sec. 385. (a) Receptacles and waste handling units for refuse, recyclables, and returnables used with materials containing food residue and used outside the retail food establishment shall be designed and constructed to have tight-fitting lids, doors, or covers.

(b) Receptacles and waste handling units for refuse and recyclables, such as an on-site compactor, shall be installed so that accumulation of debris and rodent/insect attraction or harborage are minimized. Such units shall be installed so that effective cleaning is facilitated around and, if the unit is not installed flush with the base pad, under the unit.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-386 Storage areas, rooms, and receptacles; capacity and availability

Sec. 386. (a) An inside storage room and area, outside storage area and enclosure, and receptacles shall be of sufficient capacity to hold refuse, recyclables, and returnables that accumulate.

(b) A receptacle shall be provided in each area of the retail food establishment or premises where refuse is generated or commonly discarded, or where recyclables or returnables are placed.

(c) If disposable towels are used at hand washing sinks, a waste receptacle shall be located at each sink or group of adjacent sinks.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-387 Cleaning implements and supplies

Sec. 387. (a) Except as specified in subsection (b), suitable cleaning implements and supplies, such as:
(1) high pressure pumps;
(2) hot water;
(3) steam; and
(4) detergent;
shall be provided as necessary for effective cleaning of receptacles and waste handling units for refuse, recyclables, and returnables.

(b) If approved, off-premises-based cleaning services may be used if on-premises cleaning implements and supplies are not provided.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-388 Storage areas, redeeming machines, receptacles, and waste handling units; location

Sec. 388. (a) An area designated for:
(1) refuse;
(2) recyclables;
(3) returnables; and
(4) except as specified in subsection (b), a redeeming machine for recyclables or returnables;
shall be located so that it is separate from food, equipment, utensils, linens, and single-service and single-use articles and a public health hazard or nuisance is not created.

(b) A redeeming machine may be located in the packaged food storage area or consumer area of a retail food establishment if:
(1) food;
(2) equipment;

(3) utensils;
(4) linens; and
(5) single-service and single-use articles;
are not subject to contamination from the machines and a public health hazard or nuisance is not created.
(c) The location of receptacles and waste handling units for refuse, recyclables, and returnables may not:
(1) create a public health hazard or nuisance; or
(2) interfere with the cleaning of adjacent space.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-389 Storing refuse, recyclables, and returnables

Sec. 389. (a) Refuse, recyclables, and returnables shall be stored in receptacles or waste handling units so that they are inaccessible to insects and rodents.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-390 Storage areas, enclosures, and receptacles; good repair

Sec. 390. (a) Storage areas, enclosures, and receptacles for refuse, recyclables, and returnables shall be maintained in good repair.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-391 Outside storage prohibitions

Sec. 391. (a) Except as specified in subsection (b), refuse receptacles not meeting the requirements specified under section 384(a) of this rule, such as:
(1) receptacles that are not rodent-resistant;
(2) unprotected plastic bags and paper bags; or
(3) baled units;
that contain materials with food residue may not be stored outside.
(b) Cardboard or other packaging material that:
(1) does not contain food residues; and
(2) is awaiting regularly scheduled delivery to a recycling or disposal site;
may be stored outside without being in a covered receptacle if it is stored so that it does not create a rodent harborage problem.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-392 Covering receptacles

Sec. 392. (a) Receptacles and waste handling units for refuse, recyclables, and returnables shall be kept covered:
(1) inside the retail food establishment if the receptacles and units:
(A) contain food residue and are not in continuous use; or
(B) after they are filled; and
(2) with tight-fitting lids or doors if kept outside the retail food establishment.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-393 Using drain plugs

Sec. 393. (a) Drains in receptacles and waste handling units for refuse, recyclables, and returnables shall have drain plugs in place.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-394 Maintaining refuse areas and enclosures

Sec. 394. (a) A storage area and enclosure for refuse, recyclables, or returnables shall be maintained free of unnecessary items, as specified under section 426 of this rule, and clean.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-395 Cleaning receptacles

Sec. 395. (a) Receptacles and waste handling units for refuse, recyclables, and returnables shall be thoroughly cleaned in a way that does not contaminate:
(1) food;
(2) equipment;
(3) utensils;
(4) linens; or
(5) single-service and single-use articles;
and wastewater shall be disposed of in a manner that does not create a public health hazard or nuisance.
(b) Soiled receptacles and waste handling units for refuse, recyclables, and returnables shall be cleaned at a frequency necessary to prevent them from:
(1) developing a build-up of soil; or
(2) becoming attractants for insects and rodents.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-396 Frequency

Sec. 396. (a) Refuse, recyclables, and returnables shall be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-397 Receptacles or vehicles

Sec. 397. (a) Refuse, recyclables, and returnables shall be removed from the premises by way of:
(1) portable receptacles that are constructed and maintained according to law; or
(2) a transport vehicle that is:
(A) constructed;
(B) maintained; and
(C) operated;
according to law.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-398 Community or individual facility

Sec. 398. (a) Solid waste not disposed of through the sewage system, such as through grinders and pulpers, shall be:
(1) recycled or disposed of in an approved public or private community recycling or refuse facility; or
(2) disposed of in an individual refuse facility, such as a landfill or incinerator that is:
(A) sized;
(B) constructed;
(C) maintained; and
(D) operated;
according to law.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

PHYSICAL FACILITIES

PHYSICAL FACILITIES	Sections 399 through 414

410 IAC 7-24-399 Surface characteristics of materials for indoor area construction and repair

Sec. 399. (a) Except as specified in subsection (b), materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be as follows:
(1) Smooth, durable, and easily cleanable for areas where retail food establishment operations are conducted.
(2) Closely woven and easily cleanable carpet for carpeted areas.
(3) Nonabsorbent for areas subject to moisture, such as the following:
(A) Food preparation areas.
(B) Walk-in refrigerators.
(C) Warewashing areas.
(D) Employee toilet rooms.
(E) Mobile retail food establishment servicing areas.
(F) Areas subject to flushing or spray cleaning methods.
(b) In a temporary food establishment:
(1) if graded to drain, a floor may be concrete, machine-laid asphalt, or dirt or gravel if it is covered with:
(A) mats;
(B) removable platforms;
(C) duckboards; or
(D) other suitable materials;
that are effectively treated to control dust and mud; and
(2) walls and ceilings may be constructed of a material that protects the interior from:
(A) the weather; and
(B) windblown dust and debris.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-400 Surface characteristics of materials for outdoor area construction and repair

Sec. 400. (a) The outdoor walking and driving areas shall be surfaced with concrete, asphalt, gravel, or other materials that have been effectively treated to:
(1) minimize dust;
(2) facilitate maintenance; and
(3) prevent muddy conditions.
(b) Exterior surfaces of buildings and mobile retail food establishments shall:
(1) be of weather-resistant materials; and
(2) comply with law.
(c) Outdoor storage areas for refuse, recyclables, or returnables shall be of materials specified under section 382 or 383 of this rule.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-401 Installation and restrictions of floor carpeting

Sec. 401. (a) A floor covering, such as carpeting or similar material, may not be installed as a floor covering in:
(1) food preparation areas;
(2) walk-in refrigerators;
(3) warewashing areas;
(4) toilet room areas where:
(A) hand washing sinks;
(B) toilets; and
(C) urinals;

are located;

(5) refuse storage rooms; or

(6) other areas where the floor is subject to:

(A) moisture;

(B) flushing; or

(C) spray cleaning methods.

(b) If carpeting is installed as a floor covering in areas other than those specified under subsection (a), it shall be as follows:

(1) Securely attached to the floor with a durable mastic by using:

(A) a stretch and tack method; or

(B) another method.

(2) Installed:

(A) tightly against the wall under the coving; or

(B) away from the wall with a space between the carpet and the wall and with the edges of the carpet secured by:

(i) metal stripping; or

(ii) some other means.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-402 Cleanability of floors, walls, and ceilings

Sec. 402. (a) Except as specified under section 401 of this rule, the:

(1) floors;

(2) floor coverings;

(3) walls;

(4) wall coverings; and

(5) ceilings;

shall be designed, constructed, and installed so they are smooth and easily cleanable, except that antislip floor coverings or applications may be used for safety reasons.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-403 Cleanability of floors, walls, and ceilings relative to utility lines

Sec. 403. (a) Utility service lines and pipes may not be unnecessarily exposed.

(b) Exposed utility service lines and pipes shall be installed so they do not obstruct or prevent cleaning of the floors, walls, or ceilings.

(c) Exposed horizontal utility service lines and pipes may not be installed on the floor.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-404 Cleanability of floors and wall junctures; coved, and closed or sealed

Sec. 404. (a) In retail food establishments in which cleaning methods other than water flushing are used for cleaning floors, the floor and wall junctures shall be coved and closed to no larger than one thirty-second ($^{1}/_{32}$) inch.

(b) The floors in retail food establishments in which water flush cleaning methods are used shall be provided with drains and be graded to drain, and the floor and wall junctures shall be coved and sealed.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-405 Cleaning floors; dustless methods

Sec. 405. (a) Except as specified in subsection (b), only dustless methods of cleaning shall be used, such as the following:

(1) Wet cleaning.

(2) Vacuum cleaning.

(3) Mopping with treated dust mops.

(4) Sweeping using a broom and dust-arresting compounds.

