



Division of Environmental Health

100 H Street - Suite 100 - Eureka, CA 95501

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INFORMATION FOR FOOD FACILITY OPERATORS

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ADDITIONAL INFORMATION AVAILABLE ON REQUEST

Humboldt County Food Facility Plan Check Guide

Mobile Food Facility Information Packet

California Retail Food Code

- \$5.00 per copy from Division of Environmental Health (DEH)
- Free to download at:

<https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/RetailFood/CRFC.pdf>



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GUIDE TO OPENING A FOOD FACILITY

This guide and the accompanying handouts provide an overview of the basic steps needed to open and operate a retail food facility. For more detailed information, please contact the Division of Environmental Health (DEH) for an appointment with the inspector for that district.

GENERAL INFORMATION

- If food or beverages are prepared at the facility, at least one employee, manager, or business owner must obtain a food safety certification within 60 days of opening. Contact DEH for a list of food safety certification options. DEH recommends obtaining food safety certification prior to opening.
- For most facilities where food or beverages are prepared, all food handlers must have a food handler card as required by California Retail Food Code (CalCode).
- Alcohol Beverage Control (ABC) license transfer approval will only occur after the facility is ready for operation and the health permit is approved.
- Approved building permits are required for plumbing, electrical, or structural prior to beginning construction or renovation.
- CalCode requires that food facilities comply with all applicable local, state and federal laws. Contact information for various agencies is included in this packet.

TAKING OVER AN EXISTING FOOD FACILITY

When taking over an existing Food Facility (currently operating or closed) that is in good condition, requiring no more than minor repairs or minimal changes to the facility or equipment to accommodate the proposed menu:

Prior to beginning operations, contact Environmental Health for the following:

- Application for a food facility permit and fees.
- Schedule an inspection where the inspector will evaluate the facility and equipment, discuss with the owner / operator any proposed changes to the facility, and determine if any corrections are necessary to meet CalCode requirements.
- If the existing facility is in a condition that will require major repairs, remodeling, and / or significant changes to the facility or equipment, plan approval will be required as for new construction below.

NEW CONSTRUCTION

Where no building currently exists OR an existing structure that will be remodeled to accommodate the food facility:

- Plans must be approved by DEH before beginning construction or purchasing equipment.
- See "Plan Check Frequently Asked Questions" handout in this packet for more information.



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FOOD FACILITY PLAN CHECK FREQUENTLY ASKED QUESTIONS

For detailed information on plan requirements and submission, see the [Humboldt County Food Facility Plan Check Guide](#).

WHEN MUST PLANS BE APPROVED BY DIVISION OF ENVIRONMENTAL HEALTH (DEH)?

Complete facility plans are required for any of the following:

- New construction
- Conversion of existing non-food facility into a food facility
- Remodel of existing food facility due to change of operation or menu that will result in the addition, removal or replacement of food related equipment and fixtures; any replacement or significant modification of an integral piece of equipment; relocation of the existing kitchen, storage room, restroom, bar, or janitorial facilities; and replacement of a water heater.

WHAT IS THE PURPOSE OF A PLAN CHECK?

DEH reviews plans to ensure that the proposed construction and equipment will comply with the California Retail Food Code (CalCode). DEH also conducts construction inspections and final inspections to verify that the plans have been followed.

HOW MANY SETS OF PLANS SHOULD I SUBMIT?

You are required to submit one (1) set of complete plans to DEH. Plans must be submitted separately to other agencies as required (building, planning, community service districts, etc.).

WHAT SHOULD BE INCLUDED ON PLANS FOR A NEW FOOD FACILITY?

