

So. Cal Restaurant Association Org.

14435 Sherman Way Unit #204
Van Nuys, CA.
(818) 714-3208

Re: Item No (1) - 13-1493, 13-1493-S5, 19-0600-S155
City Administrative Office and Bureau of Street Services reports relative to the establishment of permit fees for the Sidewalk and Park Vending Program (Also referred to the Public Works and Gang Reduction Committee, health Education, Neighborhoods, Parks Arts, and River Committee, Personnel and Animal Welfare Committee and Budget Finance Committee.

On behalf of retail constitutes we demand your support for rules and regulations for health and safety, sidewalk space, fines, and a new permit system in The Council's next street vending venue set for November.

WE ARE STRONGLY NOT AGAINST STREET VENDING. *WE BELIEVE The Governor did not consider the outbreak of full on **STREET RESTAURANTS OPERATING UNDER TENTS - using the VENDOR LAW as a push to mainstream this HEALTH, SAFETY AND WELFARE CONCERN** and we ask for a **RECLASSIFICATION** turning this "New classification" over to the laws that govern all food preparation business set forth by the **State of California***

<http://www.publichealth.lacounty.gov/eh/docs/RefGuideFoodInspectionReport.pdf> **Public Education for PREVENTION OF FOOD BORNE INFECTIONS - DISEASE - CONTAMINATION** <https://www.cdc.gov/foodsafety/foodborne-germs.html>. **Health Code Requirements for. Health Code Requirements. Community Events in LA County - including Farmers Markets.** <http://www.publichealth.lacounty.gov/eh/docs/Events/EventRequirements.pdf> **County of Los Angeles · Department of Public Health ENVIRONMENTAL HEALTH. FY 2019-2020 PUBLIC HEALTH AND FINANCIAL MANAGEMENT FEE SCHEDULE.** <http://publichealth.lacounty.gov/eh/docs/LicensePermitFees.pdf> **Cottage Food Operation - AB 1616.** <http://www.publichealth.lacounty.gov/eh/misc/CAHomemadeFood.htm>

We ask your support to Support our plea to keep the guidelines

Points and Authorities:

VENDORS - Right now... Los Angeles does not have licensing systems in place for street vendors. That means street vendors are fairly free and clear to function under this new legislation until a licensing system is in place. California street vendor licensing systems must adhere to the following:

1. California cities cannot ban vending in parks.
2. Cities cannot determine where vendors can operate **unless there is a health, safety, or welfare concern.**
3. **Street vendors are no longer required to ask permission from adjacent businesses to operate.**

With **SB 946's** licensing guidelines encouraging local governments to determine what works best. Los Angeles can determine whether to require business licenses, taxes, and health regulations for **vendors selling fresh fruit or bacon-wrapped hot dogs**. When street vendors violate the law, local governments can fine the offenders, or repeal operating licenses. *(This did not include **STREET RESTAURANTS OPERATING UNDER TENTS - using the VENDOR LAW as a push to mainstream this HEALTH, SAFETY AND WELFARE CONCERN** (See definitions below).*

NEW CONCERNS:

We are not against street vending. We are against the NEW issue or Full on **STREET RESTAURANTS OPERATING UNDER TENTS** - using the **VENDOR LAW** as a push to mainstream this **HEALTH, SAFETY AND WELFARE CONCERN**.

Our Business Plea is that there must be consideration for the Dreamers who invested their life savings, working countless hours to build their Brick and Mortar Restaurant business - now being threatened by the Abuse of these "VENDORS" (Full on **STREET RESTAURANTS OPERATING UNDER TENTS** - using the **VENDOR LAW** as a push to mainstream this **HEALTH, SAFETY AND WELFARE CONCERN**) who are currently setting business on the sidewalks in front of already established Business and Retail Districts not discussed or considered through SB 946 law.

Again, there is no opposition to the VENDORS, only to the **NEW** growing public issue of **STREET RESTAURANTS OPERATING UNDER TENTS - using the VENDOR LAW as a push to mainstream this HEALTH, SAFETY AND WELFARE CONCERN**

1. **#2 & #3 is not acceptable:** Today, local restaurants are losing essential business due to blatant use of street and sidewalk space in front of existing **PERMITTED** business. Currently, financial loss is resulting in layoffs, and possible financial ruin, leading to possible **CLOSURES**. This will cause possible Commercial vacancy and loss of tax revenue for LOS ANGELES and for the STATE. And Currently the "STREET RESTAURANTS operating under the guise of VENDOR are establishing themselves on YELP, INSTAGRAM, Grub Hub and utilizing the PICK-UP AND DELIVER business, using registers, collecting UNREPORTED cash sales. - The **LOURE** of existing customers from Brick and Mortar business and THE BLATANT use of their address to promote the sale of the *sidewalk business in front of existing permitted business - The "TENT Food Restaurant NON PERMITTED "Sidewalk Vendors" are taking necessary parking and operating without respect or regard to California State Laws in the sale of complete menu driven food. The full on operation offers a more than one type of food, thus, competition for customer is a MAJOR CONCERN. The right to operate in the normal and customary way of doing business is difficult when the Vendor can freely operate in front of business district without police, fire, health, street rules or regulations making this a complete free for all . The losers are those who follow the law. THIS HAS TO CHANGE.*

2. A NON-COMPETE CLAUSE IS REQUESTED. STREET RESTAURANTS OPERATING UNDER TENTS - using the **VENDOR LAW** as a push to mainstream this **HEALTH, SAFETY AND WELFARE CONCERN** *Should have permits only at locations designated in surrounding areas away from existing business where one or more Restaurant operate. This will prevent unnecessary COMPETITION for customers and necessary parking needed for the RIGHT TO DO BUSINESS AS USUAL.*

3. HOURS OF OPERATION: Should Los Angeles continue allow **STREET RESTAURANTS OPERATING UNDER TENTS** - using the **VENDOR LAW** as a push to mainstream this **HEALTH, SAFETY AND WELFARE CONCERN** to operate without RULES OR REGULATIONS set forth in SB 946 - **HOURS must be determined.** *The average Professional Permitted Brick and Mortar business should have precedence over hours and most agree that hours should be determined where "VENDORS" are allowed during the hours of 10 pm to 6:30 am. NON COMPETE.*

4. VENDORS GRACE PERIOD - The requested 6 month grace period for vendors as requested by the "LA Street Vendor Campaign". is not challenged, We believe that after the initial contact by **STREET SERVICES** sharing all rules and regulations for **HEALTH, SAFETY AND WELFARE CONCERN**, and after

contact is made to the locations operating **STREET RESTAURANTS UNDER TENTS** - using the **VENDOR LAW**, they must provide their personal and business information, and that they had the outreach **EDUCATION**, and be given a set amount of days to comply and apply for said operating permits. (This is not harassment)

5. **ADA** - consideration for rights of passage for disabled and those who live with disabled <http://www.losangelesadasettlement.org/examples-of-access-barriers.html>. Possible new lawsuits to include sidewalk vending.

6. **Permits for tents though building and safety** - Preventing Wind driven accidents when the tent flies into oncoming traffic or to the sidewalk and people in harms way. There are rules in place for Health and Safety.

RIGHT NOW: a Vendor is considered **Temporary** - Considering the Tents are currently without Building and Safety permits, music being played loudly and seating provided - Consideration is that they are now **Special Events (TSE) are a temporary use of building, property, or public way for the express purpose of allowing it to be used on a limited basis. As of January 2014, the current cost to file an application with LADBS is \$137.80 per event. Permits are required for temporary special events** within the City that are not more than 5 days. The following qualify as a TSE, provided they have a maximum duration of 5 consecutive days: Tents or canopies, larger than 450 square foot, on a residential property. **Tents or canopies, larger than 12 feet in length or width, on a commercial property.** <https://www.ladbs.org/services/core-services/plan-check-permit/types-of-plan-checks-permits/special-event-permit>

7. **Fire Permits** - With heightened fire danger, **STREET RESTAURANTS OPERATING UNDER TENTS** - using the **VENDOR LAW** as a push to mainstream this **HEALTH, SAFETY AND WELFARE CONCERN** to operate without **RULES OR REGULATIONS** set forth in SB 946 - must abide by **fire safety**, since many are using **fryers, propane stoves and gas generators**. <https://www.lafd.org/fire-prevention/industrial-and-commercial>

8. **HEALTH DEPARTMENT** - After Education, must abide by Health and Safety

STREET RESTAURANTS OPERATING UNDER TENTS - using the **VENDOR LAW** as a push to mainstream this **HEALTH, SAFETY AND WELFARE CONCERN** to operate without **RULES OR REGULATIONS** set forth in SB 946 *must abide by State Laws for food preparation* <http://www.publichealth.lacounty.gov/eh/docs/RefGuideFoodInspectionReport.pdf> **Public Education for PREVENTION OF FOOD BORNE INFECTIONS - DISEASE - CONTAMINATION** <https://www.cdc.gov/foodsafety/foodborne-germs.html>.

