

**DRAFT**

**ALAMEDA COUNTY DEPARTMENT OF  
ENVIRONMENTAL HEALTH**

Division of Environmental Protection



# Grading Systems for Mobile Food Facilities

## Policies & Procedures

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**ENVIRONMENTAL PROTECTION DIVISION**

1131 Harbor Bay Parkway, Alameda, CA 94502

4/09/14

Dear Alameda County Retail Food Facility Owner/Operator:

In order to ensure ongoing safe food handling practices and to help mobile food facilities succeed with this new grading system, we are pleased to present you with the Mobile Food Grading Program Manual. The document provides the following information:

- How Grades are Determined
- The Inspection Report Form
- The Inspection Process
  - How Violations are Identified
  - The Appeal Process & Rescore Inspections

This document serves as a reference manual and as an educational tool to assist the owner/operator in self-assessment using the same criteria used by the Environmental Protection Division. The policy provides detailed information on each category found in the Official Inspection Report (OIR) form along with examples of violations that may be identified. In addition, pertinent sections of the law are provided as well as procedures to assist in compliance. This document also contains a Self-Inspection Checklist (on page 53) to help you prepare for future inspections.

If you have any questions, please feel free to contact our office:

Phone: (510) 567-6700

E-mail: [DEH Vehicles Placarding@acgov.org](mailto:DEH Vehicles Placarding@acgov.org)

Website: [www.acgov.org/aceh](http://www.acgov.org/aceh)

Sincerely,

Ariu B. Levi  
Director

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## Introduction

This grading system document for mobile food facilities provides information to the food service operator on all matters related to the Official Inspection Report form (OIR), the grading system, the mobile food inspection process, and common terminology utilized by the Alameda County Environmental Protection Division's Food Program. The document serves as an educational tool and a reference manual to assist the food service operator in self-assessments using the same criteria currently in use by the Food Program.

The OIR is used to document violations observed in a food facility and to calculate the resulting inspection score based on compliance with State law. This document provides detailed information on each violation category found in the OIR along with examples of violations that may be identified in each respective category. In addition, the document contains pertinent sections of the California Retail Food Code (CalCode) as well as procedures and/or corrective actions to assist in compliance.

To help the food operator maintain a food facility in compliance with the law and to prepare the food operator for the inspection process, a series of supplemental documents have been included in this policy.

- **Common Terminology:** Commonly used terms are defined so that everyone can communicate clearly and openly during the inspection process.
- **Understanding the Inspection Report Form:** A description of specific sections of the inspection form.
- **Official Inspection Report Form (OIR)**
- **How Violations are identified:** An explanation of the violations listed on the Inspection Report Form.
- **Self-Closure Inspection Checklist:** Allows an operator or manager to conduct a daily inspection using the same criteria as health inspectors.
- **Department Policies:** Policies and procedures the health inspector follows and how those policies may affect your business.

If you have questions regarding your OIR, actions by your inspector or the EP Division, or any applicable law or regulation, please contact our office:

Alameda County Department of Environmental Health  
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## Common Terminology

The success of any food inspection program requires a clear understanding of the common terminology used by health inspectors and the food industry. The terms below are defined so that everyone can communicate clearly and openly during the inspection process.

**Approved Power Source** refers to the device that provides electrical power to a mobile food facility. This can include a generator, or electrical outlet (with approved Plug-in Agreement). An approved source of power must be in use at all times, when a mobile food facility is in operation.

**Approved Source** is a producer, manufacturer, distributor, or food facility that is acceptable to the local enforcement agency based on a determination of conformity with applicable laws, or in the absence of applicable laws, with current public health principles and practices, and generally recognized industry standards that protect public health. Common examples of an “approved source” include: Jetro Cash & Carry, Costco, Safeway, etc. *Unapproved Sources* include: a private home (without proper CFO registration), food from a backyard, etc.

**California Retail Food Code (CalCode)** is part of the California Health and Safety Code dealing with safe food preparation and handling in retail food facilities. CalCode is the collection of laws that dictates the form of the Official Inspection Report (OIR) and the actions of the health inspector.

**Comminuted** means reduced in size by methods including chopping, flaking, grinding, or mincing. Includes fish or meat products that are reduced in size and restructured or reformulated including, but not limited to gefilte fish, formed roast beef, gyros, ground beef, sausage, and a mixture of two or more types of meat that have been comminuted.

**Critical Sink** means a required sink where there is not another approved sink available for the same purpose (e.g., food prep sink, handwashing sink) within a reasonable distance.

**Cross Contamination** is the transfer of harmful microorganisms, such as bacteria and viruses, from one food to another by means of a non-food surface (equipment, utensils, human hands), or from storing or thawing raw meat and poultry adjacent to or above other foods. This contamination is a result of poor food handling and/or storage.

**Environmental Health Specialist (EHS)** is someone who has completed college level studies of biology, chemistry, physics and microbiology, possesses a minimum of a bachelor’s degree but has not yet passed the required California State Registered Environmental Health Specialist Examination. They become an **REHS** once they have passed this test.

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

**Foodborne Illness** is an infection or intoxication caused by a bacteria, virus or parasite transmitted by a food item.

**Food Facility** means an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption at the retail level. Food facilities permanent and non-permanent include, but are not limited to, public and private school cafeterias, restricted food service facilities, licensed

health care facilities, commissaries, mobile food facilities, mobile support units, temporary food facilities, vending machines, and certified farmers' markets.

**HACCP Plan** is a written document that details the formal procedures for following the Hazard Analysis Critical Control Point (HACCP) principles that were developed by the National Advisory committee on Microbiological Criteria for Foods. The HACCP Plan document is a quality management system which identifies and evaluates points of hazard during food production in order to set up measures and control those hazards to ensure food safety.

**Imminent Health Hazard** means a significant threat or danger to public health that is considered to exist when there is sufficient evidence to show that a product, practice, circumstance, or event creates a situation that can cause food infection, food intoxication, disease transmission, vermin infestation, or hazardous condition that requires immediate correction or cessation of operation to prevent injury, illness, or death.

**Infestation (Vermin)** means the presence of vermin within the food facility as evidenced by actual live bodies, fresh droppings or vomitus, urine stains, or gnaw marks, that could result in contamination to the food, equipment, packaging or utensils.

**Intervention** means actions taken to reduce the risk for potential foodborne illness.

**Local Enforcement Agency (LEA)** means the Division of the local health agency having jurisdiction over the food facility.

**Major Violation (CDC Risk Factors)** means a violation that poses an imminent health hazard that warrants immediate correction and may require closure of the food facility.

**Minor Violation (Approved Retail Practices)** means a violation of an approved practice that does not pose an imminent health hazard, but does warrant correction.

**Pathogen** is a microorganism, such as bacteria or virus that is capable of causing disease or illness after entering the body.

**Permit Revocation** is an action taken by the Environmental Protection Division to order a food facility permanently closed.

**Permit Suspension** is an action taken by the Environmental Protection Division to order a food facility temporarily closed.

**Person In Charge (PIC)** means the individual present at a food facility that is responsible for the operation of the food facility.

**Potentially Hazardous Food (PHF)** a food that requires time or temperature control to limit pathogenic micro-organism growth or toxin formation. PHF includes

- a food of animal origin that is raw or heat-treated,
- a food of plant origin that is heat-treated or

- consists of raw seed sprouts,
- cut melons,
- cut tomatoes, or
- mixtures of cut tomatoes that are not modified to render them unable to support pathogenic micro-organism growth or toxin formation, and
- garlic-in-oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth or toxin formation.

**Registered Environmental Health Specialist (REHS)** also known as “health inspector” is someone who has completed college level studies of biology, chemistry, physics and microbiology, possesses a minimum of a bachelor’s degree and has passed the required California State Registered Environmental Health Specialist Examination.

**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 exposed food, clean equipment, utensils linen and unwrapped single-use articles.

**Sanitizer** is a chemical used to de-contaminate food prep & food contact surfaces of harmful bacteria or viruses which in turn may be transferred to food resulting in a foodborne illness. Example: bleach. (See “test strips” below)

**Sherman Food Drug and Cosmetic Act** is part of the California Health and Safety Code which regulates labeling of foods and truth in menu advertising.

**Standard Operating Procedures (SOP)** is the list of processes that you have designed for your business in order to handle food safely throughout your daily operation. This includes everything from when you should be filling your water tank, to what you should do with your cooked food at the end of the day. The SOP’s serve as a guide for your employees to follow so your business routine can ensure your food is not contaminated throughout the day.

**Test Strips** are used to test the amount of sanitizer in a sanitizing solution. They are used to ensure there is an adequate amount of sanitizer to kill harmful bacteria in order to avoid cross-contamination. The strips are also to test for an excess of sanitizer.

**Time as a Public Health Control (TPHC)** is an approved method of holding food, where 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. Any proposal to use TPHC must be approved in writing in advance by this department. (Documentation is a requirement).

**Vermin** means cockroaches, mice, rats, and similar pests that carry disease.

**Warewashing** means the cleaning and sanitizing of utensils and food-contact surfaces of equipment.

## Inspection Categories

**Routine Inspections** are *unannounced* and conducted at a frequency determined by a risk assessment. The risk assessment evaluates the type of food, the preparation, and the population served in determining the potential risk to the public of foodborne illness. The inspector conducts an in-depth evaluation of the facility and records violations on the OIR. However, if the inspection reveals a condition(s) that is an imminent health hazard then the facility may be ordered to close immediately.

**Reinspections** are inspections initiated by the inspector when the routine inspection reveals serious or repeat violations at the facility. This is not a routine inspection and addresses only the issues noted on the original OIR. Multiple re-inspections are not included in the annual Environmental Health Permit fee so additional charges may be incurred by the owner.

**Rescore Inspection** is a re-evaluation of the facility which is conducted as a routine inspection in order to have the facility rescored after a facility has earned a yellow or a red placard. A fee based on the current hourly rate will be required and must be paid prior to the inspection. A rescore inspection does not guarantee that you will earn an upgraded placard.

**Complaint Inspections** are initiated as a result of a complaint filed by the public. The issues related to complaint received by our Division will be addressed but obvious CDC Risk factor violations will not be ignored. The posted placard will not be changed until the next routine inspection. However, if the inspection reveals a condition(s) that is an imminent health hazard then the facility may be ordered to close immediately.

**Emergency Inspections** are conducted when an emergency may exist such as a fire, or electrical outage.



## Owner/Operator Responsibilities

Food safety in Alameda County is the responsibility of our Division in partnership with the food industry. Jointly, we are responsible for ensuring that the community is provided with safe food by reducing the potential for foodborne illness and the spread of communicable disease.

The owner/operator (or PIC) is responsible for maintaining and operating the food facility in compliance with all applicable laws and regulations at all times. They must use safe food handling practices and be an example for staff and other employees. They must also maintain their mobile food facility and commercial kitchen/commissary in good operating condition and take action to repair structural facilities such as food service equipment, plumbing, generators, floors/walls as soon as possible. Below are some specific items that are the owner/operator is accountable for:

### Change in Permit Information

The Division shall be notified before a change of ownership, opening a new business, adding or dropping a partner, or a change in contact information.

### Change in Menu or Equipment

A person proposing to modify a mobile food facility shall submit easily readable plans drawn to scale to the Mobile Food Facility Program of this Department for review and approval before starting any new construction. Plans may also be required if this Department determines that they are necessary to assure compliance with CalCode including, but not limited to, a menu change or change in the facility's method of operation.

### Person In Charge (PIC)

The permit holder is the person in charge (PIC). **When the permit holder is not on the premises then he shall designate a person in charge.** There shall be a person in charge present at the food facility during all hours of operation. The person in charge shall have knowledge of safe food handling practices as they relate to the specific food preparation activities that occur at the food facility. The person in charge shall have the authority to:

- A. Exclude a food employee that has been diagnosed with an infectious agent as specified in section 113949.1 of California Retail Food Code.
- B. Restrict a food employee from working with exposed food; clean equipment, utensils, and linens; and unwrapped single-service articles if the food employee is experiencing an acute gastrointestinal illness or is known to be infected with a communicable disease.
- C. Ensure that persons unnecessary to the food facility operations shall not be allowed in the food preparation, food storage or warewashing areas.
- D. Take appropriate actions when an imminent health hazard exists at the food facility.

### Food Safety Certification

Food facilities that prepare, handle, or serve non-prepackaged potentially hazardous food shall have an owner or employee who has successfully passed an approved and accredited food safety certification examination. There shall be at least one food safety certified owner or employee at each food facility. Certification must be renewed every five years. If the person who is certified leaves the operation, you have 60 days to replace that person. The certified person is responsible for:

- A. Instructing all food employees regarding the relationship between personal hygiene and food safety, including the association of hand contact, personal habits and behaviors, and food employee health to foodborne illness.
- B. Ensuring that employees are following safe food handling practices and that food employees have adequate knowledge of food safety as it *relates to their assigned duties*.

Food facilities that prepare, handle or serve non-prepackaged, non-potentially hazardous foods shall do one of the following:

- A. Have an owner or employee who has successfully passed a food safety certification examination.
- B. Have all other food handling employees successfully pass a Food Handling Card examination.
- C. Demonstrate to the enforcement officer that the employees have adequate knowledge in food safety as it *relates to their assigned duties*.

## Closures

The food facility shall be posted **“Closed”** and issued a Red Placard when conditions present a risk to the health and safety of the public. These conditions are called **“Imminent Health Hazards”** and include:

1. **Lack of or faulty outside power source: generator not present, inoperable , or inadequately sized; or mobile food facility not plugged in to municipal power source.**
2. **No Refrigeration: all refrigeration units not working**
3. **No Water: lack of potable or pressurized water**
4. **No Hot Water: the water temperature at any critical sink (e.g., handwashing or utensil washing) is 100°F or less**
5. **Waste Water Overflow onto street: leaky or absent gate valves**
6. **Fire**
7. **Vermin (Insect and Rodent) Infestation**

**If an inspector is conducting a un-announced routine inspection and finds one of the above imminent health hazards, your facility will be posted “Closed”, and a red placard will be issued.**

**Please see the Self-Inspection Checklist on pg. 53 for a list of items to check every day before operation, to help you determine whether or not a Self-Closure is necessary.**

When the PIC initiates a “Self-Closure” of their facility, they must notify us, and we will assist with re-opening the facility. Self closing is a positive indicator that the PIC is knowledgeable about food safety principles. Also, by self closing the operator avoids earning a red placard.

**Please Note:** A self-closure means that the service window has been closed, and the mobile food facility has ceased the sale of the food to the public. When an inspector arrives for an operational inspection, they will honor a self-closure by the PIC, if the truck is found to be in this state (with the service window closed).

# Understanding the Official Inspection Report (OIR) Form

The Environmental Protection Division is responsible for enforcing sections of the California Health and Safety Code also known as the California Retail Food Code (CalCode). To ensure that each food facility is in compliance with CalCode, the Environmental Health Specialist, who is more commonly referred to as the health inspector, conducts the different inspections outlined in a previous section.

Any violation of CalCode is documented on the Official Inspection Report form (OIR), which is issued by the health inspector at the conclusion of the inspection. This report is used for routine inspections, complaint/foodborne illness investigations and other inspections to indicate the status of the food facility at the time of the inspection.