Plans shall contain the following information:

- General Site plan that will show location of food facility, trash area, exterior walls, windows and doors; include locations of remote food storage, restrooms or janitorial facilities if applicable
- Window and door schedules
- Equipment layout or floor plan that is clearly identified, with an equipment list or schedule and corresponding manufacturer specification sheets. Equipment list/schedule shall match the equipment shown on the layout.
- Plumbing Plans (if applicable, shall include waste details, hot/cold water lines, grease interceptor/trap detail, locations of floor drains/floor sinks, hot water demand worksheet, water heater location and rating).
- Mechanical Plans (if applicable, shall include mechanical hood and make-up air calculations, elevations and manufacturer specification sheets).
- Electrical Plans
- Lighting schedule
- Finish Schedule (manufacturer specification sheets, floors, walls, cove base and ceiling details, and elevations that match floor plan). Samples of finishes, colors and paint may be required.
- Any applicable elevations and details.

WHAT OTHER INFORMATION OR DOCUMENTS SHOULD BE PROVIDED WITH THE PLANS?

A copy of the proposed menu can be helpful in evaluating the plans. If the facility will use shared restroom and/or janitorial facilities, proof of permission and access during operating hours will be required.

WHAT SHOULD I SUBMIT WHEN I AM REMODELING?

If you are remodeling a food facility, changing operation or menu, plans may be required and shall include the following:

- Equipment plans and schedules that are clearly identified or labeled showing the existing layout and plans for the proposed changes
- Manufacturer specification sheets for new or additional equipment
- If applicable, mechanical, electrical and plumbing details as specified under new construction plan requirement as mentioned previously
- If adding new plumbing fixtures or sinks, provide water heater rating (BTU or KW)
- Finishes
- Operational Letter describing how the food facility will remain in operations during the remodel (if applicable).

HOW LONG DOES IT TAKE FOR MY PLANS TO BE REVIEWED?

Plans are reviewed on “first in, first out basis”. DEH will respond to plan submittals in writing within 20 business days from the day the plans are received, and will notify you if there are deficiencies in the proposed construction. In some cases we may telephone with questions.

HOW DO I SUBMIT THE PLANS?

Plans may be submitted in person or by carrier (UPS, USPS, FedEx, etc.). A completed Plan Check Application form and fee payment must be included, or the plans may not be accepted for review.

WHAT ABOUT PERMITS FROM OTHER AGENCIES?

Food facility construction may require permits or approvals from local planning, building, public works, community service districts, etc. It is the responsibility of the person submitting the plans to ensure that all such permits and approvals are obtained. The building department may not issue building permits until DEH has approved food facility construction plans. See “Agency Contacts for Food Facilities” handout for more information.

CAN I START THE REMODEL OR CONSTRUCTION WHILE WAITING FOR APPROVAL?

No. The construction or remodeling should not begin until plans have been approved by DEH. Beginning construction before plan approval may result in correcting work already performed.

WHEN CAN I OPEN FOR BUSINESS?

The facility cannot open for business until construction is complete and DEH has conducted a final, pre-opening inspection and issued a permit to operate.

For additional information, please contact the Division of Environmental Health at 707-445-6215.



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HANDWASHING, GLOVE USE, AND PREVENTING BARE HAND CONTACT WITH READY-TO-EAT FOODS

The main reason for not touching ready-to-eat foods with bare hands is to prevent viruses and bacteria which are present in your body from contaminating the food. Viruses and bacteria are invisible to the naked eye, but may be present on your hands *even if you wash them thoroughly*, particularly after using the bathroom. The current law requires food service workers to minimize bare hand contact with ready-to-eat foods and requires good handwashing by food service workers.

WHEN ARE FOOD WORKERS REQUIRED TO WASH HANDS?

- Before starting work
- Before putting on single service gloves
- After touching raw, fresh, or frozen beef, poultry, fish, or meat
- After mopping, sweeping, removing garbage, or using the phone
- After using the bathroom and after returning to the kitchen from the bathroom—that's twice after using the toilet
- After smoking, eating, sneezing, or drinking
- After touching anything that might result in contamination of hands

WHAT IS GOOD HANDWASHING?

All employees involved with food preparation must wash their hands and exposed portions of their arms with soap and water. Thorough handwashing means vigorously rubbing together the surfaces of lathered hands and arms for at least 20 seconds, followed by a thorough rinse with clean water. Use a single-service towel or hot air dryer to dry hands. No special soaps or hand sanitizers are needed, but dispensers are required (no bar soap).