(b) Spills or drippage on floors that occur between normal floor cleaning times may be cleaned as follows:
(1) Without the use of dust-arresting compounds.
(2) In the case of liquid spills or drippage, with the use of a small amount of absorbent compound, such as
sawdust or diatomaceous earth, applied immediately before spot cleaning.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-406 Mats and duckboards as floor coverings

Sec. 406. (a) Mats and duckboards shall be designed to be removable and easily cleanable.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-407 Wall and ceiling coverings and coatings

Sec. 407. (a) Wall and ceiling covering materials shall be attached so that they are easily cleanable.
(b) Except in areas used only for dry storage, concrete, porous blocks, or bricks used for indoor wall construction shall be finished and sealed to provide a smooth, nonabsorbent, easily cleanable surface.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-408 Wall and ceiling attachments

Sec. 408. (a) Except as specified in subsection (b), attachments to walls and ceilings, such as:
(1) light fixtures;
(2) mechanical room ventilation system components;
(3) vent covers;
(4) wall-mounted fans;
(5) decorative items; and
(6) other attachments;
shall be easily cleanable.
(b) In a consumer area, wall and ceiling surfaces and decorative items and attachments that are provided for ambiance need not meet this requirement if they are kept clean.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-409 Exposure of wall and ceiling studs, joists, and rafters

Sec. 409. (a) Studs, joists, and rafters may not be exposed in areas subject to moisture. This requirement does not apply to temporary retail food establishments.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-410 Functionality of light bulbs and protective shielding

Sec. 410. (a) Except as specified in subsection (b), light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is:
(1) exposed food;
(2) clean equipment, utensils, and linens; or
(3) unwrapped single-service and single-use articles.
(b) Shielded, coated, or otherwise shatter-resistant bulbs need not be used in areas used only for storing food in unopened packages if the:
(1) integrity of the packages cannot be affected by broken glass falling onto them; and
(2) packages are capable of being cleaned of debris from broken bulbs before the packages are opened.
(c) An infrared or other heat lamp shall be protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-411 Lighting intensity

Sec. 411. (a) The light intensity shall be at least seventy (70) foot-candles:
(1) on all food preparation surfaces; and
(2) at equipment or utensil-washing work levels.
(b) The light intensity shall be at least twenty (20) foot-candles at a distance of thirty (30) inches above the floor in the following:
(1) Utensil and equipment storage areas.
(2) Sink and toilet areas.
(3) Walk-in refrigeration units.
(4) Dry food storage areas.
(5) All other areas.
This includes the areas where food is provided for consumer self-service, such as buffets and salad bars, and rooms during periods of cleaning.
(c) The light intensity shall be at least twenty (20) foot-candles inside equipment, such as reach-in and under-counter refrigerators.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-412 Design and installation of insect control devices

Sec. 412. (a) Insect control devices that are used to electrocute or stun flying insects shall be designed to retain the insect within the device.
(b) Insect control devices shall be installed so that:
(1) the devices are not located over a food preparation area; and
(2) dead insects and insect fragments are prevented from being impelled onto or falling on:
(A) exposed food;
(B) clean equipment, utensils, and linens; and
(C) unwrapped single-service and single-use articles.
(c) For purposes of this section, a violation of subsection (a), (b), or (c) is a noncritical item.

410 IAC 7-24-413 Protected outer openings

Sec. 413. (a) Except as specified in this section, outer openings of a retail food establishment shall be protected against the entry of insects and rodents by:
(1) filling or closing holes and other gaps along floors, walls, and ceilings;
(2) closed, tight-fitting windows; and
(3) solid, self-closing, and tight-fitting doors.
(b) Subsection (a) does not apply if a retail food establishment opens into:
(1) a larger structure, such as a mall, airport, or office building; or
(2) an attached structure, such as a porch;
and the outer openings from the larger or attached structure are protected against the entry of insects and rodents.
(c) External emergency exit doors that are:
(1) solid and tight-fitting when closed; and
(2) restricted from nonemergency use;
do not need to have a self-closing device installed.
(d) Except as specified in subsections (b) and (e), if the windows or doors of a retail food establishment, or of a larger structure within which a retail food establishment is located, are kept open for ventilation or other purposes or a temporary retail food establishment is not provided with windows and doors as specified under subsection (a), the openings shall be protected against the entry of insects and rodents by:
(1) sixteen (16) mesh to one (1) inch screens;
(2) properly designed and installed air curtains; or
(3) other effective means.
(e) Subsection (d) does not apply if flying insects and other pests are absent due to the location of:
(1) the establishment;
(2) the weather; or
(3) other limiting conditions.
(f) For purposes of this section, a violation of subsection (a), (b), (c), or (d) is a noncritical item.

410 IAC 7-24-414 Protective barriers on exterior walls and roofs

Sec. 414. (a) Perimeter walls and roofs of a retail food establishment shall effectively protect the establishment from the:
(1) weather; and
(2) entry of:
(A) insects;
(B) rodents; and
(C) other animals.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

PEST CONTROL Sections 415 through 416

410 IAC 7-24-415 Controlling pests

Sec. 415. (a) The presence of insects, rodents, and other pests shall be controlled to minimize their presence on the premises by:
(1) routinely inspecting incoming shipments of food and supplies;
(2) routinely inspecting the premises for evidence of pests;
(3) using methods, if pests are found, such as trapping devices or other means of pest control as specified under section 441, 449, or 450 of this rule; and
(4) eliminating harborage conditions.
(b) For purposes of this section, a violation of subsection (a)(3) is a critical item.
(c) For purposes of this section, a violation of subsection (a)(1), (a)(2), or (a)(4) is a critical item.

410 IAC 7-24-416 Removing dead or trapped birds, insects, rodents, and other pests

Sec. 416. (a) Dead or trapped:
(1) birds;
(2) insects;
(3) rodents; and
(4) other pests;
shall be removed from control devices and the premises at a frequency that prevents their accumulation, decomposition, or attraction of pests.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

PERSONNEL Sections 417 through 422

410 IAC 7-24-417 Designation of dressing areas or lockers

Sec. 417. (a) Dressing rooms or dressing areas shall be designated and used if employees routinely change their clothes in the establishment.
(b) Lockers or other suitable facilities shall be provided and used for the orderly storage of employees' clothing and other possessions.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-418 Designated employee areas

Sec. 418. (a) Areas designated for employees to eat, drink, and use tobacco shall be located so that:
(1) food;
(2) equipment;
(3) linens; and
(4) single-service and single-use articles;

are protected from contamination.

(b) Lockers or other suitable facilities shall be located in a designated room or area where contamination of:

(1) food;
(2) equipment;
(3) utensils;
(4) linens; and
(5) single-service and single-use articles;

cannot occur.

(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-419 Medicine restrictions and storage

Sec. 419. (a) Only those medicines that are necessary for the health of employees shall be allowed in a retail food establishment. This section does not apply to medicines that are stored or displayed for retail sale.

(b) Medicines that are in a retail food establishment for the employees' use shall be:

(1) labeled as specified under section 437 of this rule; and
(2) located to prevent the contamination of:
(A) food;
(B) equipment;
(C) utensils;
(D) linens; and
(E) single-service and single-use articles.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-420 Refrigerated medicines; storage

Sec. 420. (a) Medicines belonging to employees or to children in a child care center that require refrigeration and are stored in a food refrigerator shall be:

(1) stored in a package or container;
(2) kept inside a covered, leakproof container that is identified as a container for the storage of medicines; and
(3) located so they are inaccessible to children.

(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-421 Storage of first aid supplies

Sec. 421. (a) First aid supplies that are in a retail food establishment for the employees' use shall be labeled as specified under section 437 of this rule.

(b) First aid supplies shall be stored in a kit or a container that is located to prevent the contamination of the following:

(1) Food.
(2) Equipment.
(3) Utensils.
(4) Linens.
(5) Single-service and single-use articles.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or environmental health hazard.

410 IAC 7-24-422 Storage of other personal care items

Sec. 422. (a) Except as specified under section 420 or 421 of this rule, employees shall store their personal care items in facilities as specified under section 417(b) of this rule.

(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

PRIVATE HOMES Sections 423 through 424

410 IAC 7-24-423 Private homes and living or sleeping quarters; use prohibited

Sec. 423. (a) The following may not be used for retail food establishment operations:
(1) A private home.
(2) A room used as living or sleeping quarters.
(3) An area directly opening into a room used as living or sleeping quarters.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-424 Separation of living or sleeping quarters

Sec. 424. (a) Living or sleeping quarters located on the premises of a retail food establishment, such as those provided for lodging registration clerks or resident managers, shall be separated from rooms and areas used for retail food establishment operations by complete partitioning and solid self-closing doors.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

PREMISES Sections 425 through 434

410 IAC 7-24-425 Storing maintenance tools

Sec. 425. (a) Maintenance tools, such as brooms, mops, vacuum cleaners, and similar items, shall be stored so they do not contaminate the following:
(1) Food.
(2) Equipment.
(3) Utensils.
(4) Linens.
(5) Single-service and single-use articles.
(b) These same maintenance tools shall be stored in an orderly manner that facilitates cleaning the area used for storing the maintenance tools.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-426 Maintaining premises of unnecessary items and litter

Sec. 426. (a) The premises shall be free of litter and items that are unnecessary to the operation or maintenance of the establishment, such as equipment that is nonfunctional or no longer used.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-427 Overhead protection on outdoor servicing areas

Sec. 427. (a) Servicing areas shall be provided with overhead protection, except that areas used only for the loading of water or the discharge of sewage and other liquid waste through the use of a closed system of hoses, need not be provided with overhead protection.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-428 Outdoor walking and driving surfaces graded to drain

Sec. 428. (a) Exterior walking and driving surfaces shall be graded to drain.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-429 Outdoor refuse areas; curbed and graded to drain

Sec. 429. (a) Outdoor refuse areas shall be:
(1) constructed in accordance with law; and
(2) curbed and graded to drain to collect and dispose of liquid waste that results from:
(A) the refuse; and
(B) cleaning the area and waste receptacles.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-430 Repairing premises, structures, and attachments

Sec. 430. (a) The physical facilities shall be maintained in good repair.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-431 Physical structures; restrictions and frequency of cleaning

Sec. 431. (a) The physical facilities shall be cleaned as often as necessary to keep them clean.
(b) Cleaning shall be done during periods when the least amount of food is exposed, such as after closing. This requirement does not apply to cleaning that is necessary due to a spill or other accident.
(c) For purposes of this section, a violation of subsection (a) or (b) is a noncritical item.

410 IAC 7-24-432 Cleaning maintenance tools and preventing contamination

Sec. 432. (a) Food preparation sinks, hand washing sinks, and warewashing equipment may not be used for the following:
(1) Cleaning of maintenance tools.
(2) Preparation or holding of maintenance materials.
(3) Disposal of mop water and similar liquid wastes.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-433 Drying mops

Sec. 433. (a) After use, mops shall be placed in a position that allows them to air-dry without soiling walls, equipment, or supplies.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-434 Limitation of absorbent materials on floors

Sec. 434. (a) Except as specified in section 405(b) of this rule:
(1) sawdust;
(2) wood shavings;
(3) granular salt;
(4) baked clay;
(5) diatomaceous earth; or
(6) similar materials;
may not be used on floors.
(b) For purposes of this section, a violation of subsection (a) is a noncritical item.

410 IAC 7-24-435 Animal handling prohibited

Sec. 435. (a) Except as specified in subsection (b), food employees may not care for or handle animals that may be present, such as patrol dogs, service animals, or pets that are allowed as specified in section 436(b)(2) through 436(b)(5) of this rule.

(b) Food employees with service animals may handle or care for their service animals, and food employees may handle or care for fish in aquariums or molluscan shellfish or crustacea in display tanks if they wash their hands as specified under section 128 or 129 of this rule.