Health Code Requirements for. Health Code Requirements. Community Events in LA County - including Farmers Markets

<http://www.publichealth.lacounty.gov/eh/docs/Events/EventRequirements.pdf>

County of Los Angeles • Department of Public Health ENVIRONMENTAL HEALTH. FY 2019-2020 PUBLIC HEALTH AND FINANCIAL MANAGEMENT FEE SCHEDULE

<http://publichealth.lacounty.gov/eh/docs/LicensePermitFees.pdf>

Cottage Food Operation - AB 1616

<http://www.publichealth.lacounty.gov/eh/misc/CAHomemadeFood.htm>

We ask to be part of the discussion and all of our Reasonable requests are heard and considered the process of defining the rules and regulations for Vending.

Again, we are not against the Vendors. Again, there is no opposition to the VENDORS. We OPPOSE the new growing public issue of **STREET RESTAURANTS OPERATING UNDER TENTS - using the VENDOR LAW as a push to mainstream this HEALTH, SAFETY AND WELFARE CONCERN.**

Thank You,

Vivian Hartman
Businesswoman
Advocate

DEFINITIONS

VENDOR /ˈvɛndə-/ noun. plural vendors. Learner's definition of VENDOR

1: a person who sells things especially on the streetNa hot dog vendor

2 : a business that sells a particular type of product vendors of computer parts software vendors. **A street vendor is a person who offers goods or services for sale to the public without having a permanently built structure but with a temporary static structure or mobile stall (or head-load).**

RESTAURANT (French: [ʁɛstorã] (listen)), or an eatery, is a business which prepares and serves food and drinks to customers in exchange for money. Meals are generally served and eaten on the premises, but many restaurants also offer take-out and food delivery services.

Fast food restaurants are also considered a restaurant. The travelling public has long been catered for with ship's messes and railway restaurant cars which are, in effect, travelling restaurants. What is the full form of 'TIP' in restaurants?

STREET RESTAURANTS OPERATING UNDER TENTS - using the VENDOR LAW as a push to mainstream this HEALTH, SAFETY AND WELFARE CONCERN to operate without RULES OR REGULATIONS -

Restaurant. An eatery, is a business which prepares and serves food and drinks to customers in exchange for money. Meals are generally served and eaten on the premises, but many restaurants also offer take-out and food delivery services. AN EATERY OPERATING ON THE DIRT, SIDEWALK, Private PARKING LOT, Commercial property parking lot, including gas station, without Permits violating the **SB 946's** licensing guideline. **“Cities cannot determine where vendors can operate, unless there is a health, safety, or welfare concern.”**

FOOD VENDOR <http://www.publichealth.lacounty.gov/eh/docs/vip/>

PLAN CHECK GUIDELINES 1.pdf. PLAN CHECK GUIDELINES FOR MOBILE FOOD FACILITIES AND MOBILE SUPPORT UNIT. These guidelines have been established to assist in the permitting process for a mobile food facility. The following requirements are extracted from the California Health & Safety Code, California Retail Food Code (Cal Code).

A Mobile Food Facility is any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail. A Mobile Food Facility does not include a transporter used to transport packaged food from a food facility, or other approved source to the consumer. The Mobile Food Facility shall be designed as a self-contained unit. The cart design shall take into consideration local environmental conditions for a safe food operation and storage of the Mobile

food Facility. **STORAGE OF THE MOBILE FOOD FACILITY OR ANY TYPE OF FOOD PRODUCT AT HOME IS NOT APPROVED.**

On behalf of retail constitutes in your District, we demand your support for rules and regulations for health and safety, sidewalk space, fines, and a new permit system in The Council's next street vending venue set for November.

1. We ask your support to Support our plea to keep the guidelines

We ask that the Street vending ordinance, below, remain in place, and that the addition of rules be placed for Street Vendors to abide by the required distances as set forth for bigger venues, and include Business and Retail districts.

Understanding Right now supporting SB 946 invalidates the City Council and City Attorney's street vending ordinance **written last April**. The Council's new rules are required to address a number of issues, which includes a ban near major venues, meeting is November 15. WE ask that you fight for our right to exercise business without the TENT FOOD VENUES as competition.

It is noted: In anticipation of the state-mandated January 1 deadline, the Los Angeles City Council overwhelmingly approved an ordinance to fully legalize street vending today. The vote was expected, as outgoing Governor Jerry Brown recently signed the Safe Sidewalk Vending Act, or SB 946, which requires cities and counties to develop their own local rules when regulating street vendors.

SB 946 is focused on health, welfare, or safety concerns and right now, the Council is focused on **the new street vending law, SB 946 is very specific, it prevents any California city from enforcing vending laws without a local system in place.**

1. **We ask your help to create rules and regulations to include distance for vending from local retail locations as well, with the same respect large venues demand.** *With the city's 14 to 0 vote. The Council meeting cemented the following regulations for street vendors throughout Los Angeles: HOWEVER, Building Safety Codes Apply NOW STILL and should remain in force and any continued Street Vendor preparing food for sales and consumption must abide by the laws governed by the set codes in HEALTH DEPARTMENT standards.*
2.
 - Over the next 12 months, the City of Los Angeles will implement a citywide permit program. **These permits will allow vendors to reserve specific locations. (These locations should include all business and retail districts.)**

Understanding this idea,

- The ordinance grants a one-year period while the City works out the details of the permit program. They'll also hire a service provider to conduct education and outreach to sidewalk vendors, while assisting them with the permit application process **-CLOSURE : THEY must HAVE HEALTH DEPARTMENT AND BUILDING AND SAFTY PERMISSION and PERMITS. STOP and immediate CLOSURE.**
- There are strict rules on where vendors can operate. Street vendors are not allowed near large event venues like the Staples Center, or the Los Angeles Coliseum. **THIS MUST INCLUDE BUSINESS AND RETAIL DISTRICTS .**
- In city parks, there will be a two vendor per acre rule.
- Bureau of Street Services will provide enforcement for sidewalk vendors. Park Rangers will oversee enforcement of vendors at parks.

- Rules, regulations, and requirements will be determined by the Department of Public Works.
PERMITS INCLUDE - BUILDING AND SAFTY PERMIT FOR TENTS. ADA COMPLIANCE. SEWAGE AND TRASH
- *****THE NO CAP ON VENDORS IS UNFAIR TO CURRENT PERMITTED RETAIL AND FOOD BUSINESS WHO ARE BEING FORCED OUT OF BUSINESS BY STREET VENDORS SETTING UP THEIR FULL ON NON-PERMITTED UNLAWFUL HEALTH DEPARTMENT FOOD PREPARATIONS SALES and operations on the street and sidewalks, stealing necessary parking and violating all health and local ADA requirements.**
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- *There is no cap on the number of vendors.*
- The concept of a no cap on street vending is against all public **BUILDING AND SAFTY CODES**. There are distances required from driveways, sidewalk ADA passage rights.
- **A. It is required by codes**
- Vendors will be required to obtain a business license, tax, and health permits.
- Vendors not in compliance with the law will be cited and fined by the Department of Street Services **MUST CEASE OPERATING. CLOSURE.**

WE are asking you to follow through with the LAW against the UNLAWFUL.

This is a business right. Also, the vacancy factors will create a negative cash flow to the city's Tax because the unlawful are not required to pay city taxes. This is now a beginning of a Wild West business format that will not mend quickly.

Vivian Hartman.

P.S. if you are afraid to use your business address because of fear of retaliation, as voiced in the meeting... use your home address and cell number. The point is the call and the required response of the city. Be proactive and smart and fight for your rights. !

1. COUNCIL FILE NUMBER 13-1493-S5 STREET VENDORS GENERAL RULES AND REGULATIONS

#5. PERMITS: ALL SIDEWALK VENDORS must POSSESS ALL applicable BUSINESS, TAX and HEALTH permits required by State, County and or City.

- General Rules and Regulations Sidewalk Vending
- shall be no less than 500 feet any boundary line of the permitted activity.
- j) Distance from an entrance way to any building, store, theatre, movie house, house of worship or place of public assembly shall be a minimum of 20ft.
 - k) Distance from any restricted vending location as defined in Los Angeles Municipal Code Section 42.13(c) shall be no less than 500 feet any property line of the restricted location.

3. *Prohibited vending locations:*

- a) Vending is prohibited within 500 feet of:
 - (1) The Hollywood Walk of Fame, Universal Studios and the El Pueblo de Los Angeles Historical Monument, Staples Center/LA Live (as described in Chapter 25 of Division 22 of the Los Angeles Municipal Code);
 - (2) Dodger Stadium, the Hollywood Bowl, and the LA Coliseum/Banc of California Stadium on events days; and
 - (3) Any other venue as determined by the Board of Public Works.
- b) Vending at Venice Beach is limited to First Amendment protected expressive activities.
- c) Schools or any postsecondary educational facility attended by secondary pupils or private kindergarten, elementary, or secondary school facilities.

A map for each location will depict the boundaries. Appropriate signs with the no vending area will be posted at these locations.