AM I REQUIRED TO WEAR DISPOSABLE SANITARY GLOVES?

No, however the current state law requires that ready-to-eat food be prepared and served with minimized bare hand contact. Wearing disposable sanitary gloves is one of several acceptable ways to comply with this law.

WHAT KINDS OF FOODS SHOULD HAVE MINIMIZED CONTACT WITH BARE HANDS?

- Prepared fresh fruits and vegetables served raw
- Salads and salad ingredients
- Cold meats and sandwiches
- Bread, toast, rolls, and baked goods
- Garnishes such as lettuce, parsley, lemon wedges, potato chips, or pickles on plates
- Fruit or vegetables for mixed drinks
- Ice served to the customer
- Any food that will not be thoroughly cooked or reheated after it is prepared

HOW TO AVOID BARE HAND CONTACT WHEN PREPARING/SERVING READY-TO-EAT FOOD

You may use the following to prepare or serve foods without bare hand contact:

- Tongs
- Forks & spoons
- Deli paper
- Disposable gloves
- Waxed paper
- Napkins
- Spatulas
- Other approved kitchen utensils

Example: Using Gloves



Example: Tongs or Other Instruments



IS A SHORT ORDER COOK REQUIRED TO WEAR GLOVES?

The short order cook should minimize touching ready-to-eat foods with bare hands. Disposable gloves are one possible way to prevent bare hand contact with ready-to-eat foods. Another way is to use forks, tongs, or spatulas.

WHEN DO I HAVE TO REPLACE OR CHANGE GLOVES?

Always change gloves if the gloves get ripped, torn, or contaminated. Contamination can occur after using the bathroom, smoking, coughing, sneezing, and in between preparing raw and cooked foods. Food worker hands must be washed thoroughly and be cleaned before putting on new gloves. Gloves may not be washed or reused.



If you have any questions regarding handwashing, the use of gloves, and minimizing bare hand contact with ready-to-eat food, please contact the Division of Environmental Health at 707-445-6215.



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COMMUNICABLE DISEASE REPORTING REQUIREMENTS FOR FOOD FACILITIES

Effective July 1, 2007, all food employees including supervisors and workers are required to report employee illness as follows (California Retail Food Code Sections 113949-113950.5, 113974):

EMPLOYEE RESPONSIBILITIES	PERSON IN CHARGE RESPONSIBILITIES	PUBLIC HEALTH
<p>Food Employees <u>must</u> tell the Person in Charge (PIC) if:</p> <ul style="list-style-type: none"> • They are diagnosed with one of the reportable illnesses listed below* • They have a cut or open wound on their hand or arm • They have symptoms of nausea, vomiting, and/or diarrhea <p>To keep food safe, employees must comply with restrictions or exclusions.</p>	<p>The Person in Charge (PIC) <u>must</u>:</p> <ul style="list-style-type: none"> • Exclude** employees that are diagnosed with one of the reportable illnesses* • Restrict*** employees that have a cut or open wound on their hand or arm that cannot be protected with an impermeable cover <i>and</i> a finger cot or disposable glove • Restrict employees with symptoms of nausea, vomiting, and/or diarrhea <p>PIC must report to Environmental Health if:</p> <ul style="list-style-type: none"> • Employee(s) are diagnosed with one of the reportable illnesses* • Two or more employees have symptoms of nausea, vomiting, and/ or diarrhea within the same time period 	<p>Public Health may:</p> <ul style="list-style-type: none"> • Exclude employees diagnosed with reportable illness who have symptoms and are considered infectious • Restrict employees diagnosed with reportable illness who do not have symptoms but are considered infectious • Close facility until the health risk is resolved • Require medical evaluation of food employees

* Reportable Illnesses include Typhoid Fever, Salmonellosis, Hepatitis A, Shigellosis, E. coli, and Amebiasis.