(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-436 Prohibiting animals

Sec. 436. (a) Except as specified in this section, live animals may not be allowed in the operational areas of a retail food establishment.

(b) Live animals may be allowed if the contamination of food, clean equipment, utensils, linens, and unwrapped single-service and single-use articles cannot result, as in the following situations:

(1) Edible fish or decorative fish in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems.

(2) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas.

(3) In areas that are not used for food preparation and are usually open for customers, such as dining and sales areas, service animals that are controlled by the disabled employee or person, if a health or safety hazard will not result from the presence or activities of the service animal.

(4) Pets in the common dining areas of institutional care facilities, such as nursing homes, assisted living facilities, or residential care facilities, at times other than during meals if:

(A) effective partitioning and self-closing doors separate the common dining areas from food storage or food preparation areas;

(B) condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining areas when pets are present; and

(C) dining areas, including tables, countertops, and similar surfaces, are effectively cleaned before the next meal service.

(5) In areas that are not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly restricted, such as in a:

(A) variety store that sells pets; or

(B) tourist park that displays animals.

(c) Live or dead fish bait may be stored if contamination of:

(1) food;

(2) clean equipment, utensils, and linens; and

(3) unwrapped single-service and single-use articles;

cannot result.

(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

POISONOUS OR TOXIC MATERIALS

POISONOUS / TOXIC MATERIALS	Sections 437 through 451

410 IAC 7-24-437 Identifying information on original containers

Sec. 437. (a) Containers of poisonous or toxic materials and personal care items shall bear a legible manufacturer's label.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-438 Working containers; common name

Sec. 438. (a) Working containers used for storing poisonous or toxic materials, such as cleaners and sanitizers taken from bulk supplies, shall be clearly and individually identified with the common name of the material.
b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-439 Separation of poisonous or toxic materials

Sec. 439. (a) Poisonous or toxic materials shall be stored so they cannot contaminate food, equipment, utensils, linens, and single-service and single-use articles by:
(1) separating the poisonous or toxic materials by spacing or partitioning; and
(2) locating the poisonous or toxic materials in an area that is not above:
(A) food;
(B) equipment;
(C) utensils;
(D) linens; and
(E) single-service or single-use articles.
This section does not apply to equipment and utensil cleaners and sanitizers that are stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-service and single-use articles.
(b) For purposes of this section, a violation of subsection (a)(1) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or environmental health hazard.
(c) For purposes of this section, a violation of subsection (a)(2) is a critical item.

410 IAC 7-24-440 Restriction of poisonous or toxic materials

Sec. 440. (a) Only those poisonous or toxic materials that are required for the operation and maintenance of a retail food establishment, such as for the:
(1) cleaning and sanitizing of equipment and utensils; and
(2) control of insects and rodents;
shall be allowed in a retail food establishment.
(b) Subsection (a) does not apply to packaged poisonous or toxic materials that are for retail sale.
(c) For purposes of this section, a violation of subsection (a) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or environmental health hazard.
(d) For purposes of this section, a violation of subsection (b) is a critical item.

410 IAC 7-24-441 Conditions of poisonous or toxic materials use

Sec. 441. (a) Poisonous or toxic materials shall be used according to the following:

(1) The law and this rule.
(2) Manufacturer's use directions included in labeling and, for a pesticide, manufacturer's label instructions that state that use is allowed in a retail food establishment.
(3) The conditions of certification for use of the pest control materials.
(4) Additional conditions that may be established by the regulatory authority.
(b) Poisonous or toxic materials shall be applied so that:
(1) a hazard to employees or other persons is not constituted; and
(2) contamination, including toxic residues due to drip, drain, fog, splash, or spray on food, equipment, utensils, linens, and single-service and single-use articles is prevented and, for a restricted use pesticide, this is achieved by:
(A) removing the items;
(B) covering the items with impermeable covers; or
(C) taking other appropriate preventive actions;
and cleaning and sanitizing equipment and utensils after application.
(c) A restricted use pesticide shall be applied only by the following:
(1) An applicator certified according to law.
(2) A person under the direct supervision of a certified applicator.
(d) For purposes of this section, a violation of subsection (a), (b), or (c) is a critical item.

410 IAC 7-24-442 Poisonous or toxic material containers

Sec. 442. (a) A container previously used to store poisonous or toxic materials may not be used to store, transport, or dispense food.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-443 Sanitizers; criteria

Sec. 443. (a) Chemical sanitizers and other chemical antimicrobials applied to food-contact surfaces shall meet the requirements specified in 21 CFR 178.1010.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-444 Chemicals for washing fruits and vegetables; criteria

Sec. 444. (a) Chemicals used to wash or peel raw, whole fruits and vegetables shall meet the requirements specified in 21 CFR 173.315.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-445 Boiler water additives; criteria

Sec. 445. (a) Chemicals used as boiler water additives shall meet the requirements specified in 21 CFR 173.310.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-446 Drying agents; criteria

Sec. 446. (a) Drying agents used in conjunction with sanitization shall contain only components that are listed as one (1) of the following:
(1) Generally recognized as safe for use in food as specified in 21 CFR 182 or 21 CFR 184.
(2) Generally recognized as safe for the intended use as specified in 21 CFR 186.
(3) Approved for use as a drying agent under a prior sanction specified in 21 CFR 181.
(4) Specifically regulated as an indirect food additive for use as a drying agent as specified in 21 CFR 175 through 21 CFR 178.
(5) Approved for use as a drying agent under the threshold of regulation process established by 21 CFR 170.39.

(b) When sanitization is with chemicals, the approval required under subsection (a)(3) or (a)(5) or the regulation as an indirect food additive required under subsection (a)(4), shall be specifically for use with chemical sanitizing solutions.
(c) For purposes of this section, a violation of subsection (a) or (b) is a critical item.

410 IAC 7-24-447 Incidental food contact with lubricants

Sec. 447. (a) Lubricants shall meet the requirements specified in 21 CFR 178.3570 if they are used on the following:
(1) Food-contact surfaces.
(2) Bearings and gears located:
(A) on or within food-contact surfaces; or
(B) so that lubricants may:
(i) leak;
(ii) drip; or
(iii) be forced;
into food or onto food-contact surfaces.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-448 Restricted use pesticides; criteria

Sec. 448. (a) Restricted use pesticides specified under section 441(c) of this rule shall meet the requirements specified in law and rules of the office of the Indiana state chemist.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-449 Rodent bait stations

Sec. 449. (a) Rodent bait shall be contained in a covered, tamper-resistant bait station.
(b) For purposes of this section, a violation of subsection (a) is a critical item.

410 IAC 7-24-450 Use of tracking powders; pest control and monitoring

Sec. 450. (a) A toxic tracking powder pesticide may not be used in a retail food establishment.
(b) If used, a nontoxic tracking powder, such as talcum or flour, may not contaminate the following:
(1) Food.
(2) Equipment.
(3) Utensils.
(4) Linens.
(5) Single-service and single-use articles.
(c) For purposes of this section, a violation of subsection (a) is a critical item.
(d) For purposes of this section, a violation of subsection (b) is a noncritical item.

410 IAC 7-24-451 Separate storage and display of poisonous or toxic materials

Sec. 451. (a) Poisonous or toxic materials shall be stored and displayed for retail sale so they cannot contaminate food, equipment, utensils, linens, and single-service and single-use articles by:
(1) separating the poisonous or toxic materials by spacing or partitioning; and
(2) locating the poisonous or toxic materials in an area that is not above:
(A) food;
(B) equipment;
(C) utensils;
(D) linens; and
(E) single-service or single-use articles.

(b) For purposes of this section, a violation of subsection (a)(1) is a critical or noncritical item based on the determination of whether or not the violation significantly contributes to food contamination, an illness, or environmental health hazard.

(c) For purposes of this section, a violation of subsection (a)(2) is a critical item.

410 IAC 7-24-452 Incorporation by reference

Sec. 452. (a) When used in this article, references to the following publications shall mean the version of that publication listed in this subsection. The following publications are hereby incorporated by reference:

(1) 7 CFR 56 (January 1, 2004 Edition).
(2) 9 CFR 317 (January 1, 2003 Edition).
(3) 9 CFR 318.7 (January 1, 1999 Edition).
(4) 9 CFR 319 (January 1, 2003 Edition).
(5) 9 CFR 424.21 (January 1, 1999 Edition).
(6) 9 CFR 381, Subpart N (January 1, 2003 Edition).
(7) 9 CFR 381.147 (January 1, 2003 Edition).
(8) 9 CFR 590 (January 1, 2003 Edition).
(9) 21 CFR 70 (April 1, 2003 Edition).
(10) 21 CFR 101 (April 1, 2003 Edition).
(11) 21 CFR 109 (April 1, 2003 Edition).
(12) 21 CFR 113 (April 1, 2003 Edition).
(13) 21 CFR 120 (April 1, 2003 Edition).
(14) 21 CFR 129 (April 1, 2003 Edition).
(15) 21 CFR 130 (April 1, 2003 Edition).
(16) 21 CFR 131 through 21 CFR 169 (April 1, 2003 Edition).
(17) 21 CFR 170 through 21 CFR 186 (April 1, 2003 Edition).
(18) 21 CFR 1030.10 (April 1, 2003 Edition).
(19) 40 CFR 152, (July 1, 2003 Edition).
(20) 40 CFR 185 (July 1, 1999 Edition).
(21) Food, Drug and Cosmetic Act, section 201(s).
(22) Food, Drug and Cosmetic Act, section 201(t).
(23) Food, Drug and Cosmetic Act, section 409.
(24) Food, Drug and Cosmetic Act, section 706.
(25) Food Establishment Plan Review Guide, Food and Drug Administration and Conference for Food Protection (2000 Edition).
(26) Pre-operational Guide for Temporary Food Establishments, Food and Drug Administration and Conference for Food Protection (2000 Edition).
(27) United States Standards, Grades, and Weight classes for Shell Eggs (AMS 56.200 et seq.) (effective April 6, 1995). Copies are available from the United States Department of Agriculture, Agricultural Marketing Service, Poultry Programs, P.O. Box 964, Washington, D.C. 20090-6456.
(28) National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish (1999 Revision). Copies are available from the United States Food and Drug Administration, Center for Food Safety and Applied Nutrition, Shellfish Sanitation Program, HFS-628, 200 "C" Street, S.W., Washington, D.C. 20204.
(29) Food and Drug Administration Center for Drug Evaluation and Research Approved Drug Products with Therapeutic Equivalence Evaluation, (24 Edition).
(30) Hazard Analysis and Critical Control Point Principles and Application Guidelines (August 14, 1997 Edition).
(31) National Sanitation Foundation (NSF) Protocol P155 (January 8, 2003 Edition).