The intent of the OIR is to recognize the varying degrees of risk associated with violations of the applicable laws, codes, and regulations. The OIR used for Mobile Food Facilities contains fifty-five (55) potential violation categories for documenting violations. Violations are separated into two sections based on risk and actions taken. The left side of the OIR contains the violations which carry the most risk, and if observed, may result in closure. The right side of the OIR reflects the food handling knowledge of the employees and PIC, and *may* not result in closure.

The OIR is a two-page document. When completed, it provides the food service operator with important information to identify areas within their operation that have the greatest potential for the spread of foodborne illness. As you read the description of the OIR, please refer to the sample document on the following pages.

*Please note that the point total will not be calculated for structural (non-operational) inspections.*

## Page One: Front of the Official Inspection Report

- **The left (shaded) side** is used to record major violations (CDC Risk Factors) that directly relate to the transmission of foodborne illness. The presence of a major violation poses a health hazard and warrants immediate correction. The violations are numbered 1-22 consecutively.
  - Four (4) OR Two (2) points are deducted for each violation marked, unless otherwise indicated.
  - Multiple violations within each category are counted as a repeat violation and multiple points are deducted from the total score.
  - For example, if temperature violations are found in different temperature holding units, a violation will be counted against each piece of equipment found at the incorrect temperature.
- **The right side** is used to record minor violations that pose a health hazard and warrant correction. These violations are numbered 23-50 consecutively.
  - One (1) point is deducted for each item marked.
  - Multiple violations within each item are only counted as a single violation and one point is deducted from the total score.
- **The shaded area of the right side (numbers 51-55)** are violations which have to do with legal health safety compliance.
  - For example, if your MFF is not certified by the California State Housing and Community Development Agency (HCD, number fifty-two (52) will be marked, and you will **not** pass your inspection.

## Page Two: Front of the second page of the Official Inspection Report

The front of page 2 of the OIR is used by the health inspector to document measured temperatures of food, water and steam table observed and to convey to the food operator the following:

- The violations observed during the inspection, corrective actions to be taken, and compliance timelines.
- Training and information that was provided by the health inspector due to an employee's lack of knowledge or inability to adequately demonstrate a required activity or procedure.
- Recommendations that are made by the health inspector for correcting violations and other inspection observations

# Sample Inspection Form

## Mobile Food Facility Inspection Report Page 1:Front

County of Alameda  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

### MOBILE FOOD FACILITY OFFICIAL INSPECTION REPORT

(510) 567-6700 Fax: 510-337-9134  
www.acgov.org/aceh

Date: \_\_\_\_\_ Page 1 of \_\_\_\_\_  
Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_  
REHS Specialist (Initial): \_\_\_\_\_

Business Name: _____		Site Address of Inspection: _____	
DMV Plate #  PE	Record ID # FA PR SR  Annual Permit Issued: <input type="checkbox"/> Y <input type="checkbox"/> N Current Decal # ( ) _____ Interim Permit Exp Date: _____ <small>Note: Permit and Placard must be displayed in clear view when in Alameda County</small>	Inspection Type: <input type="checkbox"/> Structural <input type="checkbox"/> Consult <input type="checkbox"/> Operational <input type="checkbox"/> Complaint <input type="checkbox"/> Follow-up <input type="checkbox"/> Other: _____	

See reverse side for the code sections and general requirements that correspond to each violation listed below  
Major violations pose threats to public health and must be corrected immediately. Non-compliance may warrant closure of the facility

OUT = Out of Compliance		COS = Corrected on-site		PTS = Points		PTS Lost = Points lost	
<b>MAJOR VIOLATIONS</b>							
<b>DEMONSTRATION OF KNOWLEDGE</b>	OUT	COS	PTS	PTS Lost			
1. Demonstration of knowledge; food safety certification; food handler cards current	<input type="checkbox"/>	<input type="checkbox"/>	2				
Food Safety Cert Name: _____		Exp. Date: _____					
<b>EMPLOYEE HEALTH &amp; HYGIENIC PRACTICES</b>							
2. Communicable disease procedures*	<input type="checkbox"/>	<input type="checkbox"/>	4				
3. No discharge from eyes, nose, and mouth	<input type="checkbox"/>	<input type="checkbox"/>	2				
4. Proper eating, tasting, drinking or tobacco use	<input type="checkbox"/>	<input type="checkbox"/>	2				
<b>PREVENTING CONTAMINATION BY HANDS</b>							
5. Hands clean and properly washed; gloves used properly; RTE food handling*	<input type="checkbox"/>	<input type="checkbox"/>	4				
6. Adequate hand washing facilities supplied & accessible	<input type="checkbox"/>	<input type="checkbox"/>	2				
<b>TIME AND TEMPERATURE RELATIONSHIPS</b>							
7. Proper hot and cold holding temperatures*	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
8. PHF above 135°F destroyed at end of day. No cooling on MFF*	<input type="checkbox"/>	<input type="checkbox"/>	4				
9. Proper cooking time & temperatures*	<input type="checkbox"/>	<input type="checkbox"/>	4				
10. Proper reheating procedures for hot holding*	<input type="checkbox"/>	<input type="checkbox"/>	4				
<b>PROTECTION FROM CONTAMINATION</b>							
11. Food in good condition, safe and unadulterated*	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
12. Food contact surfaces: clean and sanitized*	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
<b>FOOD FROM APPROVED SOURCES</b>							
13. Food obtained from approved source*	<input type="checkbox"/>	<input type="checkbox"/>	4				
14. Compliance with shell stock tags, condition, display	<input type="checkbox"/>	<input type="checkbox"/>	2				
15. Compliance with Gulf Oyster Regulations	<input type="checkbox"/>	<input type="checkbox"/>	2				
<b>CONFORMANCE WITH APPROVED PROCEDURES</b>							
16. Compliance with variance, specialized process, & HACCP Plan	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
<b>CONSUMER ADVISORY</b>							
17. Consumer advisory provided for raw or undercooked foods and foods with 1/2% alcohol	<input type="checkbox"/>	<input type="checkbox"/>	2				
<b>WATER/ HOT WATER</b>							
18. Hot and cold water available* Adequate pressure <input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
<b>LIQUID WASTE DISPOSAL</b>							
19. Wastewater properly disposed	<input type="checkbox"/>	<input type="checkbox"/>	2				
<b>VERMIN</b>							
20. No rodents, insects, birds, or animals*	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
<b>MAJOR MFF REQUIREMENTS</b>							
21. Approved and adequate Power Source* ; Plug-in Agreement on file	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
22. Mechanical refrigeration provided*	<input type="checkbox"/>	<input type="checkbox"/>	4/2				
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>					
<b>APPROVED RETAIL PRACTICES</b>							
<b>PERSONAL CLEANLINESS</b>							
23. Personal cleanliness and hair restraints			1				
<b>GENERAL FOOD SAFETY REQUIREMENTS</b>							
24. Approved thawing methods used, frozen food			1				
25. Safe food preparation			1				
26. Consumer self-service			1				
27. Food properly labeled & honestly presented			1				
28. Toxic substances/non-food items properly identified, stored, used			1				
<b>EQUIPMENT/ UTENSILS/ LINENS</b>							
29. Warewashing facilities: installed, maintained, used; test strips			1				
30. Thermometers provided and accurate			1				
31. Compliance with water heater requirements			1				
32. Equipment, utensil storage, seals and latches in good repair			1				
33. Wiping cloths: properly used and stored			1				
<b>SIGNAGE &amp; SUPERVISION REQUIREMENTS</b>							
34. Food safety signs posted; last inspection report available			1				
35. Permanent and proper signage on outside of Facility			1				
36. Person in Charge			1				
<b>PHYSICAL FACILITIES</b>							
37. Approved & adequate ventilation and lighting; covers, shields			1				
38. Pass-thru windows & ceiling vent screens			1				
39. Hand washing sinks, Warewashing sinks			1				
40. Potable water and waste water tanks installed, gate valves adequate, proper use			1				
41. Equipment Construction Requirements/Utensils ANSI approved			1				
42. Proper, unobstructed height and width of occupied areas			1				
43. Location and operation of compressors			1				
44. Required Fire Suppression System provided			1				
<b>GENERAL MFF REQUIREMENTS</b>							
45. Compliance with commissary/comm kitchen req's; Agmt on file			1				
46. Cleaning and servicing; SOP's on file for unenclosed MFFs			1				
47. Restroom facilities within 200 ft (if stopped for > 1hr)			1				
48. Exterior and surrounding area sanitary			1				
49. Compliance with safety requirements <input type="checkbox"/> First Aid Kit <input type="checkbox"/> Fire Extinguisher (10BC min) <input type="checkbox"/> 2nd exit Latches: <input type="checkbox"/> fryer lid <input type="checkbox"/> steam table			1				
<b>COMPLIANCE &amp; ENFORCEMENT</b>							
50. Compliance with plan review requirements			1				
51. Certification from State Housing & Community Development (HCD) Ph: 916-255-2501			2				
52. Facility operating with valid Health Permit/Placard posted			4/2				
53. Food Impoundment or VCD							
54. Permit Suspension/Require Closure							
Inspection Total Score: _____ / _____							

\*Denotes the violations that if left uncorrected will result in a point total of 26 points per violation **AND immediate closure**

**Placard** ☐ GREEN – Pass ☐ YELLOW – Conditional Pass; Follow-up Inspection Required by:   /  /   ☐ RED – Fail  
**CLOSED** until released by this Agency

Note: A Re-inspection Fee will be charged at the second & subsequent follow-up inspection at \$\_\_\_\_\_ per inspection.

Received by (Signature) \_\_\_\_\_ Phone #: \_\_\_\_\_ Date: \_\_\_\_\_

OPERATIONS TECHNICAL FOOD PROGRAM UNIT - VEHICLES Grading System - Mobile Food Dept/Placarding - Grading/Inspection Report Draft - Alameda County/4.6 ha-el-dae Mobile food inspection form Alameda ha edit - 4-09-14.docx

## Understanding the Placardding Program

The purpose of conducting food facility inspections is to protect the public by preventing incidents of foodborne illness. The Environmental Protection Division employs a **Green/Yellow/Red** "Placarding" system as a simple, visible indicator that the public can use to determine the current standing of a food facility in conforming to health and safety requirements. Violations on the OIR have been assigned a specific point value based on the associated public health risk. The color of the placard the food facility receives reflects the status of the food facility at the time of the inspection.

Each food facility inspection begins with 100 points. As the environmental health inspector conducts the inspection, violations found are marked in the corresponding box of the OIR. The point value assigned to each violation is based on the level of food safety risk. Points are deducted from the initial 100 points. The resulting score is reflective of the overall food safety risk, however if there are critical violations which cannot be corrected during the inspection, the violation will be marked as 26 points, and will result in immediate closure. Placards are assigned based on the food safety risk and violations documented during the inspection.

At the conclusion of a routine inspection, the environmental health inspector will place the colored placard in the facility window or other approved location in public view.

Beginning of the Inspection    100 points

Total points deducted            -    points

-----

Remaining points                        = Score

Either a **Green, Yellow** or **Red** (Notice of Closure) placard will be issued at the end of the inspection:

80 to 100 points	Green: <b><u>Pass</u></b>	Good food handling practices and overall food facility maintenance and sanitation. <b>(No more than one major CDC Risk Factor violation corrected before the inspection is over.)</b>
75 to 79 points <b>OR</b> 2 or more major violations which were corrected on-site (COS)	Yellow: <b><u>Conditional Pass</u></b>	Minimally acceptable food handling practices and overall food facility maintenance and sanitation. The noted violations must be corrected as soon as possible to ensure improved food handling practices and overall food facility maintenance and sanitation. A comprehensive reinspection (re-score inspection) will be conducted within 3 weeks, and a fee will be charged (at the current hourly rate) for each subsequent re-inspection. <b>(Two or more major CDC Risk Factors corrected before the inspection is over.)</b>
0 to 74 points	Red: <b><u>Fail/Closure</u></b>	Poor food handling practices and overall unacceptable food facility maintenance and sanitation. The facility shall be immediately Closed. The Environmental Health Permit will be suspended and a Notice of Closure will be posted until the Environmental Health Permit is reinstated. The PIC must report to ACEH to conduct a re-inspection to earn a Yellow Placard. A re-score inspection will be done in the field within approximately three weeks to determine if the facility has earned a green. There will be an hourly fee assessed for each re-inspection.

**Please see the Departmental Policies on pg. 54 for more detailed information about the Placarding Process**

# Understanding the Placards

## **The Green Placard (Pass)**

The Green Placard is meant to show that the food facility has outstanding food safety practices. The Green Placard will be updated a few times a year, with every routine inspection.

## **The Yellow Placard (Conditional Pass)**

The Yellow Placard is a strong indication that the food facility has demonstrated somewhat satisfactory food handling, however, there are some major issues that need to be resolved before the food facility can continue to serve food under a Green Placard. With a Conditional Pass Result, the operator does not necessarily have to stop operation. The Inspector must be sure that the operator clearly understands the magnitude of the violations which resulted in a Conditional Pass result.

*Please see pg. 55 for the process of earning a Green Placard after first getting a Yellow Placard.*

## **The Red Placard (Fail/Closed)**

The Red Placard is issued to food facilities that have demonstrated a serious lack of food safety practices which could result in the spread of a foodborne illness due to the way the food is handled.

*Please see pg. 55 for the process of earning a Green Placard after first getting a Red Placard.*

We want to “catch” you doing things the right way in the field. This improved program is an effort to convey the importance of using the correct food safety practices to prevent food borne illnesses in the greater Bay Area.



**ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH**

# PASS

MOBILE FOOD FACILITY: \_\_\_\_\_

LIC PLATE #: \_\_\_\_\_ DECAL #: \_\_\_\_\_ PERMIT EXP DATE: \_\_\_\_\_

COMMISSARY ADDRESS: \_\_\_\_\_

This mobile food facility has been inspected by the Alameda County Department of Environmental Health,  
Environmental Protection Division in accordance to the California Health & Safety Code and has passed the  
inspection conducted on \_\_\_\_\_

\_\_\_\_\_ by \_\_\_\_\_  
Date Registered Environmental Health Specialist

Scan this code for inspection  
results



A copy of the most recent inspection  
report is available upon request.  
Inspection report results can also be  
viewed at: <http://www.acgov.org/aceh/>

Ariu B. Levi, Director

Department of Environmental Health  
Alameda County

## PREVIOUS INSPECTION RESULTS

Results of previous inspection conducted on \_\_\_\_\_

Date

☐ **PASS**

☐ **CONDITIONAL PASS**

☐ **CLOSURE**

For additional information contact Alameda County Department of Environmental Health  
510-567-6700

This placard is the property of Alameda County Department of Environmental Health and shall not be removed, copied or altered in any way.  
ALAMEDA COUNTY CODE OF ORDINANCES

# CONDITIONAL PASS

MOBILE FOOD FACILITY: \_\_\_\_\_

LIC PLATE #: \_\_\_\_\_ DECAL #: \_\_\_\_\_ PERMIT EXP DATE: \_\_\_\_\_

COMMISSARY ADDRESS: \_\_\_\_\_

This mobile food facility has been inspected by the Alameda County Department of Environmental Health,  
Environmental Protection Division in accordance to the California Health & Safety Code and has  
conditionally passed the inspection conducted on

\_\_\_\_\_ by \_\_\_\_\_  
Date Registered Environmental Health Specialist

A Follow Up inspection required \_\_\_\_\_

Scan this code for inspection  
results



A copy of the most recent inspection  
report is available upon request.