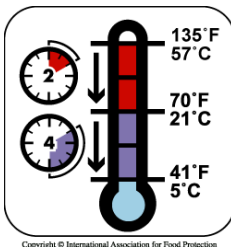
** Exclude means to prevent a person from working as a food employee or entering a food facility except for those areas open to the public.

*** 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. The food employee shall not work with exposed food, clean equipment, utensils, linens, and unwrapped single-use utensils.

KEEP FOOD OUT OF THE DANGER ZONE

In order to prevent the growth of harmful bacteria, food held hot for service must be kept at 135°F or higher. Food held cold for service must be kept at 41°F or below, and refrigerated storage temperatures must be 41°F or below.

After cooking or heating, potentially hazardous food that is not for immediate consumption must be cooled quickly. **Rapid Cooling** will prevent microbial growth by limiting the time food is exposed to the temperature danger zone.



BACTERIA CAN GROW IN THE "DANGER ZONE," THE RANGE OF TEMPERATURES BETWEEN 41° AND 135° F

Rapid cooling is achieved by bringing the temperature of the cooked food from 135°F to 70°F within 2 hours, and then from 70°F to 41°F within another 4 hours. In order to be sure that it is cooling rapidly, you must use a thermometer to measure the temperature.

COOLING METHODS

- Place container with hot food in an ice bath, stirring constantly.
- Use shallow containers for food.
- Use rapid cooling equipment such as a blast chiller or ice paddle.
- Use containers that facilitate heat transfer.
- Add ice as an ingredient after cooking.
- Cut the food into smaller pieces.
- Use a stem thermometer to measure the temperature of food as it cools.

Example 1



Example 2



SAFE WAYS TO DEFROST FROZEN FOODS

- Under refrigeration that maintains the food temperature at 41°F or below.
- Completely submerge under potable cold running water for a period not to exceed 2 hours at a water temperature of 70°F or below.
- In a microwave oven.
- As part of a cooking process.

COOKING AND REHEATING REQUIREMENTS FOR FOOD FACILITIES

The California Retail Food Code (CalCode) requires raw animal foods to be served fully cooked, unless specifically ordered otherwise by the customer. Use a food thermometer to measure internal temperature. Check the temperature in several places to ensure that the food is cooked all the way through.

COOK FOOD TO THE REQUIRED MINIMUM INTERNAL TEMPERATURE SHOWN BELOW



GROUND, CHOPPED, AND FLAKED MEATS (Beef, Veal, Lamb, Pork)

All raw ground, chopped, or flaked and formed meats must be heated to a minimum internal temperature of at least 157°F or held at 155°F for 15 seconds. For safety, most ground meat products should be cooked until it is brown in the middle, temperature should be taken in the thickest part of the food. If cooking appears uneven, the temperature of any undercooked area should also be taken.



EGGS AND FOODS CONTAINING RAW EGGS

All foods made with raw eggs must be heated to a minimum internal temperature of at least 145°F. Temperatures should be taken at the center of the egg containing food. Cooked egg whites and yolks should be firm after cooking, not "runny".



MEAT PRODUCTS

Single pieces of meat – including beef, pork, lamb, and veal – must be heated to a minimum internal temperature of at least 145°F for 15 seconds.



POULTRY (Chopped/ground poultry, stuffed food with meat or poultry)

All poultry (chicken, turkey, duck, goose, etc.) and stuffed foods must be heated to a minimum internal temperature of 165°F.



MICROWAVING RAW MEAT, EGGS, AND POULTRY

When foods containing raw meat, eggs, pork, or poultry are cooked in a microwave oven, they must be heated to a minimum internal temperature of 165°F in a covered container, and stirred or rotated frequently to assure even heating. After microwaving, let the food stand in its covered container for at least two minutes prior to serving.



REHEATING FOOD

When cooked foods are being reheated for hot holding, a minimum internal temperature of at least 165°F is necessary to kill bacteria that may have grown as the food cooled.