4. *Vending of produce:* All produce regulated by the California Department of Food and Agriculture (CDFA) shall be handled, transported, displayed or disposed of in accordance with all CDFA regulations as they now exist or as amended from time-to-time, but not limited to, the following:

- a) All produce or commodities under quarantine by the CDFA will be protected or safeguarded in an approved manner by being bagged or screened to prevent infestation; any open display is prohibited.
- b) All produce, commodities, or their husks, cores, rinds, or pits shall be sealed in plastic bags before disposing.
- c) Every food vendor shall have a receipt, invoice, bill of lading or other acceptable proof of origin of all produce or commodities under quarantine.
- d) All produce or commodities under quarantine that are sold, offered for sale, or transported within the quarantine area, must be of commercial origin.
- e) Any violation of this section may result in the seizure of produce or commodities.

5. *Permits:* All sidewalk vendors must possess all applicable business, tax and health permits required by the State, County, and or City.

1. VENDOR RULES AND REGULATIONS PHONE NUMBERS - PROVIDED IS THE INFORMATION FOR AGENCIES TO CONTACT REGARDING VENDOR ISSUES.

Gary Harris, CFS, Chief of Investigation and Enforcement
City of Los Angeles, Bureau of Street Services
Investigation and Enforcement Division
1149 South Broadway Suite 350
Los Angeles, Ca 90015
Phone:(213) 847-6000 Fax:(213) 847-6269
Email: gary.harris@lacity.org
Website: <http://bss.lacity.org/InvestigationAndEnforcement/index.htm>
Get involved! Be a Reserve Investigator!
<http://bss.lacity.org/InvestigationAndEnforcement/ReserveInvestigator.html>

Janette Thompson, MPA, REHS
CHIEF EHS
LA County Department of Public Health/
Environmental Health
Mobile Food Vending Investigation and Compliance Program
Email: janthompson@ph.lacounty.gov
(626) 430-5160

Gabrielle P. Taylor, Deputy City Attorney
Office of the City Attorney, Los Angeles
Neighborhood Prosecutor, Northeast Division
200 N. Main St., 9th Floor
Los Angeles, CA 90012
Email: Gabrielle.Taylor@lacity.org
Main Line: (213) 978-7878
Direct Line: (213) 978-2230

SB 946 invalidates the City Council and City Attorney's street vending ordinance **written last April. The Council's new rules are required to address a number of issues, which includes a ban near major venues, health and safety, sidewalk space, fines, and a new permit system. The Council's next street vending meeting is November 15.**

In anticipation of the state-mandated January 1 deadline, the **Los Angeles City Council overwhelmingly approved an ordinance to fully legalize street vending today. The vote was expected, as outgoing Governor Jerry Brown recently signed**

the **Safe Sidewalk Vending Act**, or SB 946, which requires cities and counties to develop their own local rules when regulating street vendors.

This ordinance is the next step from the Council's **early November** proposal, which became a citywide ordinance today. In response to SB 946's September signing, the Council asked the Bureau of Street Services and Parks and Recreation to submit rules by November 15, which allows enough time for the City of Los Angeles to be in statewide compliance by the new year.

SB 946 is focused on health, welfare, or safety concerns. And while the details are still being ironed out, the Council is simply focused on the new street vending law, which is barely two months old. SB 946 is very specific, it prevents any California city from enforcing vending laws without a local system in place.

The city has plenty of work to do after today's 14 to 0 vote. The Council meeting cemented the following regulations for street vendors throughout Los Angeles:

- Over the next 12 months, the City of Los Angeles will implement a citywide permit program. These permits will allow vendors to reserve specific locations.
- The ordinance grants a one-year period while the City works out the details of the permit program. They'll also hire a service provider to conduct education and outreach to sidewalk vendors, while assisting them with the permit application process.
- There are strict rules on where vendors can operate. Street vendors are not allowed near large event venues like the Staples Center, or the Los Angeles Coliseum, where **street vendors were forcibly removed** from sidewalks and parking lots during a November 11 Rams game.
- In city parks, there will be a two vendor per acre rule.
- Bureau of Street Services will provide enforcement for sidewalk vendors. Park Rangers will oversee enforcement of vendors at parks.
- Rules, regulations, and requirements will be determined by the Department of Public Works.
- There is no cap on the number of vendors.
- **Vendors will be required to obtain a business license, tax, and health permits.**
- **Vendors not in compliance with the law will be cited and fined by the Department of Street Services.**
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The Los Angeles City Council approved a new proposal for new street vending rules yesterday. The Council's **been busy lately around this subject**, and that's because Governor Jerry Brown **signed Senate Bill 946**, or the Safe Sidewalk Vending Act in September. SB 946 essentially decriminalizes street vending on January 1, but **there's a caveat**. The new law requires cities to create their own rules concerning the sale of street food, and the Council hopes to put citywide practices in place before the law goes into effect.

The Council voted 14-0 to approve this proposal, although it's been working on an improved street vendor solution since 2013. But everything changed with SB 946's passing, which requires California cities to follow state rules. During the meeting, the Council determined several key items:

1. Vendors are limited on where they can operate. There will be no-vending zones near high-volume tourist areas like Staples Center, the Hollywood Bowl, Dodger Stadium, the Banc of California Stadium, and on Hollywood Boulevard, which would jeopardize a lot of the bacon-wrapped hot dog vendors who sell outside these events venues.
2. SB 946 only allows the city to restrict vending based on health, welfare or safety concerns. The Council proposed a two-to-one vendor per block restriction.
3. The Council also requested that LA's City Attorney draft an ordinance with the Bureau of Street Services and Parks and Recreation. This ordinance requires both departments to submit rules and regulations by November 15, leaving enough time for the Council to take action and be in compliance by January 1.
4. About those permits. Cities throughout the state must build their own street vendor permit or regulatory process, which will be required by the new state law. At this time, the Council did not choose to adapt a permit or regulatory system, **according to NBC-4**. City departments will study and report back to the Council with the pros and cons of either option.
- 5.

On **KPCC** this morning, City Council member Curren D. Price emphasized street vendor education as part of the process. He stated the city will help vendors become more aware of the new rules and regulations with a year-long educational effort.

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State Senator Ricardo Lara introduced SB 946 back in February, which is designed to bring vendors out from the shadows as viable contributors to local economies. The ban is a bit tricky, as California cities and municipalities cannot prohibit or regulate vendors without an existing licensing system.

Many cities, including Los Angeles, do not have licensing systems in place for street vendors. That means street vendors are fairly free and clear to function under this new legislation until a licensing system is in place. California street vendor licensing systems must adhere to the following:

1. California cities cannot ban vending in parks.
2. Cities cannot determine where vendors can operate, unless there is a health, safety, or welfare concern.
3. Street vendors are no longer required to ask permission from adjacent businesses to operate.
- 4.

SB 946's licensing guidelines encourages local governments to determine what works best. Los Angeles can determine whether to require business licenses, taxes, and health regulations for vendors selling fresh fruit or bacon-wrapped hot dogs. When street vendors violate the law, local governments can fine the offenders, or repeal operating licenses.

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Los Angeles Times

By EMILY ALPERT REYES STAFF WRITER

APRIL 17, 2018 5:45 PM

Brick-and-mortar businesses in Los Angeles would get a chance to oppose vendors planning to set up shop on adjacent sidewalks but would not be able to turn them down outright under a revised proposal for new regulations approved Tuesday at City Hall. As L.A. crafts rules to legalize and regulate the vendors who hawk ice cream, hot dogs and other food and goods on its sidewalks, business groups have pushed for property owners to be able to [decide whether vending can happen](#) outside their doors. Shopkeepers have argued that sidewalk vendors can undercut their business and that they have blocked and sullied nearby walkways.

Street vendors and their advocates countered that it would be unfair to give shops that kind of veto power over other entrepreneurs. The ACLU of Southern California, the National Immigration Law Center and other groups said in a letter that the idea raised “grave legal and constitutional concerns” and could ramp up the risk of extortion.

The revised proposal, unveiled at a council committee meeting Monday, was an attempt at a compromise.

Shops would not be able to simply prohibit vending on the adjacent sidewalks, but property owners would be alerted when sidewalk sellers seek permits to do business outside their doors. They would then have a chance to lodge an appeal.

The exact details of the process still have to be worked out by city staffers, but Councilman Curren Price proposed something similar to the city system for permitting sidewalk dining.

At a Monday committee meeting, lawmakers also loosened some of the [proposed rules](#) surrounding where sidewalk vendors can set up on each block, which vendors had criticized as too complicated and restrictive.

After a debate punctuated by cheers and boos from the crowd, a divided City Council voted Tuesday to back the revised set of proposed rules and ask city lawyers to start drafting the new ordinance. The proposed law still has to come back to lawmakers for final approval.

Councilman Bob Blumenfield unsuccessfully pushed to keep the idea of an “opt out” for neighboring property owners on the table, arguing that lawmakers should have an opportunity to decide between two versions of the proposed ordinance — one with the veto and one without. He suggested asking city attorneys to draft both of them.

Several other council members backed that idea, voicing concerns about whether businesses were aware of the new proposal and whether lawmakers had gotten enough time to review it.

But the council ultimately voted 11 to 4 to advance just one version of the proposed law. Price urged the council to press forward with his preferred version of the plan, arguing that it would protect vendors from extortion. Blumenfield voted against it, along with Councilmen Mike Bonin, Mitchell Englander and Paul Koretz.