Inspection report results can also be  
viewed at: <http://www.acgov.org/aceh/>

Ariu B. Levi, Director

Department of Environmental Health  
Alameda County

## PREVIOUS INSPECTION RESULTS

Results of previous inspection conducted on \_\_\_\_\_  
Date

☐ **PASS**

☐ **CONDITIONAL PASS**

☐ **CLOSURE**

For additional information contact Alameda County Department of Environmental Health  
510-567-6700

This placard is the property of Alameda County Department of Environmental Health and shall not be removed, copied or altered in any way.  
ALAMEDA COUNTY CODE OF ORDINANCES



# CLOSED

MOBILE FOOD FACILITY: \_\_\_\_\_

LIC PLATE #: \_\_\_\_\_ DECAL #: \_\_\_\_\_ PERMIT EXP DATE: \_\_\_\_\_

COMMISSARY ADDRESS: \_\_\_\_\_

This mobile food facility has been inspected by the Alameda County Department of Environmental Health,  
Environmental Protection Division in accordance to the California Health & Safety Code and has failed the  
inspection conducted on

\_\_\_\_\_ by \_\_\_\_\_  
Date Registered Environmental Health Specialist

Scan this code for inspection  
results



A copy of the most recent inspection  
report is available upon request.  
Inspection report results can also be  
viewed at: <http://www.acgov.org/aceh/>

\_\_\_\_\_  
Ariu B. Levi, Director  
Department of Environmental Health  
Alameda County

**This facility is ordered to remain closed until the permit to  
operate is reinstated.**

For additional information contact Alameda County Department of Environmental Health  
510-567-6700

This placard is the property of Alameda County Department of Environmental Health and shall not be removed, copied or altered in any way.  
ALAMEDA COUNTY CODE OF ORDINANCES



## How Violations Are Identified

The Placard Grading System for Retail Food Facilities has criteria that will be used to evaluate food handling practices and overall maintenance and sanitation at food facilities within Alameda County.

The following information explains how violations are recorded on the Official Inspection Report form (OIR) by the environmental health inspector.

Below is the format of the OIR Marking Guide, which follows the format of the OIR itself (items are formatted the way they are represented in the Marking Guide).

- **CATEGORY** – Bold lettering with grey background
- **Item number and description of the violation** – Bold lettering
- *The applicable section(s) of the California Retail Food Code (CalCode)* – **Italicized**
- A brief explanation of when the item will be marked as an observed violation – **Normal lettering**
- Examples of one or more violations – **Normal lettering**
- **Corrective action necessary for the PIC to correct the violation** – **Green, Bold lettering**
- An asterisk (\*) next to the violation description implies that if this violation is observed and left uncorrected, it may result in an immediate closure of the Mobile Food Facility.

**Please use the OIR Marking Guide and the Departmental Policies in the following pages of this document as a guide to help you understand the Official Inspection Form (OIR), and to help you prepare for your next routine inspection in the field.**

# Mobile Food Facility Inspection Report Marking Guide

## Center for Disease Control Risk Factors (#1-22)

### Violations (1-5)

### DEMONSTRATION OF KNOWLEDGE

#### 1. Demonstration of Food Safety Knowledge; food safety certification; food handler cards current

Mark 2 pts.

✓ **Mark this violation out**

- When food employees do not demonstrate adequate knowledge of, and proper training in food safety as it relates to their assigned duties. (e.g., employees do not properly wash hands)
- When a foodhandler does not have a foodhandler card

Cal Code Sec.

113947-113947.1, 113948

**Corrective Action**

- The inspector must require that the food facility operator assures that all food employees, working in a food facility, have sufficient knowledge to perform their job duties in order to prepare and serve food safely

### EMPLOYEE HEALTH & HYGIENIC PRACTICES

#### 2. Communicable Disease Procedures\*

Mark 4 pts.

✓ **Mark this violation out**

- When the Person In Charge (PIC) fails to report to the Alameda County Department of Environmental Health (ACDEH) when he/she is aware of a food facility employee with a diagnosed **gastrointestinal illness or communicable disease**
- When the PIC is aware of two or more food facility employees concurrently experiencing gastrointestinal symptoms
- When the PIC removes a restriction on a foodhandling employee before the employee's gastrointestinal symptoms have ended
- When the PIC removes an exclusion on a food facility employee without local Health Officer written clearance
- When a PIC is aware of a foodhandling employee with an exposed lesion or wound that is not properly covered (i.e., bandaged and covered with a glove)
- When food facility employees are observed touching food or food contact surfaces with cuts, rashes, burns or sores not covered with gloves

Cal Code Sec.

113949.2, 113949.4, 113949.5, 113950, 113950.5, 113973(a), 113975

**Corrective Action**

- The inspector must require that a food employee working with a diagnosed illness be excluded from the food facility **immediately**
- The inspector must require that employees working with undiagnosed gastrointestinal symptoms be **immediately** restricted from working with food, equipment, utensils (including single service utensils) and linen
- The inspector must require that any food handled by the infected foodhandler must be **immediately** discarded and the inspector must also mark #11
- The inspector must also ensure that the manager/PIC understands the association between an ill food handler and foodborne illness

<b>3. No Discharge From Eyes, Nose, &amp; Mouth</b> <span style="float: right;"><b>Mark 2 pts.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When an employee is observed working with discharges from the eyes, nose, or mouth (i.e., food employee working with runny nose, uncontrolled coughing or sneezing)</li> </ul>	
<b>Cal Code Sec.</b>	<b>113974</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The inspector must require that food employees observed with discharges be <b><u>immediately</u></b> restricted from working with food, equipment, utensils (including single service utensils)</li> <li>The inspector must require that any food contaminated with discharges be <b><u>immediately</u></b> discarded or impounded and the inspector must also mark #11</li> <li>The inspector must ensure that the manager understands the association between employee health and foodborne illness</li> </ul>
<b>4. Proper Eating, Tasting, Drinking or Tobacco Use</b> <span style="float: right;"><b>Mark 2 pts.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When an employee is eating/smoking/drinking (i.e., employee observed eating while preparing food, employee observed tasting with a spoon and putting it back into the food.)</li> </ul> <b>Exception</b> <ul style="list-style-type: none"> <li>Drinking from a covered cup with a straw in the food prep area.</li> </ul>	
<b>Cal Code Sec.</b>	<b>113977</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The inspector must require that the employee, who is eating or drinking, (other than the above approved exception), <b><u>immediately</u></b> remove the food/beverage item from the food preparation, storage or service area and the utensil wash/storage area. Before handling food or utensils, the food employee must wash their hands</li> <li>The inspector must also require that employees wash their hands after smoking and prior to returning to the food preparation, storage, services areas and utensil wash/storage areas</li> <li>The inspector must ensure that the manager/PIC understands the association between personal habits/behavior and foodborne illness</li> </ul> <p><b>Note:</b> If the inspector observes an employee handling food after eating <u>without</u> washing his or her hands, the inspector must also mark #11 and require that the food be <b><u>immediately</u></b> discarded</p>



**5. Hands Clean/Properly Washed; Gloves Used Properly; Ready-To-Eat (RTE) Food Handling\* Mark 4 pts.**

✓ **Mark this violation out**

- When hands/nails/exposed bare arms are not clean
- When hands are not properly washed after touching body parts, hair, raw food, emptying the garbage, using the restroom, when arriving or returning to the facility, after eating, sneezing, coughing etc.
- When hands are not cleaned prior to the use of a hand sanitizer
- When there is no soap available on the premises
- When bare hand contact with food is not minimized
- When bare hand contact happens with RTE foods, unless an approved written program is in place. (i.e., touching any RTE foods with bare hands)
- When an employee packages a customer's leftover food with his/her bare hands or unclean utensils
- When food handling employees are handling food with dirty/untrimmed fingernails
- When gloves are not changed with each task
- When food handling employees preparing unpackaged food do not wear gloves over artificial nails, polished nail, rings, exposed jewelry (other than wedding band), bandages etc.

**Cal Code Sec.**

**113952, 113953.3, 113953.4, 113961(b), 113968, 113973 (b-f)**

**Corrective Action**

- The inspector must require that the employee wash his/her hands properly and use appropriate food handling utensils
- If a foodhandler touches food with dirty hands, the foodhandler must stop **immediately** and properly wash his/her hands, and the food must be **immediately** discarded and the inspector must also mark #11
- If the foodhandler touches food with gloves that were not changed after switching tasks, the inspector must require that the foodhandler **immediately** discard the food and the foodhandler must remove and discard the gloves, wash his/her hands and put on new gloves before continuing with foodhandling activities
- The inspector must ensure that the manager/PIC understands the association between inadequate hand washing and foodborne illness

**6. Adequate Hand Washing Facilities Supplied & Accessible**

**Mark 2 pts.**

✓ **Mark this violation out**

- When hand wash sinks are not operable
- When hand wash sinks are not available due to unapproved use (i.e. for utensil wash, food prep.)
- When a soap/towel dispenser is empty or broken

**Cal Code Sec.**

**113953, 113953.1, 113953.2, 114067(f)**

**Corrective Action**

- The inspector must require that empty soap/towel dispensers are filled **immediately**
- The inspector must require that the unapproved use of the handsink is discontinued and that the hand wash sink is washed, rinsed and sanitized and made available for hand washing **immediately**
- If unavailable or unapproved hand wash sinks result in a lack of hand washing or improper hand washing, the inspector must also mark #5.

## TIME & TEMPERATURE RELATIONSHIPS

### 7. Proper Hot and Cold Holding Temperatures\*

**Mark 4pts/2pts.**

**(Inspector must confirm temperature violations with a calibrated probe thermometer)**

- ✓ **Mark 4pts.** when food is received or stored at internal temperatures between 50°F and 130°F
- ✓ **Mark 2 pts** when internal food temperature is 42°F to 49°F or 131°F to 134°F

**Each holding unit found with food at unsafe temperatures will be marked as a separate violation and scored accordingly** (e.g., PHF in steam table at 100°F = 4 pts.; cheese in refrigerator at 48°F = 2 pts; chicken on counter at 90°F = 4 pts. Total points deducted = 8 pts)

#### Exceptions:

- Food that is allowed to be stored at or below 45°F (raw shell eggs, unshucked live molluscan shellfish, pasteurized milk, pasteurized milk products in original sealed containers, food held in vending machines, potentially hazardous foods held for sampling at a certified farmers market, potentially hazardous refrigerated food transported at 45°F and cooled to 41°F within four hours of delivery),
- Food in active preparation for a maximum of **two hours** (i.e. assembling, cooking, or thawing),
- Food transported in less than thirty minutes and roast beef cooked and held in compliance with sections 114004(b)

<b>Cal Code Sec.</b>	<b>113996, 113998, 114037, 114343(a){TFF at 45degrees}</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• The inspector must require that <b>PHFs</b> at high risk temperatures (50°F - 130°F) <b>for four or more hours</b> be <b>immediately</b> discarded</li> <li>• The inspector must require that food found in a <b>steam table</b> at temperatures <b>at or below 130°F for less than 4 hours</b> be <b>immediately</b> re-heated to an internal temperature of 165°F or above and served or placed in a pre-heated steam table and held at 135°F or higher.</li> <li>• The inspector must also mark # 10 if the food was inadequately re-heated prior to placing the food in the steam table</li> <li>• The inspector must require that <b>PHFs</b> found at temperatures of <b>70°F- 130°F for two hours or less</b> be <b>immediately</b> reheated and cooked and served (if the food is raw) or <b>immediately</b> reheated and hot held (if the food is already cooked) at 135°F or higher.</li> <li>• The inspector must require that <b>PHFs</b> found at temperatures <b>42°F-70°F for less than four hours</b> be <b>immediately</b> cooked and served (if the food is raw) or <b>immediately</b> reheated and served or hot held (if the food is already cooked) at 135°F</li> <li>• For exceptions to temperature holding requirements see the exclusions listed in Cal Code section #114000 (TPHC), 114419 (HACCP), 114425 (Chinese Style Roast Duck), and 114429 (Korean Rice Cake)</li> </ul>

### 8. PHF above 135° destroyed at end of day. No cooling on MFF\*

**Mark 4 pts.**

✓ **Mark this violation out**

- When any unused cooked or hot held Potentially Hazardous Food at the end of the working day is saved for reuse for the next or subsequent day(s) of operation
- When cooling of Potentially Hazardous Food is part of the Mobile Food Facility operation.

<b>CalCode Sec.</b>	<b>114305(d)</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• Any Potentially Hazardous Food that is cooked or hot held above 135° on a Mobile Food Facility must be disposed of at the end of the operating day.</li> </ul>

**9. Proper Cooking Time & Temperatures\*****Mark 4 pts.****(Inspector must confirm temperature violations with a calibrated probe thermometer)**✓ **Mark this violation out** when food is not cooked to the following temperatures required by Cal Code:

- When eggs, fish, and single pieces of meat (including beef, veal, lamb, pork and approved game meat) are not cooked to an internal food temperature of 145°F for 15 seconds (eggs to be hot held must be cooked to 155°F for hot holding)
- When poultry, comminuted poultry, stuffed fish/meat/ pasta/poultry/ratites and stuffing containing fish, meat, poultry, or ratites are not cooked to an internal food temperature of 165°F for 15 seconds
- When ratites, injected meat, comminuted (ground) meat, foods containing comminuted meat and foods containing raw egg are not cooked to internal food temperatures of 155°F for 15 seconds or to the temperature specified in the chart below

Minimum Internal Food Temperature	Time
145°F	3 minutes
150°F	1 minute
158°F	< 1 second (instantaneous)

- Roast beef is not cooked to 130°F for 112 minutes
  - Whole beef roast, corned beef roast, pork roast and cured pork roast such as ham, shall be cooked as specified in Section 114004 (b)(2)

<b>Cal Code Sec.</b>	<b>113818(a)(5), 114004, 114008, 114010</b>
<b>Corrective Action</b>	If the minimum required cooking temperature is <u>not</u> met the inspector must require that the food facility manager/PIC or foodhandler <b><u>immediately</u></b> continue the cooking process until the proper internal temperature is reached

**10. Proper Reheating procedures for hot holding\*****Mark 4 pts.****(Inspector must confirm temperature violations with a calibrated probe thermometer)**✓ **Mark this violation out**

- When food is not reheated to 165°F within two hours before serving or for hot holding in steam table
- When commercially processed food is not reheated to 135°F or above
- When remaining unsliced portions of whole roast beef are not reheated for hot holding using the oven temperatures specified as per Section 114004(b)(2)

<b>Cal Code Sec.</b>	<b>114004, 114014, 114016</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• If at the end of the reheating process the food does <u>not</u> reach the required internal temperature, the inspector must require that the reheating process be continued <b><u>immediately</u></b> until the proper internal temperature is reached</li> <li>• If the improperly reheated food was placed in the steam table at improper temperatures for four or more hours, the inspector must require that it be discarded <b><u>immediately</u></b></li> </ul>

## PROTECTION FROM CONTAMINATION

### 11. Food in Good Condition, Safe and Unadulterated\*

Mark 4pts/2pts.