THERMOMETER TYPES - USES AND LIMITATIONS

MAKE SURE TO USE THE CORRECT THERMOMETER FOR THE FOOD YOU ARE MEASURING

Dial Instant Read (Bimetal)

- Reads in 15 - 20 seconds
- Place 2 - 2 ½ inches deep in thickest part of food
- Can be used in roasts, casseroles, and soups
- Temperature is averaged along probe, from tip to 2 - 3 inches up the stem
- Cannot measure thin foods unless inserted sideways
- Not designed to remain in food while it is cooking
- Use to check the internal temperature of a food at the end of cooking time
- Some models can be calibrated; check manufacturer's instructions
- Readily available in stores



Dial Oven Safe (Bimetal)

- Reads in 1 - 2 minutes
- Place 2 - 2 ½ inches deep in thickest part of food
- Can be used in roasts, casseroles, and soups
- Not appropriate for thin foods
- Can remain in food while it's cooking
- Heat conduction of metal stem can cause false high reading
- Some models can be calibrated; check manufacturer's instructions



Infrared Remote-Sensing Thermometers

- Measures surface temperatures only—**does not measure the internal temperature of food**
- Place as close to the surface of food as possible (follow manufacturer's directions)
- Not as accurate as probe thermometers
- Reads in 1 - 2 seconds
- Not accurate when used on shiny surfaces
- Useful for screening products in storage or on receipt



Disposable Temperature Indicators (Single-Use)

- Reads in 5 - 10 seconds
- Place approximately ½ inch deep (follow manufacturer's directions)
- Designed to be used only once
- Designed for specific temperature ranges
- Should only be used with food for which they are intended
- Temperature-sensitive material changes color when the desired temperature is reached



Digital Instant Read (Thermistor)

- Reads in 10 seconds
- Place at least ½ inch deep
- Gives fast reading
- Can measure temperature in thin and thick foods
- Not designed to remain in food while it's cooking
- Check internal temperature of food near the end of cooking time
- Some models can be calibrated; check manufacturer's instructions
- Available in kitchen and hardware stores





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FOOD FACILITIES TRAINING REQUIREMENTS

CALIFORNIA FOOD SAFETY MANAGER CERTIFICATION

The California Retail Food Code (CalCode) requires food facilities to have at least one individual on staff that has passed an approved food safety manager certification test (113947.1). An individual who is food safety certified can only serve as the certified manager for one facility. The certified manager is responsible for establishing the food safety system at the facility and for training staff in principles and practices of food safety.

Food safety manager certificates are valid for five (5) years from the date of testing. Humboldt County Division of Environmental Health (DEH) maintains a copy of valid manager certificates in the facility file where the manager serves. It is the responsibility of the permit holder to ensure that copies of new and renewal certificates are sent to DEH for filing.

The only facilities exempt from this certification requirement are Certified Farmers Markets, produce stands, temporary food facilities, and facilities handling only prepackaged foods.

The following local providers offer a one-day training class and testing. Current schedules can be found on the websites or by calling the provider. They will also schedule food handler classes (see below) for employers or other large groups.

College of the Redwoods

Phone: (707) 269-4000

Website: <https://www.redwoods.edu/communityed/Culinary>

Shannah Marengi (Humboldt County)

Phone: (707) 986-7168 or (707) 223-1685

Website: <https://www.statefoodsafety.com/food-safety-manager-certification>

CALIFORNIA FOOD HANDLER CARDS

The California Retail Food Code requires that all food handlers obtain a food handler card by passing one of the approved exams within 30 days of the date of hire (§113948).

“Food Handler” means an individual who is involved in the preparation, storage, or service of food in a permanent or a mobile food facility (§113790). Most restaurant employees are required to obtain the food handler card, including (but not limited to): wait staff, chefs, head cooks, cooks, bussers, bartenders, host/hostesses that handle food, plates, or glasses, beverage pourers (including alcoholic beverage pourers), and supervisory personnel (such as the general manager or managers). Those employees certified under the existing food manager certification program do not need a food handler card. See below for a list of facilities and operations that are exempt from this requirement.