Price said he wanted to have a new ordinance in place by July. Legalizing vending has been a longtime dream of sidewalk sellers who have staged [protests](#) and packed hearings at City Hall. More than four years have passed since local lawmakers [first proposed](#) permitting and regulating the throngs of vendors who do business across the city.

Last year, the city eliminated criminal charges for vending under the Municipal Code, but vendors can still get administrative fines. As the city has tarried in passing new rules to legalize sidewalk vending, many complain that the lack of legal approval has left them vulnerable to harassment and [abuse](#).

**Business owners, in turn, lament that unregulated vending has run rampant in some areas.** The Hollywood Chamber of Commerce said that the delay in passing new rules, along with dropping criminal penalties, had created a chaotic “free-for-all” on Hollywood Boulevard and left it dangerously congested.

**Under the proposed rules, vendors would be prohibited within 500 feet of crowded venues** such as Dodger Stadium, the Hollywood Bowl, Staples Center, the Coliseum, Universal Studios and the Hollywood Walk of Fame.

**Sidewalk sales could also be banned or restricted based on health and safety concerns in additional areas that will be picked out by council members in consultation with city attorneys and other staff.**

**The draft rules would allow only two carts per block on each side of the street in commercial and industrial zones. In addition, mobile vendors who sell food could do business in residential areas as long as each sale does not last more than seven minutes.**

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General Sidewalk Dining

Once an application has been received, BOE Staff should confirm the following items are included in the completed application. This also applies to new permits issued when there is a change in restaurant ownership. Sidewalk Dining information below comes from the Revised Policy from the Board of Public Works on 4/3/19, the Previous Board Report dated April 10, 2006, and current BOE processes.

Sketch with dimensions: Should also include all existing street furniture protruding above the finished surface of the sidewalk such as streetlights, power poles, fire hydrants, news racks, street trees & tree wells, parking meters, street signs, etc.

Copy of the Deed/Lease Agreement: If not the land owner, the building lessees must provide written approval for sidewalk dining from the landowner through a lease agreement.

Fees:

Sidewalk Dining Permit Processing Fee - Applications for all new revocable permits for sidewalk dining shall be charged the Tier 2 "Field Investigation Required" fee per the current BOE fee schedule, "Standard Fees, Charges and Deposits".

Tier 3 Revocable Permit Fee for the cases where Board approval is required to deviate from the sidewalk policy or there is a request to appeal a BOE decision to the Board.

Sewerage Facility Charge (SFC) – SFC fees shall be required for all additional outdoor seating based on the number of seats allowed.

Change in Ownership: A change in ownership shall require a new sidewalk dining permit and require new fees .

No Changes to the Layout: A Tier 1 Revocable Permit Fee shall be required if no changes are proposed to the layout of the existing dining area.

Changes to the Layout - A Tier 2 "Field Investigation Required" fee per the current BOE fee schedule, "Standard Fees, Charges and Deposits". shall be charged.

Tier 3 Revocable Permit Fee for the cases where Board approval is required to deviate from the sidewalk policy or there is a request to appeal a BOE decision to the Board.

Refer to paragraph 7 for fee schedule if changes are proposed to the layout of the existing dining area

Proof of Sufficient Liability Insurance: Insurance in an amount not less than \$1,000,000. Proof of liability insurance shall be renewed annually with the Risk Management Group of the City Administrative Officer.

Waiver of Damages Signed, Notarized and as Appropriate Recorded with the County of Los Angeles: City staff to prepare this for the applicant. If the land owner is applying for the R Permit, they would be required to have the Waiver of Damages recorded with the County of Los Angeles. If a tenant is applying for an R Permit, the Waiver of Damages is NOT recorded with the County of Los Angeles. If there is a change in permit ownership, a new Proof of Liability Insurance and new Waiver of Damages will be required to be signed and notarized. The Waiver of Damages form would only be recorded with the County of Los Angeles IF the property owner is also the permit owner.

Photographs of the Encroachment Area

Confirm the proposed location is in the public right-of-way: Sidewalk dining may be allowed in any portion of the sidewalk area fronting a property provided that an acceptable PAR is provided along the frontage of the portion of the property proposed to contain sidewalk dining, and when applicable, connecting to the property entrance.

Minimum Clearance: Confirm that a **4-foot clear space between encroachments (tables and chairs) and obstructions**, such as power poles, street lights, parking meters and trees has been maintained as the Pedestrian Access Route (PAR). The minimum required clear space between encroachments (tables and chairs) and fixed street amenities such as poles, parking meters, tree wells, street lights and signs shall be four feet, provided that **ADA compliant passing areas are provided at 200 foot intervals**.

Umbrellas: Umbrellas must be approved by BOE personnel and have a **7-foot minimum clearance**

Planters: Planters must be reviewed and approved by BSS

Alcohol: Serving alcohol **requires a Conditional Use Permit from the Department of City Planning and a permit from the California Department of Alcohol Beverage Control**. Because alcohol falls under the jurisdiction of those entities and not the Board, sidewalk dining permits will allow for serving or possessing alcohol within the sidewalk dining area provided proper permits and approvals are obtained for such use from the appropriate agencies.

LAMC 12.03 (Outdoor Eating Area) Compliance: **Confirm the Sidewalk Dining application comply with LAMC 12.03 (Outdoor Eating Area) and the Zoning Administrator's Interpretation (ZAI) of zoning regulations related to outdoor dining in ZAI 1808 (Dining Terraces or Outdoor Patio Dining, August 18, 1961) as applied to private property by the Department of Building & Safety (DBS). LAMC 12.03 reads as follows:**

OUTDOOR EATING AREA: *When used in Sections 12.12.2, 12.13, 12.14, 12.21.1 and 12.24*, this term shall refer to a covered or uncovered portion of a ground floor restaurant which is not completely enclosed within the building; is used primarily for the consumption of food and/or drinks by the patrons of the restaurant; and is not larger than 50 percent of the dining area of the ground floor restaurant. A “ground floor” restaurant refers to any restaurant with an average finished floor elevation either below or not more than three feet above natural grade as measured from any point along the exterior building wall closest to the restaurant. **(Amended by Ord. No. 165,403, Eff. 2/17/90.)**

Allowable Number of Seats: The allowable number of seats shall be determined by the available dining area. The available dining area shall comply with the LAMC Section 12.03 (Outdoor Eating Area), as applied to private property by the Department of Building and Safety, which is an area no larger than 50 percent of the dining area of the ground floor restaurant.

Attached Railings/Fences: Fixed railings or barriers (30-inch minimum/42-inch maximum in height) shall be required if the clear space between the sidewalk dining area to the curb or other fixed amenities is less than five feet. If the clear space is five feet or more, rails or barriers are not required. **Non-fixed rails may be allowed when the clearance is five feet or more, subject to BOE approval.** Attached railings/fences shall be installed by obtaining an A-Permit and installed at locations approved by BOE (except Hollywood Walk of Fame).

Aisle ADA Compliance: Aisle widths must meet ADA and Fire Code requirements within the railed sidewalk dining area

Visibility Triangle: No encroachments are within the visibility triangle as described in LAMC 62.200.

AWNING: EXISTING OR PROPOSED AWNINGS HANGING ABOVE THE SIDEWALK DINING AREA WILL REQUIRE A LADBS BUILDING PERMIT

ADA Compliant Sidewalks: BOE staff shall evaluate the following three ADA requirements:

Vertical Displacement (uplift) - Need not to exceed ¼ inch.

Sidewalk Cross-slope - Need not to exceed a 2 percent slope.

Horizontal Displacement (cracks and crumbling) - Need not to exceed a ¼ inch gap.

If the condition of the sidewalk fronting proposed outside dining area does NOT meet all above-listed conditions, it will be required to be repaired or removed and replaced to be ADA compliant. However, if the only deficiency is the cross slope of up to 4 percent the sidewalk will not be required to be repaired. The area of the sidewalk assessment shall include all the frontage of the proposed outside dining area plus a 10-foot minimum transition on each end satisfactory to the City Engineer. The 10-foot transition area may be reduced to the minimum practical length determined by the City Engineer in cases where it would cross to a neighboring property.

Other encroachments that are not specifically authorized under the revocable permit, such as heaters, fans, drop down enclosures, signs and valet podiums, shall not be allowed in the dining area.

Appeals to BOE Determination: Appeals of all BOE determinations shall be heard by the Board and the appropriate fees charged

Historic Preservation Overlay Zone (HPOZ) Location

In addition to items required under "General Sidewalk Dining", the following is also required:

Written approval from Planning will be required

ENFORCEMENT

BOE staff are not tasked with inspecting or monitoring compliance with the permit requirements. BSS is the primary enforcement agency; however, BCA has also been badged to provide additional enforcement. The BSS Investigation and Enforcement Division will be notified to investigate any complaints. Citations may be issued for non-compliance.. Compliance with permit requirements include:

A display permit shall be posted in plain view from the outside of the restaurant indicating the approved encroachments permitted in the public right-of-way.

Four-foot clear space between encroachments (tables and chairs) and obstructions, such as power poles, street lights, parking meters and trees is maintained. ADA compliant passing areas shall be provided at 200 foot intervals.