✓ **Mark 4 pts.**

- When a food handling employee contaminates food by any intentional or unintentional acts
- When food is contaminated by unsanitary tasting techniques
- When food is contaminated by leaks or drips (including fluids from raw meat/poultry, chemicals, or plumbing fixtures)
- When sulfites or excessive amounts of food additives are added to food
- When food is contaminated by animal feces, urine, hair, live or dead animals/insects, insect eggs, etc.
- When ice previously used for cold holding is used as an ingredient in food or beverage
- When containers previously used for chemicals or poisonous substances are re-used for food
- When backflow preventers or fittings used between copper tubes and carbonators allow back-siphonage
- When unstable metals such as copper or lead or zinc are used as food contact surfaces for high acid foods
- When containers, utensils, linen, or single-use utensils are contaminated by vermin, dirt, chemicals or other deleterious substances

✓ **Mark 2 pts.** when the potential for food contamination exists (i.e. the inspector did not observe any signs of actual contamination of the food)

✓ When food in a satellite is not stored in a protected location during nonoperational hours or inclement weather.

<b>Cal Code Sec.</b>	<b>113967, 113976, 113980, 113988, 113990, 114035, 114067(h), 114254.2,</b>
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<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• The inspector must require that contaminated food be <b><u>immediately</u></b> discarded</li> <li>• The inspector must require that food found to be at risk for contamination is <b><u>immediately</u></b> removed from the situation which may allow for contamination</li> </ul>
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### 12. Food Contact Surfaces: Cleaned and Sanitized\*

Mark 4pts/2pts.

✓ **Mark 4 pts.**

- When food contact surfaces are not cleaned and sanitized
- When food contact surfaces are contaminated and could result in food contamination
- When a sanitizer is not provided in the three compartment sink
- When food-contact surfaces are not washed, rinsed and sanitized before a change in use (between raw and cooked food or between different raw animal products) or every four hours during the same use

✓ **Mark 2 pts.** when the frequency or process of cleaning and sanitizing of food contact surfaces is inadequate (i.e. the sanitizer concentration is measured lower than required ppm)

(1) Contact with a solution of 100 ppm available chlorine solution for at least 30 seconds.

(2) Contact with a solution of 25 ppm available iodine for at least one minute.

(3) Contact with a solution of 200 ppm quaternary ammonium for at least one minute.

(4) Contact with any chemical sanitizer that meets the requirements of Section 180.940 of Title 40 of the Code of Federal Regulations when used in accordance with the manufacturer's use directions.)

<b>Cal Code Sec.</b>	<b>113984(d, e), 114097, 114099.1, 114099.6, 114105, 114109, 114111, 114113, 114115(a, b, d), 114117, 114125(b), 114141</b>
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<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• The inspector must require <b><u>immediate</u></b> closure and notify his or her manager when the               <ul style="list-style-type: none"> <li>- food facility does <u>not</u> have a method to wash, rinse and sanitize utensils</li> </ul> </li> <li>• The inspector must require <b><u>immediate</u></b> closure and notify his or her manager if there is gross contamination of food contact surfaces that can result in contamination of food</li> <li>• The inspector must ensure that the manager/PIC understands the association between contaminated food contact surfaces and foodborne illness</li> </ul>
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## FOOD FROM APPROVED SOURCES

### 13. Food Obtained From Approved Source\*

Mark 4 pts.

✓ **Mark this violation out**

- When food or ice is not from an approved source
- When food received was not transported in an approved manner

**Note:**

- Local enforcement agencies can only inspect food delivery vehicles when they arrive at the retail food facility
- Food delivery vehicle violations should be referred to the Department of Public Health Food and Drug Branch (FDB) for follow-up
- Violations observed on vehicles found at a food facility should not be marked unless the food facility has accepted delivery of the food
- When a food facility receives unpasteurized liquid, frozen, or dry eggs
- When a food facility receives unpasteurized frozen milk products (i.e. ice cream)
- When a food facility receives unlabeled raw (unpasteurized) milk and raw milk products or raw (unpasteurized) milk and raw milk products from an unapproved source
- When a food facility receives fish, shellfish, or game animals from unapproved sources
- When a food facility receives broken or unclean shell eggs
- When a food facility receives meat or meat products from a non-USDA inspected facility
- When food was not prepared or purchased from an approved commissary, commercial kitchen, or other approved source.

**Cal Code Sec.**

**113980, 113982, 114021-114031, 114041**

**Corrective Action**

If food is from unapproved, unsafe, or otherwise unverifiable (no tag or label) sources the inspector must require that the food be immediately voluntarily discarded or impounded until proof of safe source can be produced

### 14. Compliance with Shell Stock Tags, Condition, Display

Mark 2 pts.

✓ **Mark 4pts.**

- When shell stock tags are missing or incomplete
- When shellfish are not received at or below 45°F
- When shell stocks are comingled

✓ **Mark 2 pts.**

- When raw shucked shellfish are not properly labeled
- When shell stock is not discarded when they are not reasonably free of mud, dead shellfish, or broken shells
- When shell stock has been removed from the original container unless displayed on drained ice or held in a display container with the source properly identified and recorded
- When shell stock tags are not attached to the container in which they were received until the container is empty
- When tags/labels are not held for 90 calendar days from the date the lot was emptied

**Cal Code Sec.**

**114039 – 114039.5**

<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The inspector must require that raw shucked shellfish or shell stock from unapproved, unsafe, or otherwise unverifiable sources shall be <b><u>immediately</u></b> discarded or impounded until the appropriate documentation is provided</li> <li>Inspectors must require that dead shellfish or shellfish with badly broken shells be <b><u>immediately</u></b> discarded</li> </ul>
<b>15. Compliance with Gulf Oyster Regulations</b> <span style="float: right;"><b>Mark 2 pts.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When raw Gulf Oysters are offered for sale between April 1<sup>st</sup> and October 31<sup>st</sup> <u>without</u> evidence of a treatment approved by the Department of Public Health FDB</li> <li>When raw Gulf Oyster warning signs are <u>not</u> posted for <u>untreated</u> oysters between the months of November 1, and March 31<sup>st</sup></li> </ul>	
<b>Cal Code Sec.</b>	<b>Title 17 CA Code of Regulations sec. 13675, CalCode section 113707</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The inspector must require that all <u>untreated</u> Gulf Oysters are <b><u>immediately</u></b> removed from sale during banned months (April 1<sup>st</sup> through October 31<sup>st</sup>) <u>unless</u> evidence is provided that the oysters have been treated by a method approved by the California Department of Public Health FDB</li> <li>If an inspector observes untreated Gulf oysters at a food facility between the months of April 1<sup>st</sup> and October 31<sup>st</sup> and the operator refuses to remove them from sale, the inspector must <b><u>immediately</u></b> impound the oysters and notify the Department of Public Health FDB. (Notify FDB of any instance of untreated oysters during this period.) If Gulf Oyster warning signs are missing for untreated gulf oysters between the months of November 1<sup>st</sup> and March 31<sup>st</sup>, the inspector must require that the operator provide the approved signage <b><u>immediately</u></b></li> </ul>

## CONFORMANCE WITH APPROVED PROCEDURES

### 16. Compliance with Variance, Specialized Process & HACCP Plan

**Mark 4pts/2pts.**

✓ **Mark 4 pts.**

- When a food facility is packaging potentially hazardous food products using a reduced-oxygen packaging (ROP) method and has not obtained HACCP Plan approval from the Department of Public Health FDB
- When a food facility is modifying food using acidification or water activity as a means to prevent the growth of Clostridium Botulinum and has not obtained HACCP Plan approval from the Department of Public Health FDB
- When a food facility is required to have a HACCP Plan approved by the Department of Public Health FDB and is not following the Department of Public Health FDB's approved HACCP Plan procedures
- When a food facility has obtained a variance from the Department of Public Health FDB to allow for deviation from specific code requirements and is not following the approved variance conditions or procedures

✓ **Mark 2 pts.**

- When the smoking of food is used as a method of preservation without a written HACCP Plan approved by the ACDEH
- When food is cured without a written HACCP Plan approved by the ACDEH
- When food additives are used as a method of preservation or as a means to change the food to non-potentially hazardous without a written HACCP Plan approved by the ACDEH
- When operating a molluscan shellfish life support tank for shellfish intended for human consumption without a written HACCP Plan approved by the ACDEH

**Exception:**

- Molluscan shellfish life support tanks for shellfish intended for human consumption in use prior to Cal Code
- When animals are custom processed as food for personal use without a written HACCP Plan approved by the ACDEH
- When food is prepared by another method that requires a HACCP Plan as determined by the ACDEH without a written HACCP Plan approved by the ACDEH

**Exception:**

- Chinese Roast Duck and Korean Rice Cakes
- When a ACDEH approved HACCP Plan is not followed as written and approved

**Cal Code Sec.**

**114057, 114057.1, 114417.6, 114419**



<p><b>Corrective Action</b></p>	<ul style="list-style-type: none"> <li>• If it is determined during an inspection that a Department of Public Health FDB approved HACCP Plan is required, or that the Department of Public Health FDB approved HACCP Plan is <u>not</u> being followed, the inspector must require that the affected food products be <b><u>immediately</u></b> discarded or impounded and notify the Department of Public Health FDB as soon as possible</li> <li>• If it is determined during an inspection that the alternate procedures detailed in the variance letter are <u>not</u> being followed, the inspector must require that the affected food be <b><u>immediately</u></b> discarded and notify the Department of Public Health FDB as soon as possible</li> <li>• If it is determined during inspection that a ACDEH required HACCP plan, is <u>not</u> being followed, or is <u>not</u> available for viewing, the inspector must <b><u>immediately</u></b> perform a risk assessment to determine the safety of the food</li> <li>• If the safety of the food is questionable following the inspector's risk assessment, the inspector must require that the food handling practice be discontinued <b><u>immediately</u></b> until a HACCP Plan approved by the ACDEH has been developed and implemented and require that the food be immediately discarded</li> <li>• If the food appears to be safe following the inspector's risk assessment, (i.e. safe internal temperature) the inspector must require that the foodhandling practice be discontinued <b><u>immediately</u></b> until a HACCP Plan approved by the ACDEH has been developed and implemented and require the food to be transferred <b><u>immediately</u></b> to a refrigeration unit or reheated for hot holding</li> </ul> <p><b>Note: The HACCP Plan for shellfish must include all of the following:</b></p> <ol style="list-style-type: none"> <li>1. Water used with fish other than molluscan shellfish does <u>not</u> flow into the molluscan shellfish tank</li> <li>2. The safety and the quality of the shellfish when they are received is <u>not</u> compromised by the use of the tank</li> <li>3. The identity of the source of the shellfish is retained as required in section 114039.1</li> </ol>
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## CONSUMER ADVISORY

<p><b>17. Consumer Advisory for Raw Undercooked Foods and Foods with ½ of 1% Alcohol</b></p> <p>✓ <b>Mark this violation out</b></p> <ul style="list-style-type: none"> <li>• When pasteurized eggs or pasteurized egg products are <u>not</u> substituted for raw shell eggs in foods such as Caesar salad dressing or hollandaise sauce and <u>no</u> consumer warning is provided</li> <li>• When the food facility serves raw or undercooked food and fails to provide an advisory (oral or written) that a food item is being served less than thoroughly cooked</li> </ul> <p><b>Exception:</b></p> <ul style="list-style-type: none"> <li>• Sashimi, seared ahi tuna, steak tartar and customer requests for specified undercooked foods are exempted from this requirement</li> </ul> <p><b>Note:</b> Gulf Oysters are addressed in data field # 15 (Compliance with Gulf Oyster Regulations)</p>		<p style="text-align: right;"><b>Mark 2 pts.</b></p>
<p><b>Cal Code Sec.</b></p>	<p><b>114012, 114093, 114093.1</b></p>	
<p><b>Corrective Action</b></p>	<ul style="list-style-type: none"> <li>• The inspector must require that these oral or written advisories precede the service of undercooked foods</li> <li>• When an inspector observes that an advisory is <u>not</u> provided to customers prior to service of undercooked or raw foods, he or she must require that the operator <b><u>immediately</u></b> suspend service of those foods until the advisory is provided</li> </ul>	



## WATER/HOT WATER

### 18. Hot Water and Cold Water Available, Adequate Pressure\*

**Mark 4pts/2pts.**

✓ **Mark 4 pts.**

- When the hot water temperature does not reach 120°F at the warewashing sink
- When the temperature of the wash solution in ware washing sinks is less than 100°F
- When the water supply is contaminated or unapproved (the water supply is from a water system that is not approved by the local enforcement agency)
- When the food facility has no potable water

✓ **Mark 2 pts.**

- When an adequate, protected, pressurized, potable supply of hot and cold water is not provided
- When there is a lack of warm water (less than 100°F) at the hand wash sink

**Cal Code Sec.**

**113953(c), 114099.2(b), 114189, 114192, 114192.1, 114195**

**Corrective Action**

- When the wash solution in a warewashing sink measures less than 100°F, the inspector must require **immediate** correction (repair or closure) or a safe alternative (i.e. chemical sanitization if the water temperature is warm enough to remove grease and protein matter)
- If the food facility only has pre-packaged food, the inspector can allow the food facility to remain open for twenty four hours while the hot water is restored
- When a food facility has no water, no potable water, or no hot water, the inspector must require the food facility to close **immediately** and notify his or her manager
- When the water supply is contaminated or unapproved, the inspector must require the food facility to close **immediately** and notify his or her manager
- 

## LIQUID WASTE DISPOSAL

### 19. Wastewater Properly Disposed

**Mark 2pts.**

- ✓ **Mark 2 pts** when liquid waste is not disposed of into the sanitary sewer (e.g., . gate valve leaks and waste water allowed to empty onto ground.)