(b) Federal rules that have been incorporated by reference do not include any later amendments than those specified in the incorporated citation. Sales of the Code of Federal Regulations are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

APPENDIX A

Retail Food Establishment Inspection Report

State Form 22116 (R7 /12-04)
SDH Form 51-0001

Indiana State Department of Health
Telephone (317) 233-7360
Fax (317) 233-7334

Based on an inspection this day, the item(s) noted below identify violations of 410 IAC 7-24, Indiana Retail Food Establishment Sanitation Requirements. The time limit for correction of each violation is specified in the narrative portion of this report.

Establishment Name	**Telephone Number** ( ) Establishment	**Date of Inspection (mm/dd/yr)**	**ID #**
Establishment Address (number and street, city, state, zip code)	( ) Owner		
Owner	**Purpose:** **1. Routine**	**Follow-up**	Release Date
Owner's Address	**2. Follow-up** **3. Complaint**	Summary of Violations:	
Person in Charge	**4. Pre-Operational** **5. Temporary**	**C_____ NC_____ R_____**	
Responsible Person's E-mail	**6. HACCP**	Menu Type *(See back of page)*	
Certified Food Handler	**7. Other (list)** _____	**1____2____3____4____5___**	

- **CRITICAL ITEMS ARE IDENTIFIED IN THE CHECKLIST AND NARRATIVE COLUMNS MARKED "C"**
- **VIOLATION(S) REPEATED FROM PREVIOUS INSPECTIONS ARE DENOTED IN THE "SUMMARY OF VIOLATIONS" AND IN THE NARRATIVE BELOW AS "R"**

Section#	C/NC	R	Narrative	To Be Corrected By

Received by (name and title printed):	Inspected by (name and title printed):
Received by (signature):	Inspected by (signature):

cc:	cc:	cc:

APPENDIX A (CONT.)

MENU TYPE

1	Pre-packaged non-potentially hazardous foods. Limited preparation of nonpotentially hazardous foods.
2	Limited menu (1 or 2 main items). Pre-packaged raw ingredients are cooked or prepared to order. Retail food operations exclude deli or seafood departments. Raw ingredients require minimal assembly. Most products are cooked/prepared and served immediately. Hot and cold holding of potentially hazardous foods is restricted to single meal service. Preparation processes requiring cooking, cooling, and reheating are limited to 1 or 2 potentially hazardous foods.
3	Extensive handling of raw ingredients. Preparation process includes the cooking, cooling, and reheating of potentially hazardous foods. A variety of processes require hot and cold holding of potentially hazardous food. Advance preparation for next day-service is limited to 2 or 3 items. Retail food operations include deli and seafood departments.
4	Extensive handling of raw ingredients. Preparation processes include the cooking, cooling, and reheating of potentially hazardous foods. A variety of processes require hot and cold holding of potentially hazardous foods. Food processes include advanced preparation for next-day service. Category would also include those facilities whose service population is highly susceptible.
5	Extensive handling of raw ingredients. Food processing at the retail level, e.g., smoking and curing; reduced oxygen packaging for extended shelf-life.

APPENDIX B

NARRATIVE REPORT

Establishment Name	Address	Inspection Date

Item #	C/NC	R	REMARKS	TO BE CORRECTED BY

Received By (Name & Title)	Inspected By (Name & Title)	Page___of ___

INDEX

Key: (Section #) Page #

Acid foods,
- definition, (2), 1
- galvanized metal, use limitation, (209), 53

Acidified foods,
- definition, (3), 1
- hermetically sealed container, (143), 32

a_w,
- definition, (6), 2
- potentially hazardous food, definition, (66), 11
- reduced oxygen packaging, criteria, (195), 48

Access,
- after due notice, (108), 19
- to the rule, (107), 19

Additives, *See boiler water additive*
- *See color additive*
- *See food additive*

Adulterated,
- definition, (4), 1
- duties of the person-in-charge, (119), 23-24
- food, (139), 31
- public health protection, (106), 19

Air-drying,
- equipment and utensils, (304), 75
- wiping cloths, (316), 78

Ambient air temperature measuring device, *See temperature measuring device*

Animals,
- handling prohibited, (435), 101
- hand washing after handling, (129), 28; (435), 101
- highly susceptible population, (153), 34-35
- raw *(food)*,
- cleaning frequency of equipment, food-contact surfaces, and utensils, (296), 72-73
- cooking, (182), 42-44
- glove use, (246), 60-61
- laundering, gloves, (312), 77
- storage, (173), 40
- thawing, (199) 49-50
- *See consumer advisory*
- *See game animal definition*
- *See meat*
- *See person-in-charge, duties*
- *See potentially hazardous foods*
- *See service animal*

Approved, definition, (5), 1

Assisted living facility, *See retail food establishment, definition*

Backsiphonage prevention,
- air gap, (334), 81
- carbonator, (337), 82
- copper, use limitation, (208), 53
- design standard, (335), 81
- inspection and service, (356), 85
- location, (338), 82
- pump and hoses, use, (369), 87
- when required, (336), 81
- *See demonstration of knowledge*

Baffles, internal, for warewashing machine, (279), 68

Bait, fish, (436), 101

Bed and Breakfast, *See retail food establishment, definition*

Beef,
- consumer self-service, (181), 42
- cooking requirement, (182), 42-44
- gloves, laundering before use, (312), 77
- minimum holding times for cooking, (182), 42-44
- oven parameters for cooking, (182), 43
- rare or raw, consumer advisory, (196), 48-49
- use of clean equipment, (295), 72

Beverage,
- containers, consumer-owned, refilling, (248), 61
- definition, (7), 2
- tubing, separation from stored ice, (224), 55

Birds, dead or trapped, removal, (416), 97

Boiler water additives, criteria, (445), 103

Bottled drinking water,
- definition, (8), 2
- source, (325), 80

Bread wrappers, *See single-use articles, definition*

Buffet, monitoring by food employee, (181), 42

Bulk food,
- dispensing methods, (181), 42
- display, protection, (179), 42
- labeling requirements, (146), 32-33
- liquid, vended, (265), 65
- raw animal food, prohibition, (181), 42
- unpackaged, labeling exemptions, (146), 32-33

Bulk milk container dispensing tube, (148), 33

Cabinets, storage, (244), 60; (315), 77-78

Can openers,
- cleanability, (231), 57
- on vending machines, (263), 65

Cans, number 10, *See single-use articles, definition*

Carbonator, backsiphonage prevention device, (337), 82

Cardboard for recycling, outside storage, (391), 91

Case lot handling equipment, (319), 78

Casing, definition, (9), 2

Cast iron, use limitation, (206), 52

Catering, definition, (10), 2
- *See retail food establishment, definition*

Cedar planks, (242), 59

Ceilings,
- attachments, (408), 95
- cleanability, (402) (403), 94
- covering material, (407), 95
- studs, joints, and rafters, exposure, (409), 95

Ceramic utensils, lead limitation, (207), 52

Certification number, definition, (11), 2
- shucked shellfish, packaging and identification, (156), 35
- shellstock identification, (157), 35-36; (160), 36-37

Certified food handler, (118), 23

CFR, definition, (12), 2

Chemicals,
- boiler water additives, criteria, (445), 103
- drying agents, criteria, (446), 103-104
- present in establishment, (294), 71-72
- preservatives, declaration, (146), 32-33
- sanitization, food contact surfaces, (294), 71-72; (303),75
- sanitizers, criteria, (443), 103
- washing fruits and vegetables, criteria, (175), 40-41; (444), 103
- *See poisonous and toxic materials*

Chicken, raw, immersion in ice or water, (176), 41
- *See poultry*

Child care facility, *See retail food establishment, definition*

China utensils, lead limitation, (207), 52

Chlorine solutions,
- chemical sanitization, (303), 75; (294), 71
- hand sanitizer, (131), 28-29

CIP,
- definition, (13), 2
- equipment, design and construction, (230), 57

Clams, *See molluscan shellfish,*

Cleaned in place, *See CIP*

Cleaners, *See poisonous or toxic materials*

Cleaning agents,
- hand washing, (346), 83
- warewashing equipment, (292), 71

Cleaning and sanitizing,
- cleaning receptacles, (395), 92
- cleaning of equipment and utensils,
  - criteria, (295), 72
  - frequency, (296), 72-73; (297), 73
- maintenance tools, preventing contamination, (432), 100
- physical facilities, frequency and restrictions, (431), 100
- ventilation systems, (310), 76

Clostridium botulinum,
- reduced oxygen packaging, (195), 48
- *See potentially hazardous food, definition*

INDEX

Clothes washers and dryers,
availability, (311), 76
location, for contamination prevention, (315), 77-78
Code of Federal Regulations, *See CFR*
Cold-plate beverage cooling devices,
separation from stored ice, design, and construction, (225), 55
Color additive,
definition, (14), 2
honest presentation, (140), 31
protection from unapproved, (168), 39
See safe materials
Comminuted, definition, (15), 3
cooking raw animal food, (182) 42-44
Commissary, (16), 3
See retail food establishment, definition
Common name,
food, (174), 40
food label, (146), 32-33
working container, (438), 102
Compactors, on-site, (385), 90
Condenser unit, separation from food and food storage space, (225), 55
Condiments, protection from contamination, (180), 42
Confidentiality of trade secrets, (194), 47
Confirmed disease outbreak,
definition, (17), 3
reporting by food employee, (123), 26
responsibility of food establishment to require reporting by employee and applicant, (120), 24-25
Construction,
drinking water system, (321), 79; (322), 79
food establishment, plans and specification requirements, (110), 20
Consumer,
advisory for raw or undercooked animal food, (196), 48-49
definition, (18), 3
food of display, protection from contamination by, (179), 42
owned container, refilling, (247), 61; (248), 61
self-service, clean tableware for refills, (249), 62
self-service operations, protection from contamination, (181), 42
Cooking, raw animal foods, (182), 42-44
Cooling
equipment, number & capacity, (259), 64
methods, (190), 46
potentially hazardous cooked foods, (189), 45
Copper and copper alloys, use limitation, (208), 53
Corrosion-resistant material, definition, (19), 3
Cosmetics, *See personal care items, definition*
Cottage industry, *See retail food establishment, definition*
Critical control points,
definition, (20), 3
demonstration of knowledge, (118), 23
reduced oxygen packaging,
flow diagram, (195), 48
monitoring, (195), 48
standard operating procedures, (195), 48
Critical item, definition, (21), 3
Critical limit,
definition, (22), 4
reduced oxygen packaging, standard operating procedures, (195), 48
Cross connection, water supply system, prohibition, (339), 82
Cross contamination of food, (173), 40
Crustacea shells, use limitation, (242), 59
Crystal utensils, lead limitation, (207), 52
Cutting surfaces, (214), 54