Maintain the sidewalk in front of the restaurant in a clean and uncluttered manner at all times.

Tables and chairs must be removed during non-business hours.

No encroachments are within the visibility triangle as described in LAMC 62.200.

Umbrellas approved by BOE personnel shall be mounted in a stable base to prevent accidental or wind-blown tipping over.

No smoking is allowed within 10 feet of the sidewalk dining area per LAMC 41.50 A.5.a and .B.2.c

No advertising is allowed in the public right-of-way per LAMC 67.02

PERMIT REVOCATION

The following processes are per the Policy from the Board of Public Works issued on April 3, 2019.

If there is any violation of the conditions of the Sidewalk Dining R-Permit, said permit can be revoked and the permit holder will be required, at no cost, to remove the encroachments and return the public right-of-way to the satisfaction of the City

Engineer. Depending on the restorations made to the public right-of-way, the permit holder may also be required to restore the public right-of-way to current local, state or

Lastly, this report also addresses a past instruction from City Council in Council File No. 13-0658 that includes recommendation number three as follows:

Instruct the Bureau of Engineering (BOE) to review its current policy on sidewalk dining within the public right-of-way in requiring the maintenance of a seven-foot space between encroachments (tables and chairs) and existing obstructions such as power poles, street lights, parking meters and tree wells for feasibility of changing the space requirement to a smaller space requirement.

DISCUSSION

The sidewalk policy recommendations in this report propose the following changes to the current BOE Sidewalk Dining Policy:

- Elimination of separate Historic Core Pilot Program and consolidation to one citywide sidewalk dining policy.
- Incorporation of Historic Core Pilot Program waiver of neighbor notification requirements.
- Reduction of the minimum allowed width of the Pedestrian Access Route (PAR) from seven to four feet.
- Requirement for fixed railings when a PAR of less than five feet is provided.
- Elimination of bi-annual \$300 inspection fee.
- Addition of new requirement that sidewalks in the sidewalk dining area and 10 feet beyond meet ADA requirements, with an exception allowed for cross slope only.

Sidewalk Dining Policy

The following are the policy requirements for revocable permits authorizing sidewalk dining within the City of Los Angeles (City).

1. Allowable Location of Sidewalk Dining Area
Sidewalk dining may be allowed by the City Engineer in any portion of the sidewalk area fronting a property provided that an acceptable PAR is provided along the frontage of the portion of the property proposed to contain sidewalk dining, and when applicable, connecting to the property entrance.
2. Minimum Clearance
The minimum required clear space between encroachments (tables and chairs) and fixed street amenities such as poles, parking meters, tree wells, street lights

federal

standards through the issuance of an A or B Permit.

If a permittee or land owner wishes to cancel a Sidewalk Dining R-Permit, they must provide BOE staff a written request to cancel the permit. The permit holder will be required, at no cost, to remove the encroachments and return the public right-of-way to the satisfaction of the City Engineer. Depending on the restorations made to the public right-of-way, the permit holder may also be required to restore the public right-of-way to current local, state or federal standards through the issuance of an A or B Permit.

Once the right-of-way has been restored to the satisfaction of the City Engineer, BOE will issue the permit holder a letter stating the permit is no longer valid. This revocation letter will be required when the property owner wants to clear from the land title the Waiver of Damage that was recorded with the County of Los Angeles. The property owner is responsible for clearing the Waiver of Damages, not the tenant.

Fees. There is no fee collected from the permittee for revocation or cancellation of a Sidewalk Dining R-Permit.

**CRITICAL RISK FACTORS
EMPLOYEE HEALTH, HYGIENE & KNOWLEDGE**

1a. Demonstration of knowledge

This subcategory is marked MINOR when the Person in Charge (PIC) is not able to demonstrate food safety knowledge, practice, and principles applicable to their assigned duties [i.e., employee washing the utensils does not know the procedure for manually washing, rinsing, and sanitizing dishes or Certified Food Protection Manager (CFPM) does not know when to exclude ill employees.]

California Retail Food Code, Section: 113947

1b. Food safety certification

This subcategory is marked MINOR when violations are observed:

No one at the facility possesses a valid Certified Food Protection Manager (CFPM) certificate and one of the following occurred more than 60 days prior: The prior CFPM left employment; the facility experienced a change of ownership; or the facility began operation.

One or more food employees lack a valid food handler card and the employee(s) began employment more than 30 days prior.

N/O - This subcategory is marked N/O either if there is no Certified Food Protection Manager and 60 days have not elapsed or a food employee lacks a food handler card and 30 days have not elapsed.

California Retail Food Code, Sections: 113947.1, 113948

2. Communicable disease; reporting, restrictions, and exclusions

This subcategory is marked MAJOR when:

The Person In Charge (PIC) is aware of a food employee who has been diagnosed with an "illness" as listed in Section 113949.1 and has not notified the enforcement agency.

The PIC is aware that two or more food employees are concurrently experiencing symptoms associated with an acute gastrointestinal illness and has not reported it to the local enforcement agency.

The PIC has not excluded a food employee with an "illness" as required.

The PIC has been made aware of a food employee who is suffering from an acute gastrointestinal illness and has not restricted the duties of the food employee.

The PIC removes a restriction of a food employee before resolution of symptoms of acute gastrointestinal illness.

- The PIC removes exclusion of food employee prior to receiving clearance.
 - A food employee does not inform the PIC of a lesion or wound on their hand that is exposed and not properly protected with an impermeable cover and single use glove. "Illness" includes Salmonella typhi, Salmonella spp., Entamoeba histolytica, Enterohemorrhagic or shiga toxin producing Escherichia coli, Hepatitis A virus, Norovirus, or other communicable diseases that are transmissible through food.
- Additional Violations:

Contamination of food by an infected food employee will result in disposal of the food and be marked in subcategory #13 (Food in good condition, safe and unadulterated).

Contamination of food-contact surfaces by an infected food employee is also marked in subcategory

#14 (Food-contact surfaces: clean and sanitized).

NOTE: A food employee is required to report to the PIC when he/she has been diagnosed with an "illness" or has an open lesion on the hands, wrists, or exposed portion of the arms. The food facility may be closed until, in the opinion of the Enforcement Agency, identified danger of disease outbreak has been addressed.

California Retail Food Code, Sections: 113949.1, 113949.2, 113949.5, 113950, 113950.5, 113973(a), 113975

3. No discharge from eyes, nose, and mouth. This subcategory will be marked MINOR if the following violation is observed:

Food employee is experiencing persistent sneezing, coughing, or runny nose that is associated with discharges from the eyes, nose or mouth that cannot be controlled by medication and the employee is working with exposed food, clean equipment, clean utensils, or clean linen. N/O - This item is marked N/O for food facilities only in the RARE case when there are no food employees present at the time of inspection.

Additional Violations:

Contamination of food by a food employee that is experiencing persistent sneezing, coughing, or runny nose that is associated with discharges from the eyes, nose, or mouth will result in disposal of the food and be marked in subcategory #13 (Food in good condition, safe and unadulterated).

Contamination of food-contact surfaces by a food employee that is experiencing persistent sneezing, coughing, or runny nose that is associated with discharges from the eyes, nose, or mouth is also marked in subcategory #14 (Food-contact surfaces: clean and sanitized). California Retail Food Code, Section: 113974

4. Proper eating, drinking or tobacco use

This subcategory will be marked MINOR if any of the following violations are observed:

A food employee eating in the food preparation area rather than the employee break room.

A food employee drinking from an open cup in the food preparation area.

A food employee chewing tobacco while preparing food and expectorating into nearby cup.

A waitress eating at a serving station.

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

N/O - This subcategory is marked N/O for retail operations only in the RARE case when there are no food employees present at the time of inspection.

NOTE: A food employee may drink from a closed beverage container if the container is handled to prevent contamination of employee's hands, the container, non-prepackaged food, and food-contact surfaces. In general, an employee beverage container should not be placed on or directly above a food-contact surface.

California Retail Food Code, Section: 113977

If no water is available, subcategory #21a is marked and 7 additional points will be deducted for no water available . (CLOSURE)

If a warewashing sink is missing, in disrepair/non-functional, or clogged but an approved alternate method of cleaning and sanitizing is available (e.g., mechanical warewasher), ONLY subcategory #34 (Warewash facilities: installed, maintained, used; test equipment), or #21a (Hot water available) is marked as appropriate.

Water temperature throughout the facility measured between 110°F-119°F subcategory #21a will be marked ONLY. (Hot available-Minor)

California Retail Food Code, Sections: 113984(e), 114097, 114099, 114099.1, 114099.2, 114099.4, 114099.6, 114099.7, 114101, 114105, 114109, 114111, 114113, 114115, 114117, 114118, 114125(b), 114141

FOOD FROM APPROVED SOURCES

15. Food obtained from approved source

A food employee not washing their hands after sneezing, coughing, eating, drinking, or using tobacco products and either puts on gloves for working with food or resumes preparing food.

A food employee with an open wound/lesion not wearing an impermeable cover and gloves for lesions at the hand or wrist, or an impermeable cover for lesions at the arms.