**Cal Code Sec.**

**114197, 114241(c)**

**Corrective Action**

**Waste water tanks on a Mobile Food Facility shall be emptied to a sanitary sewer connection approved by the local jurisdiction.**

## VERMIN

<b>20. <u>No</u> Rodents, Insects, Birds or Animals*</b>		<b>Mark 4pts/2pts.</b>
✓ <b>Mark 4 pts.</b>		
<ul style="list-style-type: none"> <li>When rats, mice, cockroaches, flies or similar disease carrying vermin are present in a food facility evidenced by live bodies, fresh droppings, vomitus, urine stains, or gnaw marks that have already caused or can potentially cause contamination to food, equipment, food packages, or utensils</li> </ul>		
✓ <b>Mark 2 pts.</b>		
<ul style="list-style-type: none"> <li>When food handling employees care for or handle animals that may be present (such as patrol dogs, service animals, or pets) in areas that are used for food preparation, storage, or display or areas used for utensil washing or storage</li> <li>When live animals that are <u>not</u> service animals, are allowed in a food facility</li> <li>When non-disease transferring food infesting insects (i.e. fruit flies, moths, beetles, ants, spiders) or birds are observed in a food facility</li> <li>When old signs of the presence of vermin are observed with <u>no</u> indication of a current infestation</li> </ul>		
<b>Cal Code Sec.</b>	<b>114259.1, 114259.3, 114259.4, 114259.5</b>	
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>If the inspector observes a live vermin infestation in a food facility, <b><u>immediate</u></b> closure and notification of the inspector's manager is required and the food facility shall remain closed until the infestation is removed</li> <li>If the inspector observes food adulterated by any vermin (rats, mice, cockroaches and other disease carrying pests) the inspector must also mark data field # 11 and require that the contaminated food be <b><u>immediately</u></b> discarded</li> <li>The inspector must ensure that the operator understands the potential for vermin to contaminate food directly by leaving eggs, carcasses, urine, feces and saliva on the food and indirectly by leaving eggs, carcasses, urine, feces, and saliva on food contact surfaces</li> </ul>	

## MAJOR MFF REQUIREMENTS

<b>21. Approved and adequate Power Source* Plug-in Agreement on File</b>		<b>Mark 4pts/2pts.</b>
✓ <b>Mark 4 pts.</b>		
<ul style="list-style-type: none"> <li>When there is no generator, or the food facility is not plugged in to a municipal power source</li> <li>When generator is not in use upon arrival of the inspector for a field inspection</li> <li>When the inspector witnesses an exchange or borrowing of a single generator from one food facility to another for purposes of passing an inspection</li> </ul>		
✓ <b>Mark 2 pts.</b>		
<ul style="list-style-type: none"> <li>When there is a faulty generator on the Mobile Food Facility</li> <li>When the electrical outlet is not providing enough electrical power to adequately power mobile food facility equipment</li> </ul>		
<b>Note:</b>		
<ul style="list-style-type: none"> <li>Most mobile food facilities require at least a 3,000 watt generator in order to keep food at the required temperatures.</li> <li>Inspectors may want to encourage vendors who have less than a 2,000 watt generator to buy a newer, more powerful generator that will adequately power their facility</li> </ul>		
<ul style="list-style-type: none"> <li>When generator is not permanently mounted and hardwired to the Mobile Food Facility. Electrical wires must be contained in a flexible conduit, mounted to the underside of the truck to avoid dangling wires.</li> <li>When generator runs out of gas during inspection</li> </ul>		
<b>CalCode Sec.</b>	<b>114182</b>	
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The inspector must stress the importance of keeping food at the required temperatures, and that an independent power source is both essential and required in ensuring compliance</li> <li>The inspector must educate the PIC about the dangers of selling food that is out of</li> </ul>	

	<p>temperature due to insufficient power to the steam table and/or refrigeration unit.</p> <ul style="list-style-type: none"> <li>• The inspector should suspend the permit if the issue is not corrected on site and refer the Person in Charge to a trusted repair business or place to purchase a new generator</li> <li>• The inspector must also stress the connection between the generator and the lighting that is necessary to ensure safe food preparation when it gets dark outside</li> </ul>
<b>22. Mechanical Refrigeration provided (on MFFs that handle PHFs)*</b> <span style="float: right;"><b>Mark 4pts/2pts.</b></span>	
<p>✓ <b>Mark 4 pts.</b></p> <ul style="list-style-type: none"> <li>• When there is no mechanical refrigeration unit installed. A mechanical refrigeration system must be thermostatically controlled with a compressor that provides cold air and has evaporator fans inside.</li> </ul> <p>✓ <b>Mark 2 pts.</b></p> <ul style="list-style-type: none"> <li>• When there are no evaporator fans working within the refrigeration unit</li> <li>• When the refrigeration unit is faulty, and not working correctly</li> <li>• When the refrigeration unit is loaded in a way that does not allow the air to circulate enough to hold cold food at the required temperature</li> </ul> <p><b>Exceptions:</b> This section does not apply to MFFs that handle prepackaged frozen ready to eat foods, whole live fish and whole aquatic invertebrates</p>	
<b>CalCode Sec.</b>	<b>113885, 114301(c)</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• Inspectors should refer truck owners to a repair/installation specialist to install a working mechanical refrigeration system</li> <li>• Inspectors should stress the relationship between foodborne disease and keeping food at the correct temperatures.</li> <li>• If the refrigerator is not in working condition by the end of the inspection the vehicle must be closed, unless the food can be transferred to a working refrigeration unit</li> </ul>

# Approved Retail Practices (#23-52)

## PERSONAL CLEANLINESS

### 23. Personal Cleanliness and Hair Restraints

Mark 1 pt.

✓ **Mark this violation out**

- When employees preparing, serving or handling food or utensils are not wearing hair restraints designed and worn to keep their hair from contacting nonprepackaged food, clean equipment and utensils
- When employees who prepare, serve or handle food or utensils are working with fingernails not trimmed, fingernails unclean or hands with extensive rings or other jewelry.
- When employees are observed wearing soiled clothing

Cal Code Sec. 113969, 113971

**Corrective Action**

- The inspector must require the PIC to ensure that all employees who prepare, serve or handle food and/or clean equipment, and utensils wear hair restraints sufficient to keep hair from coming into contact with food and food contact surfaces
- If inspector observes food handlers with unkept, long or painted fingernails or extensive jewelry the employees must wear gloves . (Effective January 1, 2014, no bare hand contact with ready to eat food.)
- If an inspector observes foodhandlers with soiled clothing, he or she must require that the employee replace the soiled clothing with clean clothing or cover the soiled clothing with a clean uniform

## GENERAL FOOD SAFETY REQUIREMENTS

### 24. Approved Thawing Methods Used, Frozen Food

Mark 1 pt.

✓ **Mark this violation out**

- When frozen food is not stored and displayed frozen
- When an unapproved procedure is used to thaw potentially hazardous food.

**Note:**

- The only acceptable thawing methods on a mobile food facility are to thaw in a refrigerator, or via cooking process or in a microwave.
- No thawing in the 3 compartment sink or other method can be done at room temperature.

Cal Code Sec. 114018, 114020

**Corrective Action**

- The inspector must require that food thawing at room temperature for more than two hours but less than four hours be cooked to the proper temperature and hot held at 135°F or served **immediately**
- The inspector must require that food left at room temperature with internal temperatures between 50°F and 130°F be discarded **immediately** and the inspector must also mark #7 on the OIR

### 25. Safe Food Preparation

Mark 1 pt.

✓ **Mark this violation out**

- When food operation is conducted in a way that does not protect against contamination: in-adequate counter space, etc.

**Note to Inspectors:**

- Mark #25 out if you see a large amount food ready to be prepped (**example:** boxes of fruit on truck which operator plans to prep on board)
- Mark #11, 2 pts, if operator has improperly stored food in a way that **potentially** could cause cross contamination (**example:** dripping food on top shelf of fridge over open containers of RTE food)
- Mark #11, 4 pts, if you **see** cross contamination as a result of food preparation (**example:** bleach splashing on chicken; raw meat dripping on lettuce, etc)
- When produce is not washed before it is cut, mixed with other ingredients, cooked, served or offered for human consumption in ready-to-eat form (i.e. in a salad bar).
- If the above processes are not done at a commercial kitchen and have been done on the mobile food facility

and there is no prep sink on the truck, and space to do so is limited potentially causing a cross contamination.	
Cal Code Sec.	113808(b)(7), 113984(a)(f), 113992
Corrective Action	<ul style="list-style-type: none"> <li>The inspector must explain the importance of not taking on more food prep than can be accommodated on the limited space of a Mobile Food Facility, due to the risk of cross contamination.</li> <li>The inspector must require that produce that is <u>not</u> washed prior to cooking be <b><u>immediately</u></b> discarded in addition to all of the other food that it comes in contact with and the inspector must also mark #11</li> <li>The inspector must require that unwashed raw produce that is offered for <b><u>immediate</u></b> consumption be removed from service and thoroughly washed at an approved commercial kitchen prior to offering it for sale</li> <li>If produce is being washed on the mobile food facility, the inspector must warn the operator of the cross contamination risk.</li> </ul>
<b>26. Consumer Self-Service</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When a food-dispensing utensil or food container designed to prevent contamination is not provided for consumer self-service operations for ready-to-eat foods (e.g., salsa)</li> <li>When raw meat, poultry, or eviscerated fish is offered for consumer self service</li> </ul>	
Cal Code Sec.	114063, 114065
Corrective Action	<ul style="list-style-type: none"> <li>If the inspector observes self-service food containers <u>without</u> service utensils, he or she must require that the operator provide them <b><u>immediately</u></b></li> <li>Any self-service food found to be contaminated by the inspector must be <b><u>immediately</u></b> discarded and the inspector must also mark #11 on the OIR</li> <li>The inspector must require that beverage dispensers are clean and sanitary and used in a manner that prevents contamination of the beverage dispensed</li> <li>The inspector must ensure that the operator knows that it is the PIC's responsibility to monitor self-service food dispensing operations</li> <li>If there is <u>no</u> PIC available during inspection, the inspector must also mark #39 and require that the operator provide a PIC</li> </ul>
<b>27. Food Properly Labeled &amp; Honestly Presented</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When bulk food containers are <u>not</u> labeled</li> <li>When food is offered for human consumption and is <u>not</u> honestly presented or is misleading (i.e fresh fish, poultry or meat is advertised, but the fish, poultry or meat was previously frozen; the quarter pounder burger did <u>not</u> weigh a ¼ of a pound prior to cooking; or when margarine is advertised as butter).</li> <li>When color (wraps, lights, etc) are used to misrepresent the food.</li> <li>When a "cottage food" is not identified as "Home Made".</li> <li></li> <li>When pre-packaged food does <u>not</u> have a label with the name of the food, list of ingredients in descending order, net weight of ingredients, name and address of manufacturer, packer or distributor, nutritional labeling (<u>unless</u> exempt in the Federal Food Drug and Cosmetic Act) or does <u>not</u> comply with the Food Allergen Labeling and Consumer Protection Act of 2004 (except bakery products sold to other food facilities or directly over the counter to consumers by the manufacturer or bakery distributor)</li> <li>When sold-by or use-by dates are concealed or altered</li> <li>When confectionary foods with more than ½% of alcohol do <u>not</u> identify the alcohol content on their label</li> <li>When a food facility stores or uses oil, shortening or margarine containing 0.5 grams or more of artificial trans fat per serving for preparation of any food</li> </ul>	
Cal Code Sec.	114063(b)(2), 114087, 114088, 114089, 114089.1 (a,b), 114090, 114093.1, 114094.5, 114377

<p><b>Corrective Action</b></p>	<ul style="list-style-type: none"> <li>• The inspector must require that the operator discontinue any practice that results in misrepresentation or in misleading the public about the food's condition or identity</li> <li>• The inspector must require that all bulk food and pre-packaged food is properly labeled</li> <li>• The inspector must require that any food whose origin, identity or ingredients is in question be impounded until the origin, identity or ingredients is determined</li> <li>• The inspector must require that all food facilities store or use oil, shortening or margarine that contains less than 0.5 grams of artificial trans fat per serving <ul style="list-style-type: none"> <li>○ The inspector must require that any fat, oil, shortening, margarine or food items containing 0.5grams or more per serving of trans fat be impounded or discarded</li> </ul> </li> <li>• The inspector must require that food products with expired sell-by or use-by dates be <b>immediately</b> discarded or allow the operator to return these food products to the distributor</li> <li>• The inspector must refer food other than dairy or baby food with expired sell-by or use-by dates to the Department of Public Health FDB for enforcement action</li> <li>• The inspector must refer all labeling violations related to food packaged by wholesale food facilities to the Department of Public Health FDB for follow-up</li> </ul>
<p><b>28. Toxic Substances/non-food items Properly Identified, Stored, Used</b> <span style="float: right;"><b>Mark 1 pt.</b></span></p> <p>✓ <b>Mark this violation out</b></p> <ul style="list-style-type: none"> <li>• When any pesticide is <u>not</u> used in accordance with the manufacturer's instructions</li> <li>• When any chemical (i.e. bleach, detergent, cleaner, toxic substances, medicine etc.) is stored in a manner that can cause adulteration or contamination of food, or food contact surfaces (utensils, equipment, packages etc.)</li> <li>• When insecticides and other poisonous substances are not stored in a separate cabinet or drawer</li> <li>• When nonfood items (e.g. spare tires, related automotive equipment, special tools) are not stored separate from the food preparation and food storage areas.</li> </ul> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• Storage of non-food-related items may be accessed from the exterior of mobile food facility. This violation for non-food items does not include cups, napkins, single service utensils or other food related material.</li> </ul>	
<p><b>Cal Code Sec.</b></p>	<p><b>114047, 114049, 114055, 114254, 114254.1, 114254.2, 114254.3, 114319(a), 114319(b)</b></p>
<p><b>Corrective Action</b></p>	<ul style="list-style-type: none"> <li>• The inspector must require that chemicals or pesticides stored in food or utensil-related areas be relocated to areas away from food and utensils</li> <li>• If an inspector observes the unsafe use of a pesticide or chemical that results in the contamination of food contact surfaces, the inspector must mark #12 and require the operator to immediately wash, rinse and sanitize all contaminated areas to completely remove the pesticide or chemical</li> <li>• If the inspector observes food contaminated by chemicals or pesticides, he or she must also mark #11 and require that all contaminated food be <b>immediately</b> discarded</li> <li>• The inspector must instruct the Person In Charge to relocate the non-food items immediately</li> <li>• Insecticides and poisonous substances should be relocated to an area where there is no danger of food contamination</li> </ul> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• If there has already been a risk of/observed food contamination, the inspector should mark #11 and/or 12 as a major violation</li> </ul>

## EQUIPMENT/UTENSILS/LINENS

### 29. Ware Washing Facilities: Installed, Maintained, Used; Test Strips

**Mark 1 pt.**

✓ **Mark this violation out**

- When the food facility prepares food and does not have a three-compartment sink with dual integral metal drain boards {Exception: Some vehicles may have limited grandfathering of a 2 compartment sink, section 114309.}
- When the sink compartments are too small to accommodate the largest utensil
- When alternative manual warewashing methods or equipment are used without ACDEH approval
- When the warewashing sink is used for hand washing. {Also mark #5 when the warewashing sink is used for hand washing.}
- When there is no testing equipment available to check sanitizer concentrations
- When employees don't monitor sanitizer concentrations while operating mechanical or manual utensil washing equipment
- When a thermometer is not provided to measure washing and sanitizing temperatures throughout the warewashing period

<b>Cal Code Sec.</b>	<b>114067(f,g), 114099, 114099.3, 114099.5, 114107, 114125, 114309, 114313</b>
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**Corrective Action**

- Inspectors must require all food facilities to provide NSF approved (or equivalent) 3-compartment sinks with compartments large enough to accommodate the largest utensil and two integral metal drain boards  
**Note:**
  - Inspectors should consult their managers for enforcement direction on existing facilities with space challenges
- The inspector must require that chemical testing equipment (e.g., chlorine, iodine, quaternary ammonium test strips) be provided for manual warewashing equipment sanitizers
- The inspector must require that warewashing sinks are not used for any other purpose (e.g., hand washing) unless the alternative use is approved by the ACDEH and adhered to
- The inspector must also mark #12 when food contact surfaces are not properly washed, rinsed and sanitized

### 30. Food Thermometers Provided and Accurate

**Mark 1 pt.**

✓ **Mark this violation out**

- When a readily visible thermometer is not provided in the **warmest** area of the refrigerator
- When hot and cold holding equipment is not equipped with a temperature measuring device or the temperature measuring device is not located to allow for reading the temperature display  
**Exception:**
  - Equipment that is designed in a manner where placement of a thermometer is not a practical method for measuring ambient temperature due to the equipment design (i.e. heat lamps, cold plates, bain maries, steam tables, insulated food transport containers, salad bars and calrod units) (Note: calrod is an electric heating element.)
- When thermometers are not readily readable or have increments greater than 2°F
- When a probe thermometer for measuring food is not readily available
- When a thermocouple or similar device used to measure thin masses of food is not provided to measure thin hamburgers, fish fillets etc.
- When thermometers are not accurate to plus or minus 2°F
- When glass thermometers are used unless they are candy thermometers encased in a shatter proof coating