Data plate, warewashing machine, (278), 68
Date marking, (191), 46-47
Disposition, (192), 47
Dealer's tag/label, molluscan shellstock, requirements, (157), 35-36
Deli tissue, preventing contamination from hands, (171), 39
Department, definition, (23), 4
Designated area,
eating, drinking, using tobacco, (136), 30
employee area, (418), 97-98
Detergents, *See cleaning agents*
Detergent-sanitizers,
for warewashing equipment, (275), 67
rinsing procedures, (302), 74-75
Diarrhea, (120), 24-25; (121), 25; (122), 26; (127), 27-28
Direct connection, prohibited, (377), 88
Disclosure,
consumer advisory, (196), 48-49
definition, (24), 4
Dish baskets for warewashing equipment,
manual warewashing equipment, (271), 67
loading of soiled items, (287), 70
Dishwashing, *See warewashing*
Disinfection,
drinking water system, (321), 79
mobile water tank and mobile food establishment water tank, (368), 87
Display, *See food, display*
Disposal system, (376), 88
Disposition of ready-to-eat potentially hazardous food; date marking, (192), 47
Distressed merchandise, segregation, (202), 50
Dogs,
patrol and sentry, (436), 101
pets, (436), 101
service, (436) , 101
Drain plugs, (393), 91
Drainage system, retail food establishment, (374), 88
Drainboards,
capacity, (289), 70
cleaning frequency, (290), 70
warewashing, self-draining, (288), 70
Drains,
direct, *See plumbing*
floor, cleanability, (404), 94
Demonstration of knowledge, (118), 23
Disclosure
consumer advisory, (196), 48-49
definition, (24), 4
Dressing areas, designation, (417), 97
Drinking water,
bottled, source, (325), 80
definition, (25), 4
Drinking water systems,
approved, (320), 79
filter, compressed air, (365), 87
flushing and disinfection, (321), 79
Drip prevention, ventilation hood systems, (306), 75
Dry storage area, definition, (26), 4
Drying agents, criteria, (446), 103
Duckboards, (406), 95

E. coli, *See Escherichia coli*
Easily cleanable, definition, (27), 4
Easily movable, definition, (28), 4-5
Eating, employees, designated area, (136), 30
Eggs,
cooking requirements, (182), 42-44
cooling, (189), 45
lightly cooked or raw, consumer advisory, (196), 48-49
liquid, frozen, and dry, condition at receipt, (149), 33
pasteurized, (149), 33; (151), 33-34
pooled, (182), 42-44
potentially hazardous food, definition, (66), 11
shell, (150), 33
temperature at receipt, (166), 38
Emergency, *See imminent health hazard*
Employee,
cleanliness, personal, of employees

INDEX

fingernails, (128), 28; (133), 29
hands and arms, (128), 28; (133), 29
jewelry, prohibition, (134), 29
outer clothing, (135), 29-30
definition, (29), 5
designated areas, (136), 30; (418), 97-98
dressing areas or lockers, (417), 97
duties of the person-in-charge, (119) 23-24; (121), 25
food contaminated by, disposition, (141), 31
health,
exclusions and restrictions, (121), 25
responsibility to report to person-in-charge, (123), 26
responsibility to require reporting, (120), 24-25
hygiene,
discharging from eyes, nose and mouth, (137), 30
eating, drinking, and tobacco use, (136), 30
hair restraint, (138), 30
handling animals, (435), 101
personal cleanliness, (132), 29
hand sanitizers, (131), 28-29
hand washing, (128), 28
serving highly susceptible populations, exclusions and restrictions, (122), 26
See food employee
EPA, definition, (30), 5
Equipment,
air-drying, (304), 75
bearings and gearboxes, leakproof, (223), 55
certification and classification, (112), 21
clean, (295), 72
cleaning frequency,
food-contact surfaces/utensils, (296), 72-73
nonfood-contact surfaces, (297), 73
warewashing, (290), 70
compartments, drainage, (226), 56
cooling, heating, and holding capacities, (259), 64
definition, (31), 5
design and construction,
filtering, hot oil, (220), 55
fixed, elevation or sealing, installation, (228), 56
fixed, spacing or sealing, installation, (227), 56
floor-mounted, clearance, (228), 56
dispensing, protection of equipment and food, (261), 64
durability and strength, (217), 54
existing, (106), 19; (187), 44-45
handling equipment, case lot, (319), 78
location, (315), 77-78
maintenance, repair and adjustment, (218), 54
openings, closure, and deflectors, (222), 55
reassemble, food-contact surfaces not contaminated, (318), 78
storage, (315), 77-78
storage prohibitions, (244), 60
Equipment and utensils,
dry cleaning methods, (299), 74
precleaning, (300), 74
rinsing procedures, (302), 74-75
Equipment openings, closures and deflectors, (222), 55
Escherichia coli O157:H7,
diagnosed, (120), 24-25
exclusion and restriction, (121), 25
person-in-charge, conditions for release of employee from restriction or exclusion, (122), 26
regulatory authority, condition for removal of employee from exclusion or restriction, (127), 27-28
responsibility of retail food establishment to require reporting by employee, (120), 24-25
Exclude, definition, (32), 5
Exclusion,
order, (126), 27
release from, (127), 27-28
removal from, (122), 26
responsibilities of person-in-charge, (121), 25
responsibilities of the regulatory authority, (125), 27

Fingernails,
artificial, prohibition, (133), 29
of employees, maintenance, (133), 29
First aid supplies storage, (421), 98
Fish,
consumer self-service, (181), 42
cooking requirements, (182), 42-44
definition, (33), 6
frozen by supplier, freezing records, (163), 37
gloves, laundered before use, (312), 77
immersion in ice or water, (176), 41
lightly cooked or raw, consumer advisory, (196), 48-49
marinated, or partially cooked, ready-to-eat, records of freezing, (163), 37
raw, storage, (173), 40
restriction on reduced oxygen packaging, (195), 48
source, (142), 31-32
commercially and legally produced caught, approved, (154), 35
use of clean equipment, (295), 72
Fitting or tubing, copper and copper alloys, use limitation, (208), 53
Floors,
absorbent materials, use limitation, (434), 100
carpeting, installation and restrictions, (401), 93-94
cleanability, (402), 94; (403), 94
dustless cleaning methods, (405), 94-95
juncture, floor and wall, coved and closed or sealed, (404), 94
materials,
indoor, (399), 93
outdoor, (400), 93
mats and duckboards, (406), 95
Flow pressure device, warewashing machine, (282), 69
Flux, use limitation for food-contact surfaces, (212), 53
Fogging devices, cleaning the water reservoir, (357), 85
Food,
contact with equipment and utensils, (200), 50
contaminated, (141), 31
by person, (171), 39; (172), 39-40
miscellaneous sources, (204), 51
cooling, cooked potentially hazardous, (189), 45
damaged, spoiled, or recalled, storage, (173), 40
definition, (34), 6
display, preventing contamination, (179), 42
frozen,
labeled frozen, received frozen, (166), 38
maintained frozen, (197), 49
parasite destruction, (162), 37
hermetically sealed, source, (143), 32
highly susceptible population, (153), 34
honest presentation, (106), 19; (140), 31
in contact with water or ice, storage or display, (176), 41
linens and napkins, use limitation, (236), 58
packaged and unpackaged, separation, packaging and segregation, (173), 40
packaged, labeling, (142), 31-32; (146), 32-33
potentially hazardous,
cooling, (189), 45
date marking, (191), 46-47
disposition, date marking, (192), 47
HACCP plan, reduced oxygen packaging, (195), 48
hot and cold holding, (187), 44-45
slacking, (198), 49
temperature at receipt, (166), 38
time as public health control, (193), 47
processing plant, definition, (39), 6-7
ready-to-eat, potentially hazardous date marking, (191), 46-47

INDEX

returned, reservice or sale, (201), 50
storage,
containers, identification of food, (174), 40
preventing contamination from premises, (177), 41
prohibited areas, (178), 41
temperatures,
cold and hot food holding, (187), 44-45
cooling, (189), 45
potentially hazardous food, cooking for hot holding, (186), 44
receiving temperature, (166), 38
reheating, (188), 45
thawing, (199), 49-50
See temperature measuring device
Food additive,
additives, (167) 38; (168), 39
definition, (35), 6
hand sanitizer, (131), 28-29
presentation, (140), 31
Food bank, *See retail food establishment, definition*
Foodborne disease,
outbreak, definition, (36), 6
demonstration of knowledge, (118), 23
Food-contact surfaces,
cast iron, use limitation, (206), 52
cleanability, (229), 56-57
cleaning criteria, (295), 72
cleaning frequency of equipment, (296), 72-73
cooking and baking equipment, (298), 73
copper, use limitation, (208), 53
definition, (37), 6
galvanized metal equipment, use limitation, (209), 53
lead in pewter alloys, use limitation, (211), 53
lead in solder and flux, use limitation, (212), 53
lubricating, (317), 78
materials, (205), 52
sanitization, (303), 75
sanitization methods for equipment, (303), 75
"V" threads, use limitation, (219), 54
wet cleaning methods for equipment, (301), 74
wood, use limitation, (213), 53
Food employee,
definition, (38), 6
responsibility to report illness, (123), 26
See employee
Food package integrity, (144), 32
Food processing plant, definition, (39), 6-7
Food service establishment, *See retail food establishment*
Food volume, proposed, plans, (111), 20
Freezing, parasite destruction, (162), 37
Fruits, raw,
cooking for hot holding, (186), 44
washing, (175), 40-41; (444), 103
whole or cut, immersion in ice or water, (176), 41

Galvanized metal, use limitation, (209), 53
Game animal,
cooking requirements, (182), 42-44
definition, (40), 7
for food, (165), 38
slaughtered and processed, (165), 38
Garlic-in-oil, *See potentially hazardous food, definition*
Gastrointestinal illness, symptoms of employee, (120), 24-25
Gauge cock. *See flow pressure device*
General use pesticide, definition, (41), 7
Gloves,
cloth, laundering specifications, (312), 77
single-use, (171), 39; (246), 60-61
slash resistant, (246), 60-61
use limitations, (246), 60-61
when to wash, (129), 28
Grade A Standards, definition, (42), 7
Grease traps, (378), 89
Ground beef, *See comminuted, definition*
Guard dog, *See service animal, definition*