A food employee washing hands while wearing single-use gloves or donning previously worn single-use gloves.

This subcategory is marked MINOR if any of the following violations are observed:

A food employee not minimizing bare hand contact with exposed food that is not in ready-to-eat form by using utensils, tongs, forks, or gloves.

A food employee handling non-ready-to-eat food not wearing gloves while he/she has artificial nails, nail polish and/or rings (other than plain band).

Food employee washing hands for less than 10 seconds.

Food employees handling non-ready-to-eat food with fingernails that are not trimmed, cleanable, and smooth.

- Employee re-using single use gloves.
- Food employee washing hands with cold water (less than 100°F).
- Employee washing hands in an unapproved sink (i.e., food preparation/ janitorial/warewashing sink).**

N/O - This subcategory is marked N/O for retail operations only in the RARE case when there are no food employees present at the time of inspection.

Additional Violations:

- Contamination of food by a food employee that has open lesions will result in disposal of the food and will be marked in subcategory #13 (Food in good condition, safe and unadulterated).
- Contamination of a food-contact surface by a food employee that has open lesions is also marked in subcategory #14 (Food-contact surfaces: clean and sanitized).
- When a food employee with an open wound or lesion on a hand or arm without a glove does not inform

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked. the PIC of the condition, subcategory #2 (Communicable disease; reporting, restrictions & exclusions) is marked. Exception:

- Food employees in a pre-packaged food facility are unable to wash their hands due to the lack of soap or paper towels, and hand washing supplies are not available by the end of the inspection is only marked in subcategory #6 (Adequate handwashing facilities; supplied accessible).

California Retail Food Code, Sections: 113952, 113953.1, 113953.3, 113953.4, 113961, 113967, 113968, 113973(b-f)

6. Adequate handwashing facilities; supplied and accessible

This subcategory is marked MINOR if any of the following violations are observed:

- Empty or missing soap or towel dispenser.
- Use of bar soap or cloth towels.
- No soap or towels are available on the premises, but are provided by the end of inspection.
- Lack of handwashing supplies on the premises of a pre-packaged food facility.
- Lack of handwashing sinks that are sufficient in number and conveniently located in a food preparation area or warewashing area (if facility was constructed after January 1, 1996).
- Handwashing sink is not separated from a warewashing sink by a six (6) inch high metal splashguard or twenty four (24) inch separation.
- Obstructed, inaccessible, improper use of, or unclean handwashing sink.
- Non-functional heated-air hand drying device.
- Non-functional soap and/or towel dispenser.

Exception:

- If soap or paper towels are not available on the premises and are not provided by the end of inspection, subcategory #5 (Hands clean and properly washed; proper glove use) is marked. (CLOSURE)**

California Retail Food Code, Sections: 113953, 113953.1, 113953.2, 114067(f)

TIME AND TEMPERATURE RELATIONSHIP

7. Proper hot and cold holding temperatures

This subcategory is marked MAJOR if any of the following violations are observed:

- Multiple servings of PHF in hot or cold holding equipment held in the range of 50°F – 130°F.
- Multiple PHF found in the range of 50°F – 130°F exceeding 2 hour preparation time.
- Multiple PHF found in the range of 50°F – 130°F exceeding 30 minute transport to the facility.
- During thawing process, PHF in the range of 50°F – 130°F in excess of 2 hours.
- Pooled eggs held at temperatures of 50°F – 130°F that has exceeded the 2 hour limit for food preparation.
- Korean rice cake found in the range of 50°F – 130°F AND has exceeded the 24 hour time period, or is missing the required label/label information.
- Asian rice-based noodle found in the range of 50°F – 130°F AND has exceeded the 4 hour time period. or is missing the required label/label information.

If two (2) or more major critical risk violations are marked, an additional three (3) points will deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

5 This subcategory is marked MINOR if any of the following violations are observed:

- Multiple servings of PHF holding in the range of 131°F – 134°F in hot holding equipment.**
- Multiple servings of PHF holding in the range of 42°F/46°F – 49°F in a refrigeration unit.**
- Multiple servings of PHF held at room temperature exceeding two hours preparation time and are in the range of 42°F – 49°F or 131°F – 134°F.**
- During the thawing process, multiple servings of PHF in the range of 42°F – 49°F in excess of 2 hours**
- Previously refrigerated raw shell eggs stored at 46°F – 134°F.**
- Raw shell eggs held at room temperature past 2 hours for preparation at the grill line.**

Additional Violations:

- Faulty equipment causes PHF to be out of temperature, subcategory #35 (Equipment/utensils approved; installed; good repair; capacity) is also marked.

NOTE: Items in salad bars and serving lines is held at 41°F - 45°F if disposed of after 12 hours. Pasteurized milk products in original sealed containers, raw shell eggs, and unshucked live molluscan shellfish is held at 45°F or less. A roast, cooked per 114004(b), is held at 130°F.

California Retail Food Code, Sections: 113996, 113998, 114037, 114343(a)

8. Time as a public health control; procedures & records

This subcategory is marked MAJOR if the following violation is observed:

Time marked on food has been exceeded. (Dispose the food)

Time as a public health control is used for food but the food has not been marked or otherwise identified

and the food has been out of temperature control for less than four (4) hours. (Dispose of the food). This subcategory is marked MINOR if any of the following violations are observed:

A written procedure is not maintained and available for food that has been time marked and is within the 4. hours period when using time as a public health control.

NOTE: Time as a public health control cannot be used for raw eggs in a licensed health facility or in a public or private school.

California Retail Food Code, Section: 114000

9. Proper cooling methods

This subcategory is marked MAJOR when:

PHF is not cooled rapidly from 135°F to 70°F within two (2) hours (e.g., pot of cooked beans found at 90°F cooling for >2 hours using approved or unapproved method).

PHF is not cooled from 70°F to 41°F within 4 hours (e.g., roast found at 60°F cooling for >6 hours using approved or unapproved method).

After heating or hot holding, potentially hazardous food is not cooled rapidly from 135°F to 41°F or below. within six (6) hours.

PHF is not cooled within 4 hours to 41°F if prepared from ingredients at ambient temperature.

Deliveries of PHF not cooled to below 41°F within 4 hours if received between 41°F to 45°F.

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

6 If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

This subcategory is marked MINOR if the following violation is observed:

PHF is cooling in an unapproved method but is still within time & temperature parameters.

Additional Violation:

Faulty equipment results in a cooling violation, subcategory #35 (Equipment/utensil-approved; installed; clean; good repair; capacity) is also marked.

California Retail Food Code, Sections: 114002, 114002.1

10. Proper cooking time and temperature

This subcategory is marked MAJOR if the following violation is observed:

[?][?][?][?][?][?][?][?][?] Cooking process did not meet required cooking temperatures (i.e., cooked fruits and vegetables for hot holding: 135°F; eggs prepared for immediate service, fish, single pieces of meat: 145°F; comminuted meats, ratites, eggs prepared from pooled eggs or for hot holding: 155°F; poultry, comminuted poultry, stuffed meats, stuffing containing meats: 165°F) and an employee attempts to serve the product without returning the product to the cooking process.

Additional Violation:

[?] A food facility intentionally undercooks meat or eggs, and fails to disclose that fact, subcategory

#19 (Consumer advisory provided for raw/undercook food) is also marked.

NOTE: Foods prepared for immediate service in response to an individual customer order may be served at any temperature.

California Retail Food Code, Sections: 114004, 114008, 114010

11. Proper reheating procedures for hot holding

This subcategory is marked MAJOR if any of the following violations are observed:

[?] PHF is not rapidly reheated within 2 hours to 165°F for 15 seconds for hot holding such as re-heating in a steam table (e.g., previously cooked and cooled stew being reheated for hot holding has exceeded the 2 hour time limit without reaching a minimum internal temperature of 165°F for 15 seconds).

[?] PHF is reheated in a microwave to 165°F and the food is not rotated or stirred, covered, and not allowed to stand covered for two minutes after reheating.

[?] Commercially processed ready-to-eat PHF is not reheated to 135°F or above within 2 hours for hot holding.

[?] Remaining unsliced portions of roasts are not reheated for hot holding to the required minimum temperature.

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

NOTE:

individual consumer order may be served at any temperature.

Cooked and refrigerated food that is prepared for immediate service in response to an

7. If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

California Retail Food Code, Sections: 114014, 114016

PROTECTION FROM CONTAMINATION

12. Returned and re-service of food

This subcategory is marked MINOR if any of the following violations are observed:

- Re-served tortilla chips, salsa, or unpackaged bread.
- Popcorn, nuts, or snack mix left on bar for communal service.
- Previously served steamed rice used in the preparation of fried rice.

NOTE: A container of food that is not potentially hazardous is transferred from one consumer to another if the food is dispensed so that it is protected from contamination and the container is closed between uses, e.g., a narrow-neck bottle containing ketchup, steak sauce, or wine, or if the food, such as crackers, salt, or pepper, is in an unopened original package and is maintained in sound condition, and if the food is checked on a regular basis.