<b>Cal Code Sec.</b>	<b>114157, 114159</b>
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**Corrective Action**

- If the inspector finds there are no thermometers on site and active food preparation (cooking, reheating, hot or cold holding) is taking place, the inspector must require that



	<p>the food facility obtain an adequate supply of probe thermometers <b><u>immediately</u></b></p> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>○ Proper reheating or cooking <b><u>cannot</u></b> be done <b><u>without</u></b> monitoring internal food temperatures</li> <li>• When the inspector observes foodhandlers cooking or reheating food without monitoring food temperatures with a thermometer, the inspector must also mark violations #7 #8, or #10.</li> <li>• The inspector must ensure that the manager/PIC understands the need to monitor food temperatures throughout food storage and preparation procedures in order to maintain safe food temperatures</li> <li>• The inspector should check the food facility's thermometers for accuracy and provide on-site thermometer calibration training when necessary</li> <li>• If thermometers are <b><u>not</u></b> washed, rinsed and sanitized between uses, the inspector must also mark #12 and require that the thermometer be washed, rinsed and sanitized prior to further use</li> <li>• If the inspector observes a foodhandler using an unwashed, unsanitized thermometer on food, he or she must require that the food be <b><u>immediately</u></b> discarded and also require that the thermometer be washed, rinsed and sanitized <b><u>immediately</u></b> and the inspector must also mark #11 and #12.</li> </ul>
<b>31. Compliance with water heater requirements</b> <span style="float: right;"><b>Mark 1pt.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>• When the food facility does not have a working water heater that has a minimum 3 gallon capacity (½ gallon for restricted food preparation) capable of heating water to a minimum of 120°F for warewashing and 100°F for handwashing sink. (After January 1, 2014 new units must have a minimum 4 gallon capacity. Section 114325(b).)</li> </ul>	
<b>Cal Code Sec.</b>	<b>114325</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• <b>The PIC must have the truck fitted with a working water heater</b></li> <li>• If the inspector observes that hot water is not available because there is no hot water heater or tank, then the inspector shall also mark violation #18 and the mobile food facility shall <b><u>immediately</u></b> close</li> <li>• If the inspector observes that the hot water is not adequate, then the inspector will require that a hot water heater or tank of sufficient capacity be installed</li> </ul>
<b>32. Equipment, utensil storage, seals and latches in good repair</b> <span style="float: right;"><b>Mark 1 pt.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>• When employee entrance doors for occupiable mobile food facilities are not self-closing or not kept closed.</li> <li>• When the mobile food facility and all equipment and utensils are not protected from potential contamination, and not kept clean, not in good repair and not free of vermin.</li> <li>• When refrigerator door latches, and seals are not self-latching and leaky as to prevent refrigeration unit from reaching the required temperature.</li> <li>• When refrigerator doors are not shutting properly, and constantly swinging open, posing a safety hazard.</li> <li>• When food, food contact surfaces, and utensils are not protected from contamination.</li> <li>•</li> <li>• When lip contact surfaces of utensils are <b><u>not</u></b> protected from contamination during handling, storage and display</li> <li>• When equipment and utensils are <b><u>not</u></b> stored in a manner to allow for air drying</li> <li>• When single-use utensils are <b><u>not</u></b> protected from contamination by storing them in their original protective packages or otherwise protected</li> <li>• When service utensils are <b><u>not</u></b> stored in a sanitary manner (i.e. handles of service utensils <b><u>not</u></b> stored above the food and container, utensils used for non-PHF are <b><u>not</u></b> stored with the handle up above the top of the</li> </ul>	



food, utensils for potentially hazardous food are <u>not</u> stored on a clean surface, in hot water at least 135°F or under cold running water) <ul style="list-style-type: none"> <li>When linens (clean or dirty) are stored inappropriately</li> </ul>	
<b>Cal Code Sec.</b>	<b>114119, 114178, 114185, 114185.2, 114185.4, 114303, 114175</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>If the inspector observes utensils handled on the lip contact portion, the inspector must require that the utensil be <b><u>immediately</u></b> removed from service and washed, rinsed and sanitized prior to distributing to other customers</li> <li>The operator can have their equipment repaired at any reputable Mobile Food Facility contractor</li> <li>The operator may choose to fix the latches themselves, to ensure they are adequately working.</li> <li>If an inspector observes utensils stored in unapproved areas, <u>not</u> properly stored to allow for air drying, or when service utensils are stored improperly (i.e. <u>not</u> stored in the food or in 135°F water or under cold running water), he or she must require that the utensil be washed, rinsed and sanitized prior to further use</li> </ul> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>If the improperly stored or dried utensils results in food contamination, the inspector must require that the food be <b><u>immediately</u></b> discarded and the inspector must also mark # 11</li> </ul> </li> <li>If an inspector observes single-use utensils <u>not</u> in their original package and exposed to contamination he or she must require that those single-use utensils be <b><u>immediately</u></b> discarded and the inspector must also mark #12</li> <li>The inspector must require that the operator provide adequate and approved storage for clean and soiled utensils, equipment, clean and soiled linen and single-use utensils</li> </ul>
<b>33. Wiping Cloths: Properly Used and Stored</b> <span style="float: right;"><b>Mark 1 pt.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When sponges are used on food contact surfaces</li> <li>When wiping cloths that are used for wiping food spills are used for another purpose</li> <li>When dry cloths used to clean food spills are used more than once</li> <li>When used cloths are <u>not</u> stored in a sanitizing solution</li> <li>When dry or wet cloths used to clean raw animal fluids are used for other purposes or <u>not</u> kept separate from cloths used for another purpose or <u>not</u> kept in a separate sanitizing solution</li> <li>When sanitizing solutions are <u>not</u> changed as often as necessary to remove food debris and visible soil</li> <li>When containers of sanitizing solution are <u>not</u> used or stored in a manner to prevent contamination of food, equipment, utensils, linen or single-use utensils</li> </ul>	
<b>Cal Code Sec.</b>	<b>114135, 114185.1, 114185.3 (d-e)</b>

<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>When inspectors observe employees using soiled wet or dry cloths or sponges to clean food contact surfaces, they must require that the food contact surface be <b><u>immediately</u></b> washed, rinsed and sanitized using a clean sanitized cloth and the inspector must also mark #12</li> <li>The inspector must require that soiled dry wiping cloths used to clean up spills be washed, rinsed and sanitized after each use</li> <li>The inspector must require that soiled, properly stored wet wiping cloths be washed, rinsed and sanitized every four hours</li> <li>The inspector must require that improperly stored wet wiping cloths be washed, rinsed and sanitized prior to re-use</li> <li>The inspector must require that any sponges found at the food facility be <b><u>immediately</u></b> discarded</li> <li>The inspector must require that the wiping cloth sanitizing solution be changed every four hours or more frequently when necessary</li> <li>The inspector must ensure that the manager/PIC understands the relationship between ineffective sanitizing solutions for food contact surfaces and food contamination</li> <li>When an inspector observes the contamination of food by soiled wiping cloths, he or she must also mark #11 and the inspector must require that the food be <b><u>immediately</u></b> discarded</li> </ul>
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## SIGNAGE & SUPERVISION REQUIREMENTS

<b>34. Food Safety Signs posted; last Inspection Report available</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When a copy of the most recent inspection report is <u>not</u> maintained at the food facility and available upon request</li> <li>When a copy of the public advisory notice informing customers that a copy of the most recent inspection report is available for review upon request is <u>not</u> posted or <u>not</u> visible to customers</li> <li>When food safety certificates are <u>not</u> posted</li> <li>When hand wash signs are <u>not</u> posted at hand wash sinks</li> <li>When a <u>no</u> smoking sign is <u>not</u> posted in food prep, food storage and warewashing areas</li> <li>When the permit to operate is <u>not</u> posted</li> <li>When the colored placard is <u>not</u> posted.</li> </ul>	
<b>Cal Code Sec.</b>	<b>113725.1, 113953.5, 113978, 114381(e)</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>When an inspector does <u>not</u> observe a sign required to be posted, he or she must require that the operator acquire the sign and post it promptly and prominently in the required area and maintain it at all times</li> </ul>
<b>35. Permanent and proper signage on outside of facility</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When the business name or the name of the operator, city, state, and ZIP code, and the name of the permittee if different from the business name is not clearly visible on both sides of the mobile food facility.</li> <li>When business or operator name is not at least 3 inches high and address is not at least one inch high.</li> <li>When sign is not in contrasting color with the background.</li> <li>When, for a motorized vehicle and a mobile support unit, the sign is not present on both sides of vehicle.</li> </ul> <b>Notes:</b> <ul style="list-style-type: none"> <li>The name on the vehicle should enable the consumer to identify and locate the business</li> </ul>	

<ul style="list-style-type: none"> <li>Any appropriate, cleanable, material for the sign may be utilized as long as the identification is clear and of appropriate size.</li> <li>Any font or lettering style may be used as long as identification is legible.</li> <li>Lettering can be larger than the minimum.</li> <li>Any color may be used as long as it is contrasting with the color of the background so as to be easily read.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114299</b>
<b>Corrective Action</b>	Give information to owner/PIC that explains how to place the proper signage on the outside of the vehicle in the manner described above.
<b>36. Person In Charge &amp; Performance Duties</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When the person in charge (PIC) is <u>not</u> on the premises, or available by phone during hours of operation, and no one at the facility has been designated as the PIC. (There must be a PIC present.)  <b>Note:</b> <ul style="list-style-type: none"> <li>At least one person working on the MFF must have a Food Handler card.</li> </ul> </li> <li>When the PIC <u>doesn't</u> monitor the food displays</li> <li>When the PIC fails to report to the ACDEH when he/she is aware of an employee with a diagnosed illness or when he/she is aware of two or more employees concurrently experiencing gastrointestinal symptoms</li> <li>When the PIC fails to restrict ill employees with undiagnosed gastrointestinal illnesses from food, equipment and utensil related operations until the employee's gastrointestinal symptoms are gone</li> <li>When the PIC fails to exclude employees with diagnosed gastrointestinal illnesses from the food facility</li> <li>When the PIC is aware of a food handling employee with an exposed wound that is <u>not</u> properly covered (i.e. bandaged and covered with a glove)</li> </ul>	
<b>Cal Code Sec.</b>	<b>113945, 113945.1, 113950(b), 113984.1, 114075</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The inspector must instruct the operator to ensure that the PIC be present or available to contact at all hours of the operation</li> <li>Any food that the inspector finds to be contaminated by customers must be <b>immediately</b> discarded and the inspector must also mark #11</li> <li>If the PIC fails to restrict food handling employees with gastrointestinal illnesses or fails to exclude food handling employees with diagnosed gastrointestinal illnesses from the food facility, the inspector must require that the food handling employee be restricted or excluded and the inspector must also mark #2</li> </ul>

## PHYSICAL FACILITIES

**37. Approved & adequate ventilation and lighting; covers, shields****Mark 1 pt.****✓ Mark this violation out**

- When mechanical exhaust equipment is not provided over all cooking equipment to effectively remove smoke, odors, heat, grease, vapors and steam

**Exceptions:**

- Equipment submitted to the ACDEH and found not to produce grease, smoke, odors, toxic gases, vapors or heat
- When HVACS are designed or installed in a manner where intake or exhaust vents cause contamination to food, equipment, or utensils or cause air currents that make it difficult to maintain PHF temperatures
- When mechanical exhaust ventilation equipment is not installed or maintained in accordance with the uniform mechanical code except for units subject to part 2 , beginning with section 18000 of division 13 of the Uniform Mechanical Code

**Note:**

- Local enforcement agencies can exempt cooking equipment from mechanical exhaust requirements when appropriate
- Exhaust hoods must be constructed with tight seams, sufficient clean-outs to clean ducts, and properly sloped ducts
- Exhaust hoods must be maintained to ensure that filters are changed and intake and exhaust air ducts/shafts are cleaned as often as necessary to avoid becoming a source of contamination and a fire hazard
- When sufficient lighting is not provided where food is prepared, manufactured, processed or prepackaged or where utensils and equipment are cleaned:
- When light bulbs are not shielded, coated, or shatter proof in areas where there is open food, clean equipment, utensils, and linen or unwrapped single-use-utensils

**Exceptions:**

- shielded, coated, or shatter proof bulbs are not required in areas where only prepackaged food is stored

**Cal Code Sec.****114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1, 114323(c)****Corrective Action**

- If the inspector observes insufficient ventilation he or she must require that the operator provide adequate ventilation
- The inspector should require that all light bulbs in areas with open food, and utensils be shielded, coated, or unbreakable
- If the inspector observes a broken bulb, he or she must require that all open food beneath the shattered bulb be **immediately** discarded and all food contact surfaces be carefully cleaned to remove all glass and the inspector must also mark #'s 11 and 12.

**38. Pass-thru windows & ceiling vent screens****Mark 1 pt.****✓ Mark this violation out**

- When pass-through window openings are larger than 216 square inches
- When there is larger than 16 mesh per sq inch screen covering the pass through windows
- When the windows are not either solid or not screened
- When there is no self-closing device on the windows
- When the ceiling vent screens are missing or may allow the passage of contaminants such as falling leaves, insects, birds, vermin, etc.

**CalCode Sec.****114259, 114259.2****Corrective Action**

Screens and windows must be fixed or replaced to prevent entrance of outside contaminants and vermin

**39. Hand washing sinks, Ware washing sinks****Mark 1 pt.****✓ Mark this violation out**

- When the mobile food facility sells nonprepackaged food and there is no adequate handwashing sink. If this violation is marked, inspector must also mark #5 and #6 on the OIR.
- When the provided handwashing sink is not at least 9" by 9" and 5" deep and easily accessible to employees.
- When the handwashing sink is not separated from the warewashing sink by a metal splashguard of adequate size and construction, unless the handwashing sink is separated from the warewashing sink by at least 24".
- When the mobile food facility is unenclosed and the sinks are not an integral part of the primary unit or on an auxiliary unit.
- If the sinks in an immediately adjacent auxiliary conveyance do not contain all the utility connections for water (fresh, hot/cold, and waste).
- When the mobile food facility cooks, blends or otherwise prepares nonprepackaged food and there is no 3-compartment warewashing sink with two integral drain boards available. If this violation is marked, inspector must also mark #11 and #12 on the OIR.
- When no warewashing sink is required on an unenclosed facility, and equipment and utensils are not washed and sanitized daily at the approved commissary or food facility, or an adequate supply of spare clean utensils is not provided.
- When the compartments of the sink are not at least 12 inches wide, 12 inches long and 10 inches deep or 10 x 14 x 10.
- When the drain boards are not at least the size of one of the sink compartments, are not installed with at least a 1/8 inch per foot slope toward the sink compartment, or are not constructed with a minimum one-half inch lip or rim to prevent spillage.

**Notes:**

- If a mobile food facility has been permitted prior to January 1, 2007, modifications to the mobile food facility are not required so long as the facility is operated in accordance with the conditions of approval. It may be necessary for the operator to maintain this documentation.
- Auxiliary conveyances, if used, must be operated immediately adjacent to the primary unit of the mobile food facility.
- Sufficient utensils shall be available if no warewash sink is provided. The utensils will be washed and sanitized at a commissary. Soiled utensils shall be stored in a manner to prevent contamination of clean utensils and other food, and food related equipment.