There are currently no local providers of training or testing for individual food handler cards. The following online training programs are approved as of the revision date below:

StateFoodSafety	http://www.statefoodsafety.com/
eFoodHandlers	http://www.efoodhandlers.com/
NRFSP	https://www.nrfsp.com/exam-center/food-handler/
ServSafe	http://www.FoodHandlerUSA.com
PremierFoodSafety	http://www.premierfoodsafety.com/california-food-handler-card
Responsible Training	https://www.responsibletraining.com/catalog?pagename=california
TAP Series	https://www.tapseries.com/

Facilities must maintain records showing that each food handler they employ has a valid food handler’s card (for example, copies of each employee’s card), and must make these records available at the time of inspection. Health Inspectors will ask to see food facility records for all food handlers, and may cite violations if the records are incomplete or unavailable. Inspectors may also ask individual food handlers to show their cards.

THE FOLLOWING ARE EXEMPT FROM FOODHANDLER CARD REQUIREMENTS:

- Certified farmers’ markets
- Commissaries
- Licensed health care facilities
- Grocery stores, including convenience stores
- Mobile support units
- School cafeterias
- Restricted food service facilities
- Pharmacies
- Facilities providing approved in- house food safety training (primarily major chains).
- Facilities subject to a collective bargaining agreement with their employees
- Temporary food facilities



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AGENCY CONTACTS FOR FOOD FACILITIES

The following list is intended to assist applicants by providing information about other agencies which may need to be contacted for approval. The list may not include all necessary contacts.

AGENCY NAME	MAILING ADDRESS	CONTACT	SERVICE(S)
California (CA) Department of Public Health, Food and Drug Branch	1500 Capitol Ave MS 7602 PO Box 997435 Sacramento, CA 95899-7435	FDBinfo@cdph.ca.gov cdph.ca.gov/fdb	Food Processor Registration
USDA Food Safety and Inspection Services	620 Central Ave, Building 2 C Alameda, CA 94501	510-769-5712 fsis.usda.gov	Meat and Poultry
CA Department of Food and Agriculture - Milk and Dairy Food Safety Branch	Oakland Regional Branch 1515 Clay St, Suite 803 Oakland, CA 94612	916-900-5008 cdfa.ca.gov/ahfss	Main Information Line
CA State Water Resources Control Board - Division of Drinking Water	364 Knollcrest Dr., Suite 101 Redding, CA 96002	530-224-4800 waterboards.ca.gov	Water Supply
CA Department of Alcoholic Beverage Control	1105 Sixth St, Suite C Eureka, CA 95501	707-445-7229 abc.ca.gov	Liquor Sales
Humboldt County Agricultural Commissioner - Sealer of Weights and Measures	5360 S Broadway Eureka, CA 95503	707-441-5260 humboldt.gov/org/623	Certified Producers Certificate
CA Department of Food and Agriculture - Animal Health and Food Safety Services	2403 West Washington St, Room 10 Stockton, CA 95203	209-466-7186 cdfa.ca.gov/ahfss	Soft Serve Permits and Inspections
State Department of Housing and Community Development	Division of Codes & Standards 9342 Tech Center Dr. #550 Sacramento, CA 95826	916-255-2501 707-372-5613 hcd.ca.gov	Commercial Vehicle Safety Standards for Mobile Food Facilities
State Department of Motor Vehicles	Local offices statewide	800-777-0133 dmv.ca.gov	Vehicle and Cart Licensing and Registration

OTHER AGENCY APPROVALS:

AGENCY	SERVICE(S)
Local Planning Agency	Use Permit, Zoning
Local Building Agency	Building Permit, Occupancy Permit
Local Fire Official	Fire Suppression Equipment, Ventilation
City Hall or County Tax Collector	Business License
Community Services District or Municipality	Water and Sewer Connections, Grease Trap Requirements



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BEWARE: HEALTH INSPECTOR IMPOSTERS

Scam artists posing as health inspectors are targeting restaurants trying to gain financial advantage by manipulating food facility owners. There have been cases of this kind of fraud in Humboldt County.

