

SUBPART 4-BUREAU OF REGULATORY SERVICES
CHAPTER 01-Retail Food Establishment Sanitation

Sanitation Requirements

100.01 Sanitation regulations.

The sanitation regulations for retail food establishments shall be the same as the sanitation requirements for food establishments published by the U.S. Department of Health and Human Services in the current *Food Code* unless otherwise noted in subsequent regulations.

(Amended June 30, 2006. Amended November 17, 2008.)

100.02 Department inspections:

1. Each retail food establishment will be issued an inspection result summary and an inspection report on each visit.
2. The inspection result summary notifies the consumer of the result of the inspection. There are four inspection results:
 - a. **Green “Passed” placard.** This result indicates that the retail food establishment passed department inspection and had no critical violations as defined by the *Food Code*.
 - b. **Green “Conditional Pass” placard.** This result indicates that the retail food establishment had critical violation/s, as defined by the *Food Code*, that were corrected at the time of inspection. A follow-up inspection will be made at this retail establishment.
 - b. **Yellow “Inspected” placard.** This result indicates that at the time of inspection the retail food establishment had either:
 - i. critical violation/s of the *Food Code* uncorrected at the time of inspection; or
 - ii. critical violation/s of the *Food Code* repeated from the last inspection, even if they were corrected at the time of inspection; or
 - iii. excessive (more than 5), repeated noncritical violations of the *Food Code*.A follow-up inspection on critical violations will be made by the department ten days from the date of the inspection. A follow-up inspection on excessive (more than 5), repeated noncritical violations will be made by the department within thirty days from the date of the inspection. All violations must be corrected at that time or administrative action as provided by law may be taken, including administrative fines and/or suspension or revocation of the establishment’s license.
 - c. **Red placard.** This result indicates closure of the retail food establishment due to immediate danger to public health and safety.
3. The inspection report documents the information set out in Chapter 8, Subpart 8-405.10, “Documenting Information and Observations” of the current *Food Code*

(Adopted November 17, 2008.)

100.03 Public notification of inspection results:

1. Inspection result summary. The current inspection result summary must be posted by the retail food establishment on the front door/s or in a location conspicuous to consumers as approved by the Department.
2. Inspection report. The current inspection report must be made available to a consumer who requests it from the retail food establishment management.
3. Noncompliance.

- a. The failure to follow this section and its subparts is a violation of the Retail Food Law, and any violator is subject to the penalties therein, including up to a \$500.00 fine for the first violation and up to \$1,000.00 for subsequent violations and/or suspension or revocation of the retail food establishment's license.
- b. The Department will pursue legal action to collect unpaid fines.

(Adopted November 17, 2008.)