<b>Cal Code Sec.</b>	<b>114311, 114313, 114314</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"><li>• Inspector must require the Mobile Food Facility have an adequate sized handwashing sink and warewashing sink</li><li>• If the food facility was permitted after January 1, 2007, the operator must upgrade a two-compartment warewashing sink to a three-compartment warewashing sink.</li></ul>

**40. Potable water and waste tanks installed, gate valves adequate, proper use****Mark 1 pt.****✓ Mark this violation out**

- When the facility is using potable water hoses for other purposes
- When, for nonpermanent food facilities that handle nonprepackaged foods, there is no potable water and/or no wastewater tank and there are no temporary water and wastewater connections.
- When materials used for the tanks are not safe, durable, corrosion-resistant, nonabsorbent and finished to have a smooth, easily cleanable surface.
- When tanks are not sloped to an outlet that allows complete drainage of the tank.
- When the system is not designed and constructed to preclude contamination of the contents or of any food, food-contact surface or equipment.
- When tanks are not safe, durable, corrosion-resistant, non-absorbent, or are not equipped with adequate air vent overflow.
- When potable water hoses or water lines show pitting, chipping, crazing, scratching, scoring, distortion and decomposition and are not protected from contamination at all times.
- When hoses are not clearly identified as to use and are not of different colors for different uses
- When connecting devices do not match.
- When tanks are not of sufficient capacity.
- When potable water tank is not enclosed.
- When tank lacks an access port for inspection and cleaning or an approved written procedure for cleaning and sanitizing.
- When outlets are not equipped with proper inlet and outlet connections
- When air compressor lacks adequate filter.
- When not in use, inlet and outlet fittings do not have protective covers.
- When wastewater tank does not hold 50% more than the potable water tank.
- When water tank, pump and hoses are not flushed after construction, repair, modification or periods of nonuse.
- When back flow during use is not prevented.
- When wastewater tanks are not equipped with a shut-off valve.
- When tanks are not adequately serviced including removal, draining, and/or flushing.

**Cal Code Sec.****114205, 114207, 114209, 114211, 114213, 114215, 114217, 114219, 114221, 114223, 114225, 114227, 114229, 114231, 114233, 114235, 114238, 114239, 114240, 114241, 114242****Corrective Action**

- If the inspector identifies that potable water and/or waste water tanks are not adequate, then the inspector shall also mark violations #6, #18, #19, and/or #12 and the mobile food facility shall **immediately** close and correct the problem

**41. Equipment Construction Requirements/Utensils ANSI approved****Mark 1pt.****✓ Mark this violation out**

- When equipment and utensils are not constructed to be durable, intact and functional under normal use
- When new and replacement equipment are not certified or classified for sanitation by an ANSI accredited certification program or approved by the ACDEH (when no standard exists)
- When new and replacement electrical appliances do not meet UL standards
- When unstable, or unapproved surfaces are used for equipment, utensils (including single-use-utensils), and food contact surfaces that allow for the transfer of harmful substances, odors, colors or tastes to food (i.e. low fired ceramic ware, galvanized metal containers, copper or copper alloys) etc. are used in contact with food with a pH lower than 6.0 ( i.e. vinegar, juice, wine)
- When multi-use utensils are not smooth, not free of cracks/breaks/chips/open seams, not free of sharp internal edges/angles/corners, do not have smooth welds/seams, are not easily disassembled when disassembly is necessary for accessibility during cleaning or cannot be disassembled without the use of



tools

**Exception:**

- Utensils that can be easily disassembled by the use of easily available hand tools are allowed
- When nonfood contact surfaces exposed to splash, spillage or other food soiling are not made of rust resistant, nonabsorbent, and smooth easily cleanable material free of sharp edges, crevices and projections

When equipment is installed with "V" type threads, fixed equipment is not readily movable for cleaning,

- table top equipment is not sealed to the table or mounted on 4" legs
- When utensils and equipment are not kept clean, fully operative and in good repair
- When equipment surfaces are damaged and no longer cleanable
- When the number of equipment needed for cooking, re-heating, or holding hot and cold food is not sufficient to maintain proper food temperatures during preparation, holding and transporting the food
- When electrical power is not supplied at all times
- When Food equipment is not smooth, readily accessible and easily cleanable.
- When there are unfinished wood surfaces present.
- When construction joints and seams are not tight and/or sealed against entrance of liquids, waste, or vermin.
- When nonportable equipment is not an integral part of the primary unit.
- When, for mobile food facilities that handle potentially hazardous foods, there is no refrigeration unit as defined in Section 113885.

**Exception**

- If mobile food facility handles prepackaged frozen ready-to-eat foods, whole live fish and whole live aquatic invertebrates, a refrigeration unit is not required.
- When all new and replacement gas or electrical appliances do not conform to applicable standards.
- When space around pipes, conduits or hoses is not sealed, smooth, and cleanable.
- When drip trays are not provided where appropriate.
- When all equipment is not installed so as to be easily cleanable, prevent vermin harborage and provide adequate access for service and maintenance.
- When floors, walls and ceilings are not constructed so as to be impervious, smooth and easily cleanable. The floor wall juncture is not coved with minimum 3/8" radius cove. The floor does not extend up the wall at least 4".
- When mechanical exhaust ventilation equipment is not provided over all cooking equipment as required in Section 114149.1(a)-(d)

**Notes:**

- Wood may be present but must be finished so as to be non-absorbent and easily cleanable. Depending on location and use this may mean all exposed surfaces must be finished.
- For the frozen ready-to-eat foods, whole fish and whole aquatic invertebrate exception, ice or other means may be used to maintain proper temperature.

Drip trays are only necessary where moderate quantities of liquid spillage are possible. They should not be required where minimal spillage can easily be wiped up and would not flow to other areas prior to clean-up (e.g. air pots are activated by a proactive mechanism and would not flow if not pumped. Spillage would be limited and should be cleaned up immediately. Drips would probably evaporate before they flow elsewhere. There is no requirement for drip tray covers.

<b>Cal Code Sec.</b>	<b>114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114167, 114169, 114177, 114182, 114301</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"><li>• All equipment needs to be ANSI/NSF approved.</li><li>• The inspector must require that all unapproved equipment be replaced with equipment certified by an ANSI accredited certification program</li></ul>

	<ul style="list-style-type: none"> <li>• If electrical appliances are observed that don't meet UL standards, the inspector must require that they are replaced by UL certified equipment</li> <li>• The inspector must require that non-food contact surfaces exposed to splashing or food spillage are made of rust resistant, nonabsorbent easily cleanable surfaces</li> <li>• The inspector must require that all food contact surfaces are made of approved materials and all unapproved food contact surfaces are removed from the food facility</li> <li>• When copper is used as a food contact surface for foods with a pH lower than 6.0, the inspector must require that the food be <b>immediately</b> discarded and mark #11 and the inspector must require that the unapproved use of the copper utensil or equipment is <b>immediately</b> discontinued</li> <li>• The inspector must require that operators maintain their equipment clean, operational and in good repair</li> <li>• If no active refrigeration is provided via plug-in or generator, then mark #21 and 22</li> <li>• The inspector must require the replacement of all equipment with damaged and uncleanable surfaces and equipment made of unapproved surface materials</li> </ul>
<b>42. Proper, unobstructed height and width of occupied areas</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>• When the height in aisle way is not a minimum of 74 inches unobstructed floor to ceiling and aisle way is not 30 inches unobstructed horizontal space.</li> </ul> <b>Notes:</b> <ul style="list-style-type: none"> <li>• This section applies only to mobile food facilities that are occupied during normal operations.</li> <li>• This section should be evaluated during the permitting process through plan check and/or initial structural inspection.</li> <li>• Mobile food facilities that are certified by the Department of Housing and Community Development should meet these requirements.</li> <li>• Facilities in operation prior to January 1, 1996 that do not meet this requirement are not required to be modified.</li> </ul>	
<b>CalCode Sec.</b>	<b>114321</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• The inspector must require that the MFF be modified in order to fulfill the above requirements.</li> <li>• If there is non-permanent equipment in use that obstructs the aisle way, it must be removed immediately.</li> </ul>
<b>43. Location and operation of compressors</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>• When compressors that are not an integral part of food equipment are not in an enclosure completely separated from food preparation and food storage.</li> </ul> <b>Note:</b> <ul style="list-style-type: none"> <li>• Storage compartments for compressors may be accessed from exterior of mobile food facility.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114322</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• Inspector must require that any compressors located in the same area in which food preparation occurs must be removed, and</li> <li>• Compressor must be installed in a compartment accessible from the outside of the MFF.</li> </ul>
<b>44. Required Mechanical Ventilation System Provided, fire suppression system</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>• When there is no mechanical exhaust equipment or fire suppression system installed</li> <li>• When the exhaust equipment or fire suppression is not installed over <i>all</i> cooking equipment</li> <li>• When the installed mechanical exhaust equipment does not adequately remove cooking odors, smoke steam, grease heat and vapors</li> <li>• If the installed mechanical exhaust equipment is not in accordance with the California Mechanical Code</li> </ul>	
<b>Cal Code Sec.</b>	<b>114149.1(a)</b>



<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>Inspector must advise the vendor that they need to have a functioning and approved mechanical ventilation system installed on their MFF</li> </ul>
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## GENERAL MFF REQUIREMENTS

<b>45. Compliance with Commissary/Commercial Kitchen requirements</b> <span style="float: right;"><b>Mark 1 pt.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When the mobile food facility fails to operate out of a commissary or in conjunction with a mobile support unit.  Note: An occupied MFF cannot operate in conjunction with a mobile support unit, section 114295(e).</li> <li>When the mobile food facility is not stored in a location approved by the enforcement agency.</li> <li>When a mobile support unit is not operated out of a commissary.</li> <li>When the mobile food facility is not using their approved commercial kitchen [to prepare, cook, cool and store potentially hazardous foods] as required during the permitting process.</li> </ul> <b>Notes:</b> <ul style="list-style-type: none"> <li>All mobile food facilities must provide a signed agreement from the commissary indicating that the mobile food facility or its mobile support unit is using the commissary or use is otherwise confirmed by the enforcement agency during the annual permit inspection</li> <li>Mobile food facilities operating at community events need to provide alternative means to restock and clean their facilities during the community event.</li> </ul> <b>Exception:</b> This section does not apply to mobile food facilities that operate at community events as defined in Section 113755 and that remain in a fixed position during food preparation and its hours of operation.	
<b>Cal Code Sec.</b>	<b>114295, 114326, 114327</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>Inspector should inform the PIC that in order to obtain a permit to operate, they must provide a commissary agreement signed by approved personnel for a facility approved by Alameda County Environmental Health.</li> </ul>
<b>46. Cleaning and servicing; SOP's on file for unenclosed MFFs</b> <span style="float: right;"><b>Mark 1 pt.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When mobile food facility is not cleaned and serviced daily.</li> </ul> <b>Notes:</b> <ul style="list-style-type: none"> <li>If a mobile food facility is in the field and it appears not to have been cleaned daily, it must return to its commissary for cleaning and servicing.</li> <li>Servicing includes removing food and other food related items that may not be adequately protected on the mobile food facility</li> <li>When, for unenclosed mobile food facilities handling non-prepackaged food, there is not available on the mobile food facility an approved written operational procedure for food handling and the cleaning and sanitizing of food contact surfaces and utensils.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114297(a), 114297(d), 114303(d)</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>Inspector must convey the importance of daily cleaning and servicing at an approved commissary in order to: keep food handling practices safe, decrease pollution into storm water collection drains, and allow for daily maintenance and upkeep of equipment</li> <li>If the food facility is found in a highly unsanitary condition, the vehicle must return to the commissary to be thoroughly cleaned and serviced before resuming operation.</li> </ul>
<b>47. Restroom facilities within 200 ft (if stopped for &gt; than 1 hr)</b> <span style="float: right;"><b>Mark 1 pt.</b></span>	
<b>✓ Mark this violation out.</b>	

<ul style="list-style-type: none"> <li>When a mobile food facility is stopped in one location for more than one hour and is not within 200 feet of an approved, readily available, toilet with adequately supplied handwashing facility.</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>Mobile food facilities operating at a fixed location in conjunction with a community event should be within 200 feet of facilities as arranged by the event organizer.</li> <li>Readily available implies that employees of the mobile food facility have access to the toilet and handwashing facilities any time the mobile food facility is operating at the site.</li> <li>If the restroom facilities are not under the ownership of the mobile food facility owner/operator, then a letter of agreement of use or other documentation may be required.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114315(a)</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>A restroom with hot water, soap and paper towels must be available for use within 200 ft of the stationary (for more than 1 hour) MFF</li> <li>If there is no available restroom within 200 ft in a fixed facility, the vendor must move their operation closer to a restroom or provide a portable toilet with hand sink.</li> </ul>
<b>48. Exterior and surrounding area sanitary</b> <span style="float: right;"><b>Mark 1 pt.</b></span> <p>✓ <b>Mark this violation out</b></p> <ul style="list-style-type: none"> <li>When the exterior of a mobile food facility or the area around the mobile food facility is not maintained in a sanitary condition.</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>Exteriors of mobile food facilities must be cleaned as needed.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114317</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>Truck operators must take necessary measures to ensure the cleanliness of the area surrounding the MFF; provide trash can(s), sweeping the area for litter, etc.</li> </ul>
<b>49. Compliance with safety requirements</b> <p>✓ <b>Mark this violation out</b></p> <ul style="list-style-type: none"> <li>When no first aid kit is available. First aid kit is not easily accessible. First aid supplies are missing or not in an enclosed case.</li> <li>For mobile food facilities that operate in more than one location during the day, food equipment and utensils are not stored so as to prevent movement, spillage, or breakage in the event of a sudden stop, collision or overturn.</li> <li>When there is no easily accessible and properly charged fire extinguisher available.</li> <li>When there is no properly labeled, appropriately sized and readily accessible, second exit from an occupiable mobile food facility.</li> <li>When insulation is lacking from gas fired appliances.</li> <li>When steam table and/or fryer latches are missing or not operational.</li> </ul> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>First aid kit should be stocked with sufficient supplies (e.g., bandaids, burn cream or aloe, antibiotic ointment).</li> <li>Drawers, doors and covers should be equipped with latches so that they do not open during transit.</li> <li>Fire extinguisher may not be needed on mobile food facilities without open flames or heat sources.</li> <li>Insulation for gas fired appliances should provide protection to operator from hot surfaces</li> <li>Except for units subject to Part 2 (commencing with Section 18000) of Division 13, a second means of exit shall be provided in the side opposite the main exit door, or in the roof, or the rear of the unit, with an unobstructed passage of at least 61 centimeters by 91 centimeters (24 inches by 36 inches). The interior latching mechanism shall be operable by hand without special tools or key. The exit shall be labeled "Safety Exit" in contrasting colors with at least 2.5- centimeters (one-inch) high letters.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114323(a), 114323(b), 114323(e), 114323(f), 114323(g)</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The PIC must obtain a first aid kit, fire extinguisher</li> <li>The PIC must install or repair a secure latching fryer lid, and/or a latching steam table</li> </ul>

	cover as needed. <ul style="list-style-type: none"> <li>If there is no emergency exit, the vendor must install an ANSUL system for fire suppression or modify the unit to install a secondary exit.</li> </ul>
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## Compliance & Enforcement (#51-55)