HACCP plan,
criteria, reduced oxygen packaging, (195), 48
definition, (43), 7
demonstration of knowledge, (118), 23
juice, (152), 34
molluscan shellfish tank, (161), 37
pasteurized food and prohibited food, (153), 34-35
trade secret, (194), 47
Hair restraints for employees, effectiveness, (138), 30
Hands, preventing contamination, (171), 39
Hand drying,
procedure, (128), 28
provisions, (347), 83
Hand, sanitizers, (131), 28-29
Handling equipment, case lot, (319), 78
Hands and arms of employees,
cleaning and drying procedure, (128), 28
when to wash, (129), 28
where to wash, (130), 28
Hand washing,
aids and devices restriction, (348), 84
cleanser, availability, (346), 83
food employees, prevent contamination, (171), 39
water temperature, (342), 82
Hand washing facility,
cleanability, (322), 79; (345), 83
design and construction, (322), 79
faucet, mixing valve or combination, (342), 82
installation, (322), 79
location, (344), 83
materials, (323), 79
numbers and capacities, (343), 83
operation and maintenance, (345), 83
water temperature, (342), 82
Hand washing lavatories, *See hand washing facility*
Hazard, definition, (44), 7
Hazard Analysis Critical Control Point, *See HACCP*
Health care facility, *See retail food establishment, definition*
Health facility, *See retail food establishment, definition*
Health hazard, imminent, *See imminent health hazard*
Heat lamp, shield, (410), 95
Heater, for manual warewashing equipment, (271), 67
Heating capacity, food equipment, (259), 64
Hepatitis A virus,
cause of disease outbreak, (120), 24-25
cause of employee illness, (120), 24-25
employee illness, reporting, (123), 26
exclusion and restriction, (121), 25
person-in-charge, conditions for release of employee from restriction or exclusion, (122), 26
regulatory authority, condition for removal of employee from exclusion or restriction, (127), 27-28
responsibility of retail food establishment to require reporting by employee, (120), 24-25
Hermetically sealed,
container, definition, (45), 7
food, source, (143), 32
food containers, cleaning, (173), 40
reheating, (188), 45
Highly susceptible population,
definition, (46), 7
exclusions and restrictions of ill employees, (121), 25
pasteurized food, prohibited reservice, and prohibited food, (153), 34-35
Holding capacity, food equipment, (259), 64
Holding tank, *See sewage, holding tank*
Homes and living/sleeping quarters, private, use prohibition, (423), 99
Honest presentation of food, (140), 31
Hood, *See ventilation systems*
Hospice, *See retail food establishment, definition*
Hot holding of potentially hazardous food, (187), 44-45
Hot water,
capacity, (329), 80
hand washing, (128), 28; (342), 82

INDEX

sanitization of equipment food-contact surfaces and utensils, (274), 67; (285), 69-70, (303), 75
service sink, (355), 85

Ice,
exterior cooling, prohibition as ingredient, (170), 39
source, drinking water, (169), 39
storage or display of food in contact with, (176), 41
units, separation of drains, (333), 81
Immediate service, preparation for, (185), 44
Imminent health hazard,
ceasing operations and operating, (109), 20
definition, (47), 7-8
Incinerators, community or individual facility, (398), 92
Injected, definition, (48), 8
Insect control,
controlling pests, (415), 97
devices, design, and installation, (412), 96
poisonous or toxic materials, restriction, (440), 102
outer openings protected, (413), 96
Insects, dead or trapped, removal, (416), 97
Inspection and cleaning port, water tank, (360), 86
Interstate Certified Shellfish Shippers List, sources of molluscan shellfish, (155), 35
Iodine solutions, chemical sanitization, (294), 71-72

Jewelry,
exception, (134), 29
prohibition, (134), 29
Juice,
definition, (49), 8
HACCP, (152), 34; (153), 34-35
service to highly susceptible population, (153), 34-35

Kick plates, removable, (221), 55
Kitchenware,
definition, (50), 8
handling, (251), 62
nonstick coating, use limitation, (215), 54
soiled and clean, handling, (251), 62

Labeling,
as specified in law, (146), 32-33
common name on food container, (174), 40
concealed or altered, (146), 32-33
packaged food, (142), 31-32
poisonous or toxic materials and personal care items, original container, (437), 102
Lamb,
consumer self-service, (181), 42
cooking requirements, (182), 42-44
equipment cleaning frequency, (296), 72-73
gloves, laundering before use, (312), 77
rare or raw, consumer advisory, (196), 48-49
raw, storage (173), 40
Landfills, community or individual facility, (398), 92
Laundering linens,
mechanical washing, (313), 77
specification, (312), 77
Laundry facilities, use, (314), 77
Law, definition, (51), 8
Layout, proposed, plans, (111), 20
Lead in ceramic, china, crystal, and decorative, utensils, limitation, (207), 52
Lesion,
containing pus, (120), 24-25
hand and arm maintenance, (133), 29
Lighting,
foot-candles, (411), 96
intensity, (411), 96
shielding, (410), 95
Linens and napkins, use limitation, (236), 58
Linens,
clean, (237), 58
definition, (52), 8
laundering specifications, (312), 77
mechanical washing, (313), 77
soiled, storage, (238), 58
storage after cleaning, (244), 60
storage prohibitions, (244), 60
Liquid food or ice, dispensing equipment, (261), 64
Liquid waste,
other than sewage, (380), 89
products from vending machines, (265), 65
See sewage
Litter, unnecessary, (426), 99
Lockers,
designation, (417), 97
location, (418), 97-98
used, (417), 97
Lubricants,
food-contact surfaces, (317), 78
incidental food contact, (447), 104

Maintenance,
tools, cleaning, (432), 100
tools, storage, (425), 99
Manual warewashing, *See warewashing*
Meat,
consumer self-service, (181), 42
cooking requirements, (182), 42-44
definition, (53), 8
gloves, laundered before use, (312), 77
rare or raw, consumer advisory, (196), 48-49
raw, storage, (173), 40
Mechanical warewashing, *See warewashing*
Medical Jewelry, *See jewelry*
Medicines, employee, (419), 98; (420), 98
Melons, cut, *See potentially hazardous food, definition*
Menu, intended, plans, (111), 20
Microwave ovens,
cleaning, (298), 73
cooking, (183), 44
reheating food, requirements, (188), 45
safety standards, (184), 44
Milk and milk products, dry, fluid, and frozen,
cooling, (189), 45
dispensing tube, single-service and single-use articles, use limitations, (148), 33
dry, (149), 33
pasteurized at receipt, (149), 33
raw, consumer advisory, (196), 48-49
source, (142), 31-32
temperature at receipt, (166), 38
Misbranded, definition, (54), 9
Mobile retail food establishment,
alternative water supply, (332), 81
definition, (55), 9
general requirement, (113), 21
mobile water tank and mobile retail food establishment water tank,
flushing and disinfection, (368), 87
materials, (358), 85
water tank, inlet, (367), 87
sewage,
sewage holding tank, capacity and drainage, (372), 88
waste removal, (373), 88
See retail food establishment
Molluscan shellfish,
definition, (56), 9
lightly cooked or raw, consumer advisory, (182), 42-44; (196), 48-49
original container, requirements, (159), 36
shucked, original container, labeling, (159), 36
shucked, packaging and identification, (156), 35
source, (155), 35
tanks, use limitations, (161), 37
HACCP plan, (161), 37
Molluscan shellstock,
condition on receipt, (158), 36
cooling, (189), 45

INDEX

identification specifications, (157), 35-36
harvester's tag/label requirements, (157), 35-36
temperature at receipt, (166), 38
Mops, drying, (433), 100
Mushrooms,
cultivated wild species, source, (164), 38
wild, source, (164), 38
Mussels, *See molluscan shellfish, definition*

Napkins, cloth, *See linens*
National Shellfish Sanitation Program
Guide for the Control of Molluscan Shellfish, (155), 35
Nondrinking water, (326), 80
Nonfood-contact surfaces,
cleaning, (295), 72
cleaning frequency, (297), 73
design and construction, (232), 57
materials, (216), 54
Norovirus,
cause of disease outbreak, (120), 24-25
cause of employee illness, (120), 24-25
employee illness, reporting, (123), 26
exclusion and restriction, (121), 25
person-in-charge, conditions for release of employee from restriction or exclusion, (122), 26
regulatory authority, condition for removal of employee from exclusion or restriction, (127), 27-28
responsibility of retail food establishment to require reporting by employee, (120), 24-25

Odors,
mechanical ventilation, (309), 76
refuse delivery frequency, (396), 92
Oil equipment, filtering, (220), 55
Openings, to outdoors, protection against insects and rodents, (413), 96
Outdoor areas,
materials, (400), 93
walking and driving surfaces, graded to drain, (428), 99
Oven, cooking temperature, (182), 42-44
Overwraps, colored, for food, limitations, (140), 31
Oysters, *See molluscan shellfish, definition*