California Retail Food Code, Section: 114079

13. Food in good condition, safe and unadulterated

This subcategory is marked MAJOR if any of the following violations are observed:

- A food employee contaminates food by any intentional or unintentional act.
- Sulfites added to potentially hazardous food or fresh fruits/vegetables for raw consumption.
- A foreign object is found in food product (e.g., glass, Band-Aid).
- Rodent, cockroach, or fly adulterated food products.
- Open food products stored inside and in direct contact with the handwashing/ janitorial sink.**
- A food employee using a utensil to taste food more than once without utensil being properly washed,**
rinsed and sanitized between uses.
- A food employee with illness or open lesion on hands or arm touching food items/ preparing food.
- Raw oysters from the Gulf of Mexico are offered for sale during the period from April 1st – October 31st
and the oysters have not been treated to reduce pathogenic bacteria.
- Refrigerator condensate leaking into open pan of ready-to-eat food.
- Re-using a chemical container for food storage.
- Food on floor in contact with overflowing sewage or waste water.**
- Washing hands over defrosting meat.
- Ground sirloin/round/hamburger exceeds 30% fat content/ground chuck exceeds 26% fat content/ground pork exceeds 50% fat content.**
- Acidic foods capable of leaching found stored in lead glazed containers.
- Food prepared using reduced oxygen packaging (ROP) (Other than for immediate cooking and removal from the package) and the facility does not have or is not adhering to an approved HACCP plan.
- Washing produce in a warewashing compartment without first washing and sanitizing the compartment.
- Numerous shell eggs are broken, unclean, or do not meet Grade B standards.
- Ice that has been used for cooling the exterior surfaces of food such as melon or fish, canned beverages, or equipment and is used as food.**
- Food cans leaking or swelling.**

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

This subcategory is marked MINOR if any of the following violations are observed:

- Meat, fish, or poultry products that have the appearance of spoilage.
- Linen used as lining in the bread basket is not changed between customers.
- PHF in reduced oxygen package exceeds a "use by" date.
- Infant formula or baby food exceeds "sell by" date.
- Food infesting insects (e.g., beetles, moths, larvae), ants, gnats in food.
- Fruit flies in liquor bottle.
- Condensate from refrigerator dripping onto raw meat/poultry.
- Lining food containers with newspaper.
- Food not inspected upon receipt (as soon as practical) and prior to any use, storage or resale.
- Ingredients containing trans-fat stored onsite but not used in food preparation.
- Serving foods with artificial trans-fat greater than 0.5 grams per serving.

Additional Violations:

- Operating without an approved HACCP plan is also marked in subcategory #18 (Compliance with variance, specialized processes & HACCP).
- Storing food in unapproved containers (such as lead glazed containers) is also marked in subcategory #35 (Equipment/utensil-approved; installed; clean; good repair; capacity).

NOTE:

- o Spoilage is a naturally occurring process that changes the characteristics (e.g., fragrance, taste, texture, and appearance) of the food by natural organisms rendering the food unfit for consumption.
- o Sell by or expiration dates of food products, other than infant formula or baby food, are not enforced by this Department and are not marked in any subcategory. Instead, the EHS will recommend that the owner/operator discontinue the sale of the food based on the expiration date.
- o Foods found containing artificial trans-fat of 0.5 grams/serving or more will be red tagged and an Office Hearing will be issued.

California Retail Food Code, Sections: 113967, 113976, 113980, 113988, 113990, 114035, 114041, 114041(a), 114254.3, 114377; California Code of Regulations, Title 17, Section 13675

14. Food-contact surfaces: clean and sanitized

This subcategory is marked MAJOR if any of the following violations are observed: Food-contact Surfaces

- Failure to clean and sanitize food-contact surfaces every four hours or as required when changing from raw food of animal origin to ready to eat food, between species of raw food of animal origin, between unwashed produce and PHF.**

- Food in direct contact with dirty equipment.
- A food employee with illness, or open lesion on hands or arm touching food-contact surfaces.
- Sanitizer level is not detectible or below 50 ppm for Chlorine or below 100 ppm for Quaternary Ammonia in bucket used to store wiping cloths.**
- Contamination of food-contact surfaces by soiled wiping cloth.**
- A non-food grade lubricant used on food-contact surfaces of equipment.

Manual Warewashing

- Warewashing sink is missing, non-functional, or clogged and no other approved means of cleaning and sanitizing is available.**

(CLOSURE)

- During active manual warewashing, water temperature in the 1st compartment is below 100°F, or temperature specified by the detergent manufacturer on the instruction label.
- Sanitizer level is not detectible or below 50 ppm for Chlorine or below 100 ppm for Quaternary Ammonia 9

during active manual warewashing.

- Sanitizing rinse for manual heat sanitizing measures below 171°F.**
- No approved detergent-sanitizer used during warewashing at a two-compartment sink.**

Mechanical Warewashing

- Sanitizer level in the final sanitizing rinse is below 50 ppm for Chlorine, below 100 ppm for Quaternary Ammonia, or below required concentration as indicated on the manufacturer's data plate during active mechanical warewashing.
- Utensil temperature at a heat sanitizing mechanical warewasher measures below 154°F during active warewashing.

This subcategory is marked MINOR if any of the following violations are observed:

Food-Contact Surfaces

- Food-contact surface that does not contact PHF (i.e. soda dispenser nozzle) is not cleaned and sanitized as required.**
- Returned empty containers intended for refilling with food or beverages are not cleaned prior to being refilled.**
- Sanitizer level is above 50 ppm but below 100 ppm for Chlorine or above 100 ppm but below 200 ppm for Quaternary Ammonia in bucket used to store wiping cloths.**

Equipment and utensils are not allowed to adequately drain or air dry before reuse. Manual Warewashing

Sanitizer level is above 50 ppm but below 100 ppm for Chlorine or above 100 ppm but below 200 ppm for Quaternary Ammonia during active manual warewashing.

Sanitizer for manual warewashing is unavailable but obtained at the end of inspection (no active warewashing at time of observation).

Inadequate contact time with an approved sanitizer (Chlorine = 30 seconds, quaternary ammonia = 1 minute, hot water = 30 seconds).

Mechanical Warewashing

Utensils are not properly scraped or flushed of food debris, pre-soaked or scrubbed as necessary.

During active mechanical warewashing the water temperature at a heat sanitizing mechanical

warewasher measures between 155°F - 159°F and can be readily adjusted at time of inspection.

N/O - This item is marked N/O if there is no cleaning and sanitizing operations taking place at the time of inspection. However, the EHS should ask how food-contact surfaces are cleaned and sanitized to ensure they are using appropriate methods.

Additional Violations:

During active warewashing a mechanical warewashing machine cannot be readily adjusted to effectively sanitize (ppm of chemical/contact time/temperature), subcategory #34 (Warewash facilities: installed, maintained, used; test equipment) is also marked.

A food employee who has been diagnosed with an illness or has an open lesion on the hands/wrist/portion of arms exposed is in food prep area, subcategory #2 (Communicable disease, reporting restriction & exclusions) is also marked.

Exceptions:

When excessive sanitizer level is observed (sanitizer level is above 200 ppm for Chlorine or 400 ppm for Quaternary Ammonia), subcategory #34 (Warewash facilities: installed, maintained, used; test equipment) is marked.

While there is no active warewashing, the mechanical warewashing machine is tested and found to be non-functional or does not effectively sanitize, and an approved alternate method of sanitizing is

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

10. available, ONLY subcategory #34 (Warewash facilities: installed, maintained, used; test equipment) is marked.

If no water is available, subcategory #21a is marked and 7 additional points will be deducted for no water available . (CLOSURE)

If a warewashing sink is missing, in disrepair/non-functional, or clogged but an approved alternate method of cleaning and sanitizing is available (e.g., mechanical warewasher), ONLY subcategory #34 (Warewash facilities: installed, maintained, used; test equipment), or #21a (Hot water available) is marked as appropriate.

Water temperature throughout the facility measured between 110°F-119°F subcategory #21a will be marked ONLY. (Hot available-Minor)

California Retail Food Code, Sections: 113984(e), 114097, 114099, 114099.1, 114099.2, 114099.4, 114099.6, 114099.7, 114101, 114105, 114109, 114111, 114113, 114115, 114117, 114118, 114125(b), 114141

FOOD FROM APPROVED SOURCES

15. Food obtained from approved source

This subcategory is marked MAJOR if any of the following violations are observed:

PHF or ice is not from an approved food source, such as meat or cheese tamales that were prepared in a private home.

Molluscan shellfish are not received from source listed in the Interstate Certified Shellfish Shippers list.

A game animal from an unapproved source, and/or listed in 50 CFR 17 Endangered and Threatened

Wildlife and Plants, is sold/served at a food facility.

Liquid, frozen and dry egg products are not obtained pasteurized.

Frozen milk products, such as ice cream, are not pasteurized.

Fish is not commercially and legally caught or harvested.

Food served was prepared at another retail food facility (not a wholesale facility).

Prepared food is served but there is no cooking equipment on the premises.

Retail food facility manufacturing yogurt/ice cream without required State Dairy Service approval.

Invoices for PHFs suspected of being from an unapproved source are not available on site.

This subcategory is marked MINOR if any of the following violations are observed:

Home grown produce used/offered for sale at the food facility.