<b>50. Compliance With Plan Review Requirements</b> <span style="float: right;"><b>Mark 1 pt.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When complete plans are not submitted to the ACDEH prior to new construction or remodel of a mobile food facility or when a new construction or remodel of an existing mobile food facility is started without approval from the ACDEH</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>A change in menu may require plan submission when the menu change results in the need to expand food storage areas. When a pre-packaged only food facility or a limited food preparation food facility expands to include food preparation and or cooking operations, structural and sanitation requirements are based on the food service activity to be conducted, the type of food to be prepared and served, and the extent of food preparation.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114380</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>If an inspector observes a mobile food facility under construction and the Inspector confirms that the food facility did <u>not</u> submit plans <u>nor</u> receive the approval from the ACDEH, the inspector must issue a written order to <b><u>immediately</u></b> cease and desist construction until plans are submitted and approval from the ACDEH is received</li> <li><b>If</b> an Inspector observes cooking or food preparation in a mobile food facility that is <u>not</u> approved for those activities, he or she must issue a written order to the operator to cease and desist from those activities <b><u>immediately</u></b> and to submit plans for the proposed operation</li> </ul>
<b>51. Certification from Housing &amp; Community Development Ph: 916-255-2501</b> <span style="float: right;"><b>Mark 2 pts.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>If the mobile food facility is occupiable, has a gas appliance, electrical system or plumbing system and has not been certified by the Department of Housing and Community Development (HCD) or otherwise approved by the enforcement agency.</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>Certification by the Department of Housing and Community Development only applies to occupiable custom coaches. The certification includes gas fixtures, electrical and other structural items.</li> <li>Certification, when required, is a prerequisite of permitting.</li> </ul>	
<b>Cal Code Sec.</b>	<b>114294(c)</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>The operator of a newly constructed, change in ownership, or recently modified mobile food facility must obtain an HCD inspection and approval before a health permit may be issued.</li> </ul>
<b>52. Facility Operating With Valid Permit*/Placard Posted</b> <span style="float: right;"><b>Mark 4pts./2pts.</b></span>	
<b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>When a mobile food facility is open for business <u>without</u> a valid permit</li> <li><b>When a mobile facility does not have a placard posted which has been issued to it.</b></li> </ul> <p><b>Note:</b> Though inspectors are allowed entry to licensed food facilities during hours of operation for the purpose of inspection, a food facility employee may refuse entry if the inspector <u>fails</u> to produce a ACDEH picture ID or a business card and a California Driver's License</p>	
<b>Cal Code Sec.</b>	<b>114381(a), 114387, 114390(c)</b>
<b>Corrective Action</b>	The inspector must issue an order for closure (and notify his or her manager) to facilities operating <u>without</u> a valid permit.

<b>53. Food Impoundment or VCD</b> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>• When food is out of temperature</li> <li>• When food has been cross-contaminated</li> <li>• When utensils have been contaminated</li> </ul>	
<b>Cal Code Sec.</b>	<b>114393</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• The inspector (after obtaining the concurrence of the operator) should gather and denature the food with bleach in heavy duty garbage bags, keeping track of what type and quantity of item(s) that have been impounded or voluntarily destroyed.</li> </ul>
<b>54. Permit Suspension/Require Closure</b> <b>✓ Mark this violation out</b> <ul style="list-style-type: none"> <li>• When there is an imminent health hazard found, and the MFF should not continue the sale of food to the public</li> </ul>	
<b>Cal Code Sec.</b>	<b>114405, 114409</b>
<b>Corrective Action</b>	<ul style="list-style-type: none"> <li>• Operator must correct any and all violations noted in the inspection report that resulted in closure.</li> <li>• The vendor is entitled to request a hearing within 15 days of permit suspension to show cause as to why they should be allowed to operate. The vendor is <b>not to operate while they have a suspended permit and until permit suspension has been cleared by ACDEH.</b></li> </ul>

## Self-Inspection Checklist

Today's Date: \_\_\_\_\_

Please use this checklist to ensure that your business is ready before leaving your Commissary/Commercial Kitchen and before serving food. If used daily, this checklist can help you and your employees form habits of safe food handling which can protect your customers from food-borne illness.

**Please initial write the initials for the person responsible for each item. Check box when completed.**

**All items below are required by the Alameda County Department of Environmental Health (ACEH)**

- \_\_\_\_\_ ☐ Vehicle has a valid Alameda County Environmental Health Permit to operate.
- \_\_\_\_\_ ☐ Fresh water tank is full and water heater is working.
- \_\_\_\_\_ ☐ Hot running water with a minimum temperature of 120°F available at 3-compartment sink
- \_\_\_\_\_ ☐ Approved sanitizing solution (such as bleach) and test kit (test strips) are available for washing utensils & equipment.
- \_\_\_\_\_ ☐ Wiping cloth sanitizing buckets and supply of clean wiping cloths are on hand.
- \_\_\_\_\_ ☐ Hand wash sink is supplied with a minimum temperature of 100°F.
- \_\_\_\_\_ ☐ Hand wash sink and utensil sink are unobstructed and accessible and ready-to-use
- \_\_\_\_\_ ☐ No food is being stored in the hand sink or utensil sink.
- \_\_\_\_\_ ☐ Liquid hand soap and paper towels are available at the hand wash sink.
- \_\_\_\_\_ ☐ MFF has an adequate supply of disposable, non-latex gloves for use when handling RTE foods
- \_\_\_\_\_ ☐ All food is obtained, stored & prepared at an approved facility. No food stored at home.
- \_\_\_\_\_ ☐ Gate valves are working and closed – no liquid waste is draining onto the ground.
- \_\_\_\_\_ ☐ Generator fuel tank (if applicable) is filled to capacity
- \_\_\_\_\_ ☐ Generator is **working** and **turned on** before leaving the commissary
- \_\_\_\_\_ ☐ Refrigeration is functional to maintain potentially hazardous foods at 41°F (air temp at least 38°F)
- \_\_\_\_\_ ☐ Potentially hazardous foods are maintained at 41°F or below or 135°F or above.
- \_\_\_\_\_ ☐ Facility free of vermin.
- \_\_\_\_\_ ☐ Employees with cuts, sores, or rashes on the hands are removed from duty or are wearing gloves. The Person in Charge (PIC) has reported to ACEH if any food employee is diagnosed with a reportable illness (Salmonella, Hepatitis A, E. coli, Shigella, Norovirus, or Entamoeba histolitica) or if the PIC has knowledge that two or more employees are experiencing symptoms of an acute gastrointestinal illness.
- \_\_\_\_\_ ☐ Approved toilet with toilet paper and hand washing facilities with warm (min 100°F) water, single service soap & paper towels in dispenser are available within 200 ft, if vehicle operates at a location for longer than one hour.
- \_\_\_\_\_ ☐ Provide proof of approved commissary usage (Commissary Agreement is on file with ACEH)
- \_\_\_\_\_ ☐ Original food safety certification of employee in charge of food safety management and training is on the vehicle.
- \_\_\_\_\_ ☐ Food items are stored in NSF approved containers, such as hotel pans or plastic food service containers with tight fitting lids; **NOT** in plastic grocery bags
- \_\_\_\_\_ ☐ Alameda County Department of Environmental Health Placard is Posted

## Departmental Policies

The Environmental Protection Division has policies and procedures that are in conformance with California State law or local ordinance and are used to protect the public's health and safety. These policies ensure that we perform our job in a consistent and fair manner. The following information is provided to help the food operator understand the most common policies and procedures that may apply to a food facility.

### Fees

#### Annual Health Permit Fee

The annual health permit is effective for one year from the issue date. You will be invoiced two months prior to the permit expiration date. The fee must be paid timely to maintain the status of your health permit and to avoid penalties. Facilities operating without valid permits will be closed and cited appropriately.

For new facilities or for a change in ownership, payment of fees is required at the time the application for a health permit is submitted.

The health permit fee has been established to recover the costs of conducting routine inspections and other food program related activities.

#### Service Fee

A service fee, at the current amount established in ordinance, will be assessed to the owner/operator of a facility for the time accrued by staff when:

1. A re-inspection or rescore inspection is conducted to ensure compliance has been achieved.
2. An administrative hearing is held.
3. Other enforcement actions are necessary.

#### Rescore Inspection Fee

A rescore inspection fee is based on the current hourly rate must be paid when a request for a rescore inspection is made. The fee is to recover the costs of conducting the inspection, any additional enforcement activities and an unannounced inspection within 90 days from the last routine inspection.

### Placarding Compliance Requirements for Mobile Food Facilities

#### Posting

1. Placards will be posted within five inches (5") or as close as possible to the customer service window (as opposed to the pick-up window) of the mobile food facility.
2. The Placards will be posted on the inside surface of the glass window nearest the customer service window as the first posting option by using little squares of two-sided tape for Green Placards and tamper-resistant tape for Red and Yellow Placards.
3. If no space is available for the Placard, signs and menus *must* be removed in order to find space to post the Placard as described above.
4. **The Placard issued by Alameda County Environmental Health must not be removed under any circumstances, including, but not limited to: working in another County, space concerns for menu items, etc.**

## **Green, Yellow , Red Placards**

The Placard, which is posted by the health inspector after an operational inspection, is based on the inspection score on the OIR. The Placard must be posted in an area that is clearly visible to patrons of the food facility and the general public. The Placard must remain posted while operating in Alameda County until the next routine inspection, when the inspector will post a new Placard.

### **Conditional Pass (Yellow Placard)**

A Conditional Pass Placard will be posted on the mobile food facility by the health inspector when the facility:

1. Has demonstrated a lack of food-safety practices when handling food
2. Has received a inspection total score between 75-79

### ***Reopening after receiving a Yellow Placard (Conditional Pass: Score between 75 – 79 points)***

After a Conditional Pass (Yellow Placard) inspection result, depending on the violations that caused the Yellow Placard to be earned, you may have to have an appointment at our office to go over your Standard Operating Procedures (SOPs). The SOPs outline how you will adjust your business operation to avoid the violations that were observed during your inspection in the future.

After your appointment, and after the violations indicated on the OIR have been fixed, we will preform a rescore inspection without notice (subject to an hourly fee) when you are operating in the field. This re-inspection will be conducted within 3 weeks of the initial Yellow Placarding. During this 3 week time period, the operator can continue operation, but must operate with the Yellow Placard in view.

This re-inspection does not guarantee you will earn an up graded Placard.

### **Notice of Closure (Red Placard)**

A Notice of Closure Placard is posted by the health inspector when the facility receives either:

1. A score of 74.0 or less after a routine inspection by an REHS;
- OR
2. An imminent health threat exists that requires an REHS to close the facility to protect the public health and safety.

The Notice of Closure must be posted in an area that is clearly visible to patrons of the food facility and the public. The sign may only be removed by an REHS.

### ***Reopening after receiving a Red Placard (Fail/Closed: Score of 74.0 or less)***

After a Red Placard result, your facility must close immediately, and remained closed until an REHS has performed a re-inspection to re-open your facility.

- You must report back to your commissary, and cease operation until you come in for an appointment at the ACEH office to review your Standard Operating Procedures (SOPs).
- Once an inspector has determined your SOPs are satisfactory in protecting consumers against a foodborne illness, you will have a re-inspection at our office.
- You will not be eligible to earn a Green Placard with this inspection.
- If your facility is satisfactory enough to resume operation, you will earn a Yellow Placard.
- **See “Reopening after receiving a Yellow Placard” above for the next steps**

The PIC must also report to our office for a “Food Truck Food-Safety 101” class, to be held at least once per month. This class will help the operator understand why ACEH must close food facilities that are not following the correct protocol for handling food safely. The PIC and staff must complete the class within 1 month of receiving your Red Placard. Upon completion of the class, an inspector can then conduct the

re-inspection to help the food facility move from a Yellow Placard to a Green Placard. This mandatory class will be offered at a fee equal to the current hourly rate.

**Note:** *all mobile food facilities that have been issued a Red (Closed) Placard must attend the Food Truck Food-Safety class, even if they have since earned a Yellow or Green Placard.*

### **Availability of Inspection Reports**

In addition to the posting requirements, the food operator is required to have available the most recent Inspection Report Form that corresponds to the posted Placard. The food operator is required to post a notice advising patrons “that a copy of the most recent inspection report is available for review by interested parties”. The inspection report must be available for review by the public when requested.

### **Enforcement Actions**

#### **Suspension of Environmental Health Permits**

Suspension of an Environmental Health Permit is also commonly referred to as ‘Notice of Closure’ of a food facility. A permit is suspended when:

- There is an immediate danger to the public health and safety.
- The inspection score is less than 75 points.

Some examples of the conditions that are an immediate danger to the public’s health and safety:

- Sewage overflowing in the facility.
- Lack of potable, pressurized hot and cold water supply (e.g. presence of contaminated water or no water).
- The water temperature at the faucet of any critical sink: handwashing is 100°F or less), food preparation and utensil washing is 120°F or less.
- Unsafe food temperatures (e.g. all refrigeration units are inoperable).
- Extensive unsanitary conditions.
- Communicable disease transmission (e.g. Hepatitis A, Shigella).
- Rodent or insect infestation

If a condition exists that requires the closure of the food facility, the health inspector must also notify his/her supervisor. When the notification has been done, the health inspector will inform the food operator of the suspension of the Environmental Health Permit and will direct the food operator to discontinue the operation of the food facility. The health inspector will post a Notice of Closure sign.

The food facility operator will receive an Inspection Report Form that notes the immediate health hazards with the reason(s) for the permit suspension and the facility must remain closed until the Environmental Health Permit is reinstated.

#### **Revocation of an Environmental Health Permit**

The revocation of an Environmental Health Permit is for more serious reasons, such as repeated serious violations, failure to comply with the orders on the Official Inspection Report form or interference with duties of the health inspector. The process followed is similar to suspension of an Environmental Health Permit.



The health inspector must obtain notify his/her supervisor of the need to close the facility. When the notification is done, the health inspector will inform the food operator of the suspension of the Environmental Health Permit and the Division's intentions to revoke the permit. The health inspector will direct the food operator to discontinue the operation of the food facility and will post a Notice of Closure sign.

The food operator/permit holder will receive an official "Notice of Violation" correspondence from the Chief of the Division of Environmental Protection summarizing the violations noted that lead to the closure. In addition, the correspondence will include a historical summary of violations (repeat violations are specifically highlighted) noted at the food facility. The correspondence also provides the operator an opportunity to request an administrative office hearing to show 'cause" why the Environmental Health Permit should not be revoked.

The Division of Environmental Protection Chief or his designee will determine, after the administrative hearing, whether the food facility's Environmental Health Permit will be revoked.

The facility must remain closed until a new permit is issued.

### **Appeal Process**

If, after completion of an inspection, the permittee disagrees with the inspection findings or the resulting Placard, the permittee may request an appeal.

Process:

- The permittee must submit a written request for an appeal within three (3) business days following the inspection.
- The appeal will be reviewed by the Unit Supervisor in consultation with the Division Chief.
- The previously issued Placard shall remain posted until the final decision by the Unit Supervisor and Division Chief.
- After the final decision, the new Placard shall be posted within one (1) business day.

Full edit DAA 2/25/2014