Package integrity, (144), 32
Packaged, definition, (57), 9
Packaged food,
labeling, (142), 31-32; (146), 32-33
separation and segregation from unpackaged food, (173), 40
Parasite destruction in fish by freezing, (162), 37
Patrol dogs, (435), 101; (436), 101
Person, definition, (58), 9
Personal care items,
definition, (59), 9
first aid supplies, storage, (421), 98
medicines, restriction and storage, (419), 98
storage of other personal care items, (422), 98
Person-in-charge,
assignment, (117), 22
definition, (60), 10
demonstration of knowledge, (118), 23
duties, (119), 23-24
employee responsibility for reporting illness, (123), 26
responsibility to require reporting by food employees and applicant to report, (120), 24-25
Pest control, (415), 97
See insect control;
See rodent control
Pesticides in food establishments,
bait stations, (449), 104
restricted use pesticide, applied by applicator, (441), 102-103
restricted use pesticide, criteria, (448), 104
tracking powders, (450), 104
See poisonous or toxic materials
Pests, dead or trapped, removal, (416), 97
Pewter, use limitation, (211), 53
pH,
chemical sanitization of warewashing equipment, (294), 71-72
definition, (61), 10
Physical facilities,
cleaning,
floors, dustless methods, (405), 94-95
frequency and restrictions, (431), 100
maintenance tools, preventing contamination, (432), 100
ventilation systems, nuisance and discharge prohibition, (310), 76
controlling pests, (415), 97
definition, (62), 10
dressing rooms and lockers, using, (417), 97
drying mops, (433), 100
hand washing lavatories, maintaining and using, (345), 83
indoor area, (399), 93
maintaining premises, (426), 99
outdoor areas, (400), 93
outdoor enclosure, (383), 89
pests, dead or trapped, removal, (416), 97
prohibiting animals, (436), 101
repairing, (430), 100
storage, of maintenance tools, (425), 99
Pinning, *See injected, definition*
Plans and specifications for retail food establishment,
contents, (111), 20
conversion, (110), 20
facility and operating, requirement, (110), 20
Plumbing fixture, definition, (63), 10
Plumbing system,
air gap, (334), 81
conditioning device, design, (340), 82
definition, (64), 10
design and construction, (322), 79
device, water system, inspection and service, (356), 85
drains, direct, (377), 88-89
good repair, (324), 79
hand washing facility, design and construction, (322), 79
See backsiphonage
See hand washing facility
Poisonous or toxic materials,
bait stations, (449), 104
common name, (438), 102
containers, prohibition for food use, (442), 103
definition, (65), 10-11
demonstration of knowledge, (118), 23
labeling and identification, (437), 102
pesticides, applied by applicator, (441), 102-103
restriction of presence and use, (440), 102
stock and retail sale, (451), 104-105
storage, separation, (439), 102
tracking powders, (450), 104
use conditions, (441), 102-103
Pork,
consumer self-service, (181), 42
cooking requirements, (182), 42-44
gloves, laundered before use, (312), 77
rare or raw, consumer advisory, (196), 48-49
raw, storage, (173), 40
Portable, *See easily movable, definition*
Potable water, *See drinking water, definition*
Potentially hazardous food, definition, (66), 11
See food
Poultry,
consumer self-service, (181), 42
cooking requirements, (182), 42-44
definition, (67), 11
gloves, laundered before use, (312), 77
rare or raw, consumer advisory, (196), 48-49
raw, storage, (173), 40
Ppm, definition, (68), 11

INDEX

Precleaning equipment and utensils, (300), 74
Premises, definition, (69), 11-12
See physical facilities
Prerequisite for operation, (107), 19
Presentation of food, honest, (140), 31
Pressure spray, wet cleaning, (301), 74
Preventing contamination from hands, (171), 39
Primal cut , definition, (70), 12
storage on hooks or racks, (173), 40
Private home,
unapproved food source, (142), 31-32
food operations prohibited, (119), 23-24; (423), 99
Public sewage treatment plant, disposal through
approved facility, (376), 88
Public water system, definition, (71), 12
Pushcart, *See retail food establishment, definition*

Quaternary ammonium compounds, chemical sanitization,
(294), 71-72

Rainwater, disposal, (380), 89
See sewage
Ready-to-eat food,
definition, (72), 12
consumer self-service, utensils and dispensers, (181), 42
potentially hazardous food, date marking, (191), 46-47
potentially hazardous food, disposition, date marking,
(192), 47
Records,
fish, freezing raw, (163), 37
HACCP, (115), 22
molluscan shellstock, (160), 36-37
water sample report, (328), 80
water system service schedule, (356), 85
Recyclables, *See refuse*
Recycling facilities, (398), 92
Redeeming machines, location, (388), 90-91
Reduced oxygen packaging,
definition, (73), 13
HACCP plan criteria, (195), 48
Refuse areas and enclosures, maintenance, (394), 92
Refuse, definition, (74), 13
Refuse, recyclables, and returnables
cleaning implements and supplies, (387), 90
design and construction, (382), 89; (383), 89
facilities for disposal and recycling, (398), 92
indoor storage area, design, (381), 89
location, (388), 90-91
outdoor enclosure, construction, (382), 89
outdoor storage areas, construction materials, (382), 89
outside receptacles, (385), 90
outside storage prohibitions, (391), 91
receptacles,
capacity and availability, (386), 90
cleaning, (387), 90
covering, (351), 84; (392), 91
drain plugs, (393), 91
durable, insect resistant, (385), 90
maintenance, (394), 92
receptacles or vehicle for removal, (397), 92
storage areas,
capacity and availability, (386), 90
equipment, and receptacles, location, (388), 90
storage prohibition, (391), 91
Regulatory authority, definition, (75), 13
Reheating,
food from a hermetically sealed container, (188), 45
hot holding, temperature requirements, (188), 45
ready-to-eat food, requirements, (188), 45
Reminder, definition, (76), 13
consumer advisory, (196), 48-49
Reporting,
disease and medical condition by food employee and
applicant, (120), 24-25; (123), 26
imminent health hazard by retail food establishment,
(109), 20
Reservice ,
highly susceptible population, (153), 34-35
unopened packaged food and unused food, prohibition,
(153), 34-35; (201), 50
Restaurant, *See retail food establishment, definition*
Restrict, definition, (77), 13
Restricted use pesticide, definition, (78), 13
Restriction,
order, (126), 27
release from, (127), 28
removal from, (122), 26
responsibility of the person-in-charge, (120), 24-25
Resumption of operations, (109), 20; (121), 25; (122), 26
Retail food establishment,
assignment of supervision responsibility, (117), 22
ceasing operation, reporting and resumption of
operation, (109), 20
definition, (79), 14
demonstration of knowledge, (118), 23
plans and specifications for construction,
conversion, or remodeling, (110), 20
prerequisite for operation, (107), 19
responsibility to require reporting by food employee
and applicant, (120), 24-25
Retail food store, *See retail food establishment, definition*
Retention tank, *See sewage, holding tank*
Returnables,
on-site cleaning for refilling, (248), 61
refilling, (247), 61
Rinsing procedures, equipment and utensils, (302), 74-75
Risk, definition, (80), 14
Roast beef or roast corn beef, *See beef*
Rodent control,
controlling pest, (415), 97
outer openings, protected, (413), 96
poisonous or toxic materials, restriction, (440), 102
Rodents, dead or trapped, removal, (416), 97
Roofs, protective barrier, (414), 97
Rule, applicability, (1), 1; (106), 19

Safe material, definition, (81), 15
Salad bars, monitoring by food employees, (181), 42
Salmonella ssp.,
cause of disease outbreak, (120), 24-25
cause of employee illness, (120), 24-25
employee illness, reporting, (123), 26
exclusion and restriction, (121), 25
person-in-charge, conditions for release of employee
from restriction or exclusion, (122), 26
regulatory authority, condition for removal of employee
from exclusion or restriction, (127), 27-28
responsibility of retail food establishment to require
reporting by employee, (120), 24-25
Sanitization,
chemical, manual, (275), 67; (294), 71-72
present in the establishment, (294), 71-72
chemical, of warewashing equipment, (281), 68-69; (294),
71-72
present in the establishment, (294), 71-72
contact time, (303), 75
definition, (82), 15
equipment and utensils, (303), 75
hot water temperatures, for manual warewashing,
(274), 67; (294), 71-72; (303), 75
hot water temperatures, for mechanical warewashing,
(285), 69-70; (294), 71-72; (303), 75
pressure, mechanical warewashing equipment, (286), 70
sanitizers, chemical, determining concentration, (294),
71-72
See poisonous or toxic materials
Sanitizing solutions,
equipment and utensil,
rinsing procedures, (302), 74-75
testing devices, availability, (291), 70
hand, (131), 28-29
wiping cloth, storage, (245), 60

INDEX

Scallops, *See molluscan shellfish, definition*
Screening,
- **outer openings protected, (413), 96**
- **tank vent, (362), 86**
- **vending machines, (266), 66**
- **water conditioning device, (340), 82; (341), 82**

Sealed, definition, (83), 15
Self-draining warewashing sinks and drainboards, (288), 70
Self-service,
- **clean tableware for refills, (249), 62**
- **consumer operation, (181), 42**
- **handling of single-service and single-use articles, (250), 62**
- **utensil availability, (233), 57-58**

Sentry dogs, *See patrol dogs*
Service animal,
- **care and handling, (435), 101**
- **definition, (84), 15**
- **hand washing after handling, (129), 28**
- **presence in dining and sales area, (436), 101**

Service sinks,
- **hand washing prohibition, (130), 28**
- **numbers and capacity, (355), 85**
- **provided and conveniently located, (355), 85**

Servicing area,
- **definition, (85), 15**
- **outdoor, overhead protection, (427), 99**

Sewage,
- **definition, (86), 15**
- **disposal, conveying, (375), 88**
- **disposal system, approved, design and construction, (376), 88**
- **holding tank, mobile, (372), 88**
  - **prohibited, (375), 88**
  - **removal from mobile retail food establishments, (373), 88**
  - **waste retention tank, flushing, (379), 89**

Sewage, other liquid wastes, and rainwater,
- **backflow prevention, (377), 88-89**
- **conveying, (375), 88**
- **disposal facility, (376), 88**
- **drainage, (380), 89**
- **establishment drainage system, (374), 88**
- **flushing a retention tank, (379), 89**

Shellfish, molluscan, *See molluscan shellfish*
Shellfish control authority, definition, (87), 15
Shells, mollusk and crustacea, use limitation, (242), 59
Shellstock,
- **definition, (88), 15**
- **harvester's tag/label requirements, (157), 35-36**
- **maintaining identification, (160), 36-37**

Shielding, light, (410), 95
Shiga toxin-producing Escherichia coli,
- **cause of disease outbreak, (120), 24-25**
- **cause of employee illness, (120), 24-25**
- **definition, (89), 16**
- **employee illness, reporting, (123), 26**
- **exclusion and restriction, (121), 25**
- **person-in-charge, conditions for release of employee from restriction or exclusion, (122), 26**
  - **regulatory authority, condition for removal of employee from exclusion or restriction, (127), 27-28**
- **responsibility of retail food establishment to require reporting by employee, (120), 24-25**

Shigella spp.,
- **cause of disease outbreak, (120), 24-25**
- **cause of employee illness, (120), 24-25**
- **employee illness, reporting, (123), 26**
- **exclusion and restriction, (121), 25**
- **person-in-charge, conditions for release of employee from restriction or exclusion, (122), 26**
  - **regulatory authority, condition for removal of employee from exclusion or restriction, (127), 27-28**
- **responsibility of retail food establishment to require reporting by employee, (120), 24-25**