A HEALTH INSPECTOR (ENVIRONMENTAL HEALTH SPECIALIST) SHOULD ALWAYS:

- Introduce themselves to the owner or manager,
- Present a County issued photo identification card,
- Present a County issued business card on request, and
- Direct the owner or manager to pay any fees at the Division of Environmental Health office or by mail.

If the “health inspector” is unable to provide valid County photo ID and / or a business card, contact the Division of Environmental Health to confirm that they are a current employee. If the office is unable to confirm the identity of the “health inspector”, contact your local law enforcement agency.

AN ENVIRONMENTAL HEALTH SPECIALIST DOES NOT:

- Accept payment for services during an inspection.
- Charge money or fees for scores, signs, or equipment.
- Sell or endorse products.
- Ask owners to call phone numbers and enter numeric codes, or tell the owner to give out a code when called to schedule an inspection. If the “Health Inspector” is requesting that you pay them directly for a service, contact the Division of Environmental Health and your local law enforcement agency.

Routine health inspections are usually unannounced. Occasionally, by mutual agreement between the specialist and food facility operator, inspections may be scheduled in advance.

WHAT SHOULD I DO...

If I receive a call from someone saying they are a “health inspector” asking for personal or secure information?

- Do not give out any personal or secure information.
- Get a name and contact number.
- Call your local health department.
- Call your local law enforcement agency.

The impersonation of a public officer is a criminal offense. Anyone found impersonating a health inspector or any government employee is guilty of a felony crime.

If you have questions and/or information regarding fraudulent activity contact the Division of Environmental Health at 707-445-6215.



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FOOD SAFETY UPDATE: DOGS IN FOOD FACILITIES

The Division of Environmental Health routinely receives complaints about animals in food facilities. These complaints are mostly about dogs in restaurants and grocery stores.

The California Retail Food Code (CalCode) prohibits live animals inside food facilities (114259.5a). CalCode provides that Service Animals as defined in §113903 are permitted under specific circumstances. Customers' Service Animals are only allowed in dining areas where food is not prepared. CalCode also allows pet dogs in outdoor dining areas under certain conditions (114259.5d). Food service employees may not touch or handle customers' Service Animals or pets.

Service Animals are defined as dogs only. No other animals are permitted in food facilities in California. A Service Animal must perform a specific task for the person with a disability. Emotional support, therapy, comfort, or companion animals are not considered Service Animals by CalCode or the Americans With Disabilities Act (ADA).

Complaints often allege that the dogs are seated on the banquette or booth seats, or on their owners laps, and that the dogs are being fed food from the table while in the restaurant. Food and water may be provided for Service Animals and pet dogs, but must be in single-service containers presented in such a way as to not contaminate the dining surfaces. The owners of Service Animals must ensure that their dogs do not pose a threat of contamination. For example, if the owner is carrying a small dog, everything in the facility that the owner touches could be contaminated by the dog. This is a common complaint about grocery stores.

Research has shown dogs can harbor Salmonella, Campylobacter, Giardia and other organisms capable of causing human illness. Since dogs routinely lick themselves, they can transfer bacteria and parasites from inside their bodies to their fur.

It is the responsibility of the owner, manager, or person in charge to ensure that Service Animals or pet dogs in the food facility comply with CalCode. If the animals are not Service Animals, or are unruly, not under the owner's control, or if they pose a threat of contamination, the person in charge must ask the owner to comply or leave. For more information about rights and responsibilities under the Americans With Disabilities Act, see the US Department of Justice Frequently Asked Questions at http://www.ada.gov/regs2010/service_animal_qa.pdf. In particular, FAQ #7 covers the questions that food facility employees may ask regarding service animals.

DEFINITIONS FROM CALCODE (EXCERPTED)

113903.

- (a) "Service animal" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, or that is in training to do that work or perform those tasks. "Service animal" does not include any other species of animals, whether wild or domestic, trained or untrained.
- (b) The work or tasks performed by a service animal shall include assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, or helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this subdivision.

114259.4.