Shucked shellfish, definition, (90), 16
Shutoff device, vending machine, water or liquid food, (265), 65
Single-service and single-use articles,
- **construction materials, characteristics, (240), 59**
- **definition, (*single-service*) (91), 16 (*single-use*) (92), 16**
- **handling, (250), 62**
- **required use, (241), 59**
- **reuse limitation, (242), 59**
- **storage, (243), 59-60**
- **storage prohibitions, (244), 60**

Sink compartment requirements, manual warewashing, (270), 66-67
Sink, hand washing, *See hand washing facility*
Sinks, ware washing,
- **cleaning agents, (292), 71**
- **compartment requirements, (270), 66-67**
- **self-draining, (288), 70**
- **use limitations, (293), 71**

Slacking,
- **definition, (93), 16**
- **potentially hazardous frozen food, conditions, (198), 49**

Slash resistant gloves, (246), 60-61
Sleeping quarters, *See living/sleeping quarters*
Smoking, *See tobacco use by employees*
Smooth, definition, (94), 16-17
Sneezing, coughing, or runny nose by employees, food contamination prevention, (137), 30
Soap, *See cleaning agents*
Soiled tableware, handling, (251), 62
Solder, use limitation for food-contact surfaces, (212), 53
Source, approved,
- **bottled drinking water, (325), 80**
- **fluid milk and milk products, (147), 33**
- **food, (142), 31-32**
- **shellfish, (155), 35**
- **water, (320), 79**

Spacing, equipment installation, (227), 56; (228), 56
Spatulas, use to avoid contaminating food, (171), 39
Specimen analysis, employee transmission of foodborne disease, (124), 26-27
Sponges, use limitation, (210), 53
Sprouts, seed, *See potentially hazardous food, definition*
Standards of identity, (145), 32
Steam,
- **cleaning implements and supplies, (287), 70**
- **mixing valves, (342), 82**
- **ventilation, (309), 76**

Stitch pumping, *See injected, definition*
Stirrers, *See single-service articles, definition*
Stock and retail sale of poisonous or toxic materials, storage and display, (451), 104-105
Storage,
- **first aid supplies, (421), 98**
- **food in contact with water or ice, (176), 41**
- **maintenance tools, (425), 99**
- **medicines, (419), 98; (420), 98**
- **methods for soiled linens, (238), 58**
- **poisonous or toxic materials, separation, (439), 102**
- **prohibition, clean equipment, utensils, linens, and single-service and single-use articles, (244), 60**
  - **refuse, recyclables, and returnables, (389), 91**

Storing food to prevent cross contamination, (173), 40
Straws, *See single-service articles, definition*
Stuffing, cooking, (182), 42-44
Supervision,
- **demonstration of knowledge, (118), 23**
- **person-in-charge, (118), 23; (119), 23-24; (120), 24-25**
- **responsibility of the retail food establishment, (117), 22**

Surface characteristics,
- **indoor areas, (399), 93**
- **outdoor areas, (400), 93; (429), 100**

2000 Food Establishment Plan Review Guide, (110), 20
2000 Pre-Operational Guide for Temporary Retail Food Establishment, (110), 20
Table-mounted equipment,

INDEX

definition, (95), 17
fixed equipment, elevation or sealing, (227), 56
Tablecloths, *See linens, definition*
Tableware,
definition, (96), 17
handling, (250), 62
preset, handling, (252), 62
soiled and clean, handling, (251), 62
See single-service articles
Take-home food containers, refilling, limitations, (247), 61
Tasting, preventing contamination, (172), 39-40
Temperature measuring devices,
ambient air temperature measuring device,
accuracy, (254), 62-63; (255), 63
function, (256), 63
good repair, (235), 58
scaled, (256), 63
definition, (97), 17
food temperature measuring device,
accuracy, (254), 62-63
calibration, (235), 58
cleaning frequency, (296), 72-73
durability and strength, (253), 62
function, (256), 63
provided and readily accessible, (257), 63
scaled, (254), 62-63
water,
accuracy, (255), 63
function, (256), 63
manual warewashing, accessibility, (258), 63-64
scaled, (254), 62-63
Temperature – warewashing,
manual
hot water sanitization, , (274), 67; (303), 75
wash water solution, (273), 67
mechanical
hot water sanitization, (285), 69-70; (303),75
wash water solution, (284), 69
Temporary food establishment,
alternative water supply, (332), 81
construction materials, (399), 93
definition, (98), 17
Testing devices or kit for sanitizing solutions, availability, (291), 70
Thawing food, (199), 49-50
Thermistor, thermocouple, thermometer, *See temperature measuring device, definition*
Three compartment sink, *See sink compartment requirements*
Time as public health control for potentially hazardous food, (193), 47
written procedure, (193), 47
Tobacco use by employees, (136), 30
Toilet rooms,
convenience and accessibility, (353), 84
doors, closing, (352), 84
enclosed, design and installation, (352), 84
numbers, (343), 83
receptacle, covered, (351), 84
Toilet tissue, availability, (354), 84
Toiletries, *See personal care items, definition*
Toilets and urinals, number, (350), 84
Tongs, preventing contamination from hands, (171), 39
Toothpicks, *See single-service articles, definition*
Towels,
disposable, waste receptacle, (349), 84
hand drying provisions, (347), 83
Tracking powder, *See pesticides*
Trade secrets, confidentiality, (194), 47
HACCP plan, (194), 47
Training,
consumer self-service operation, (181), 42
demonstration knowledge, (118), 23
duties of the person-in-charge, (119), 23-24
HACCP, (195), 48
reduced oxygen packaging, (195), 48
Tuna, parasite destruction, (162), 37
Two compartment sink, *See sink compartment requirements*

Unnecessary persons, (119), 23-24
Urinals, numbers, (350), 84
USDA, definition, (99), 17
Utensils,
air-drying, (304), 75
cast iron, use limitation, (206), 52
ceramic, china, crystal, and decorative, lead limitation, (207), 52
clean, (295), 72
cleaning frequency, (296), 72-73
consumer self-service, availability, (233), 57-58
definition, (100), 17
design and construction, durability and strength, (217), 54
galvanized metal, use limitation, (209), 53
good repair, (235), 58
in-use storage, between-use storage, (234), 58
provided for consumer self-service operations, (181),42
sink restriction, (348), 84
storage after cleaning, (250), 62
storage prohibition, (244), 60
wet cleaning methods, (301), 74
Utility lines, cleanability, (403), 94

"V" threads, use limitation for food-contact surfaces, (219), 54
Vacuum packaging, *See reduced oxygen packaging*
Variance, definition, (101), 17-18
general, (114), 21-22
preventing contamination from hands, (171), 39
reduced oxygen packaging, (195), 48
Vegetables, raw,
cooking for hot holding, (186), 44
washing, (175), 40-41; (444), 103
whole or cut, immersion in ice or water, (176), 41
Vending machines,
automatic shutoff, (264), 65
can openers on vending machines, (263), 65
condiments protection, (180), 42
definition, (102), 18
doors and openings, design and construction, (266), 66
liquid waste products, (265), 65
location, definition, (103), 18
overhead protection, (267), 66
potentially hazardous food, original container, (260), 64
receptacles in, (268), 66
temperature, (264), 65
vending stage closure, (262), 64-65
Ventilation, mechanical, (309), 76
Ventilation systems,
capacity, (309), 76
cleaning, nuisance and discharge prohibition, (310), 76
drip prevention, design and construction, (306), 75
exhaust vents, design, (308), 76
filters, (305), 75
hood, adequacy, (307), 76
Vomiting, employee symptom, (120), 24-25

Wall and ceiling coverings and coatings, cleanability, (407), 95
Walls, exterior, protective barrier, (414), 97
Warewashing, definition, (104), 18
Warewashing equipment,
chemical sanitizer concentration, determining, (294), 71-72
clean solutions, (272), 67
manual,
alternative, (276), 68
chemical sanitization, (294), 71-72
present in the establishment, (294), 71-72
cleaning agents, (292), 71
detergent-sanitizers for chemical sanitization, (275), 67
drainboards, self-draining, (288), 70

INDEX

heaters and baskets, (271), 67
hot water sanitization temperatures, (274), 67; (303), 75
requirements, (269), 66
sink compartment requirements, (270), 66-67
sink use limitation, (293), 71
temperature measuring devices, accessibility, (258), 63-64
wash solution temperature, (273), 67
mechanical
audible alarm, (281), 68-69
chemical sanitization, (294), 71-72
present in the establishment, ((294), 72
data plate operating specifications, (278), 68
detergent, automatic dispenser, (281), 68-69
direct connection, (377), 88-89
flow pressure valve, (282), 69
hot water sanitization temperatures, (285), 69-70; (303), 75
internal baffles, (279), 68
loading of soiled items, (287), 70
manufacturers' operating instructions, (283), 69
pressure measuring device, (277), 68
rack, (271), 67; (284), 68; (285), 69-70; (287), 70
requirements, (269), 66
sanitizer level indicator, (281), 68-69
sanitization pressure, (286), 70
temperature measuring devices, (256), 63
use limitation, (293), 71
visual alarm, (281), 68-69
wash solution temperature, (273), 67
Washers/dryers, clothes, availability, (311), 76
Washing,
mechanical methods, linens, (313), 77
raw fruits and vegetables, (175), 40-41; (444), 103
Waste,
Liquid, *See sewage*
Solid, *See refuse*
Water activity, *See* a_w
Water and water system,
alternative supply, (332), 81
compressed air filter, (365), 87
device, inspection and service, (356), 85
inlet/outlet, protective device, (366), 87
nondrinking, (326), 80
pressure, (330), 80
quality, (320), 79
sample report, (328), 80
sampling, (327), 80
source, (320), 79
bottled drinking, (325), 80
capacity, (329), 80
public and nonpublic, (320), 79
system flushing and disinfection, (321), 79
storage or display of food in contact with, (176), 41
system, prohibition of cross connection, (339), 82
Water conditioning device,
design, (340), 82
location, (341), 82
Water reservoir of fogging devices, cleaning, (357), 85
Water tank,
hose, construction and identification, (364), 86
inlet/outlet,
hose fitting, protection, (370), 87
sloped to drain, (363), 86
use limitation of "V" type threads, (361), 86
pump, and hoses, dedicated use, (371), 87
vent, protected, (362), 86
Water temperature,
hand washing, (342), 82
service sink, (355), 85
Wiping cloths,
air-drying locations, (316), 78
laundering, (312), 77
use for one purpose, (245), 60
Whole-muscle, intact beef, definition, (105), 18
See beef
Wood, use limitation for food-contact surfaces, (213), 53
Wrapped food,
honestly presented, (140), 31
See packaged, definition
Written procedures, time as a public health control, (193), 47