- (a) Except as specified in subdivision (b), food employees shall not care for or handle animals that may be present, such as patrol dogs, service animals, or pets that are allowed as specified in subdivision (b) of Section 114259.5.
- (b) Food employees with service animals may handle or care for their service animals if they wash their hands as required in this part. Food employees may handle or care for fish in aquariums or molluscan shellfish or crustacea in display tanks if they wash their hands as required in this part.

114259.5.

- (a) Except as specified in this section, live animals may not be allowed in a food facility.
- (b) Live animals may be allowed in any of the following situations if the contamination of food, clean equipment, utensils, linens, and unwrapped single-use articles cannot result:
 - (3) Dogs under the control of a uniformed law enforcement officer or of uniformed employees of private patrol operators and operators of a private patrol service who are licensed pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code, while those employees are acting within the course and scope of their employment as private patrol persons.
 - (4) In areas that are not used for food preparation and that are usually open for consumers, such as dining and sales areas, service animals that are controlled by a disabled employee or person, if a health or safety hazard will not result from the presence or activities of the service animal.
- (c) Those persons and operators described in paragraphs (3) and (4) of subdivision (b) are liable for any damage done to the premises or facilities by the dog.
- (d) Pet dogs under the control of a person in an outdoor dining area if all of the following conditions are satisfied:
 - (1) The owner of the food facility elects to allow pet dogs in its outdoor dining area.
 - (2) A separate outdoor entrance is present where pet dogs enter without going through the food establishment to reach the outdoor dining area and pet dogs are not allowed on chairs, benches, seats, or other fixtures.
 - (3) The outdoor dining area is not used for food or drink preparation or the storage of utensils. A food employee may refill a beverage glass in the outdoor dining area from a pitcher or other container.
 - (4) Food and water provided to pet dogs shall only be in single-use disposable containers.
 - (5) Food employees are prohibited from having direct contact with pet dogs while on duty. A food employee who does have that prohibited direct contact shall wash his or her hands as required by Section 113953.3.
 - (6) The outdoor dining area is maintained clean. Surfaces that have been contaminated by dog excrement or other bodily fluids shall be cleaned and sanitized.
 - (7) The pet dog is on a leash or confined in a pet carrier and is under the control of the pet dog owner.
 - (8) The food facility owner ensures compliance with local ordinances related to sidewalks, public nuisance, and sanitation.
 - (9) Other control measures approved by the enforcement agency.



Division of Environmental Health

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RESPONSIBILITIES OF THE PERSON IN CHARGE

The California Retail Food Code (CalCode) requires permit holders to instruct all food employees regarding the relationship between personal hygiene and food safety, including the association of hand contact, personal habits, behaviors and food employee health to foodborne illness.

CalCode also requires that when the permit holder is not present he or she must designate an employee to be Person in Charge (PIC) (§113945). CalCode defines the PIC as “the individual present at a food facility that is responsible for the operation of the food facility” (§113856). Every food facility must have a PIC present at the food facility during all hours of operation (§113945), including during prep when the facility is closed. The permit holder must authorize all PICs to talk to health department personnel when contacted. The PIC does not need to be a certified food safety manager.

RESPONSIBILITIES OF THE PIC

- Must demonstrate food safety knowledge and ensure that all food employees have adequate knowledge of and are properly trained in food safety as it relates to their assigned duties (§113947)
- Must ensure that only persons necessary to the food facility operation are allowed in the food preparation, food storage, and warewashing areas (§113945.1)
- Must report to Humboldt County Division of Environmental Health any employee diagnosed with a reportable illness and must exclude that employee from work (§113949.5; §113950)
- Must ensure consumers are aware that clean tableware must be used when returning to any self-service areas, such as salad bars and buffets (§113945.1)
- Must restrict a food employee that is experiencing persistent sneezing, coughing, or runny nose associated with discharges from the eyes, nose, or mouth when these symptoms cannot be controlled by medication (§113974)
- Food employees must notify the PIC if they have any open, draining wounds or lesions on hands, wrists, exposed arms or other parts of the body (§113949.4). The PIC must ensure that the wound or lesion is covered with the required bandage and glove (§113975)

Signature: _____ Date of Signature: _____