Chocolate chip cookies baked in a private home that is not a Class B Cottage Food Operation.

Cottage food product from a Cottage Food Operation permitted outside of Los Angeles County is offered for sale.

Invoices for non-PHF suspected of being from an unapproved source are not available on site.

NOTE: When invoice copies are not available to verify the source of the PHF item during the inspection, subcategory #15 (Food obtained from approved source) is marked and the food item is be red tagged, and an Office Hearing notice is issued. If the source cannot be verified at the Office Hearing, then the food is disposed.

California Retail Food Code, Sections: 113758, 113980, 114021, 114023, 114024, 114025, 114027, 114029, 114031, 114035, 114041(b), 114089

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

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16. Compliance with shell stock tags, condition, display

This subcategory is marked MINOR if any of the following violations are observed:

Identity of shell stock is not maintained after removal from original container by: (1) failing to keep records, (2) commingling shell stock, (3) repackaging shell stock without shell stock tag or approved labeling.

Molluscan shellfish life support system display tanks are operated in a manner that allows water used for other fish to flow into the tank or the safety of the shellfish as they are received is compromised by use of the tank.

Shell stock is not obtained with proper tags or labels.

Shell stock received is not discarded when they are not reasonably free of mud, dead shellfish, or broken shells.

Shell stock tags/labels are not maintained in chronological order.

California Retail Food Code, Sections: 114039, 114039.1, 114039.2, 114039.3, 114039.4, 114039.5

17. Compliance with Gulf Oyster Regulations

This subcategory is marked MINOR if any of the following violations are observed:

Raw Gulf Oysters are offered for sale, without evidence of approved treatment, between the months of April – October 31.

Raw Gulf Oyster warning signs are not posted for untreated oysters between the months of November 1

– March 31 (Title 17 CCR 13675).

Required warning signs do not conform to size/language specifications.

California Retail Food Code, Sections: 113707, 114090; Title 17 CA Code of Regulations § 13675 ADDITIONAL CRITICAL RISK FACTORS

18. Compliance with variance, specialized processes & HACCP

This subcategory is marked MINOR if any of the following violations are observed:

A food facility operator did not submit a HACCP plan for approval by the enforcement agency for smoking, curing, using vinegar or other additives for food preservation, custom slaughtering, or for a molluscan shellfish tank.

An operator does not have a HACCP plan approved by the California Department of Public Health for the use of reduced oxygen packaging, other than for immediate packaging, cooking, and removal of the cooked product from the package.

An operator violates the conditions of a variance or HACCP plan.

The facility is not able to provide variance documentation to support the use of alternative practices or procedure.

If the facility that utilizes a HACCP plan is unable to provide the required documentation.

A satellite food facility is operating without enforcement agency approved written standard operating procedures.

N/A - This item is marked N/A if the facility is not required by the regulatory authority to have a variance or HACCP plan.

California Retail Food Code, Sections: 114039.5, 114057, 114057.1, 114067, 114417-114417.7, 114419- 114423

19. Consumer advisory provided for raw/undercook food

This subcategory is marked MINOR if any of the following violations are observed: 12

Pasteurized eggs or pasteurized egg products are not substituted for raw shell eggs in food such as Caesar salad dressing or hollandaise sauce and no consumer warning is provided.

If the food facility serves raw or undercooked food and fails to provide an advisory (orally or in writing) that a food item is being served less than thoroughly cooked (i.e., hamburgers are routinely and/or intentionally served medium rare without notifying the consumer).

Exceptions: When a confectionary contains more than 1/2% alcohol without a prominently displayed warning, subcategory #32 (Food properly labeled & honestly presented) shall be marked.

N/A - This subcategory is marked N/A when the food facility does not serve raw/undercooked animal foods and confectionaries containing alcohol in excess of 1/2% by weight.

N/O - This subcategory is marked N/O when the EHS is unable to determine if the required verbal consumer advisory was provided routinely.

California Retail Food Code, Sections: 114012, 114093

20. Licensed health care facilities, public & private schools: prohibited foods not offered
This subcategory is marked MAJOR if any of the following violations are observed:

Juice, fluid milk or dry milk is served unpasteurized at a school cafeteria.

A school is serving hamburgers medium rare.

Raw seed sprouts served at a private/public school.

Multiple servings of scrambled eggs made from unpasteurized eggs.

Fish is served raw or undercooked, such as sushi or seared ahi tuna.

N/A - This subcategory is marked N/A at other than licensed health care facilities, public schools or private schools.

California Retail Food Code, Section: 114091

21a. Hot water available

This subcategory is marked MAJOR if any of the following violations are observed:

Water temperature measures less than 100°F ONLY at the faucet of the warewashing sink.

Water is measured <100°F throughout the food facility. (CLOSURE)

Water temperature is measured <100°F throughout the facility, however it is restored between 100-119°F

by the end of the inspection, facility is given 24 hours to correct the violation.

Delicatessen inside a food market has water at less than 100°F, discontinue operation of delicatessen.

Temperature of water at handwash sink is not adjustable and exceeds 108°F.

This subcategory is marked MINOR if any of the following violations are observed:

Water throughout the restaurant is measured at 100°F - 119°F. (24 hours to abate)

Unable to provide hot water at the janitorial sink at a temperature at or above 100°F.

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If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

Lack of warm water (100°F) at a handwashing sink.

Water is less than 100°F at a pre-packaged food facility (24 hours to abate).

Pre-packaged food facilities

do not require water temperature at 120°F

NOTE:

o A retail food market less than 6000 square feet in size may have multiple departments operating within the facility under one public health permit (e.g., delicatessen, meat market, or bakery). If one of the departments is found to be lacking potable or hot water, that department must discontinue operation until water is restored.

o A food facility may provide only warm water if the water supply is used solely for **handwashing as required by section 113953.**

California Retail Food Code, Section: 113941, 113953(c), 114099.2 (b), 114189, 114192, 114192.1, 114195

21b. Water available

This subcategory is marked MAJOR if any of the following violations are observed:

The water supply is contaminated or unapproved. (CLOSURE)

No adequate, protected, pressurized, potable water is available to the facility. (CLOSURE)

NOTE:

o A retail food market less than 6000 square feet in size may have multiple departments operating within the facility under one public health permit (e.g., delicatessen, meat market, or bakery). If one of the departments is found to be lacking potable or hot water, that department must discontinue operation until water is restored.

California Retail Food Code, Section: 113941, 113953(c), 114099.2 (b), 114189, 114192, 114192.1, 114195

22. Sewage and wastewater properly disposed

This subcategory is marked MAJOR if any of the following violations are observed:

Overflow or backup of floor sinks/drains of sewage/wastewater onto floors in the food preparation areas.

(CLOSURE)

Overflowing or clogged grease trap/interceptor. (CLOSURE)

Open sewer line discharging to the outside of the facility. (CLOSURE)

Lack of operable toilet facilities. (CLOSURE)

This subcategory is marked MINOR if any of the following violations are observed:

Floor sinks clogged with standing water but sewage not backing up.

Liquid waste (not sewage) is not disposed of through the approved plumbing system or does not

discharge into the public sewer system or an approved private disposal system.

Mop bucket is emptied outside back door of facility.

If a facility's permit is suspended for no water available, sewage, and/or vermin infestation, eleven (11) points will be deducted for each of the specified closure types marked.

If a facility's permit is suspended for no water available, sewage, and/or vermin infestation, eleven (11) points will be deducted for each of the specified closure types marked.

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Additional Violations:

Sewage observed on floors is also marked in subcategory #44 (Floors, walls, and ceiling: built, maintained and clean).

Sewage observed on non-food contact surface is marked in subcategory #33 (Nonfood contact surfaces clean).

Sewage observed on food-contact surface is marked in subcategory #14 (Food contact surfaces: clean and sanitized).

Sewage observed on food is marked in subcategory #13 (Food in good condition, safe and unadulterated).

Exceptions:

A drain line from a walk-in refrigerator which drains onto the ground outside of the facility will be marked only in subcategory #40 (Plumbing: fixtures, backflow devices, drainage).

California Retail Food Code, Sections: 114123, 114197, 114250, 114276

23. No insects, rodents, birds or animals present

This subcategory is marked MAJOR if any of the following violations are observed:

A rodent infestation as evidenced by any of the following: fresh droppings, gnaw marks, nesting materials, grease marks, live or dead rodents in the food preparation, food storage, warewashing areas; indoor customer dining area; or in the restroom. (CLOSURE)

A cockroach infestation as evidenced by one or more live cockroaches in the food preparation, food storage, warewashing, indoor customer dining area, or restrooms. (CLOSURE)

Fly infestation as evidenced by numerous flies in food preparation areas contacting food, food-contact surfaces or both. (CLOSURE)

This subcategory is marked MINOR if any of the following violations are observed:

A food employee caring for or handling animal(s) that is present, such as patrol dogs, service animals, or

pets, in areas that are used for food preparation, storage, or display.

Old rodent droppings with no evidence of active infestation.

One live cockroach with no other evidence of an infestation.

Cockroaches in a utility room with no immediate risk to the public's health and safety.

Old dead cockroaches and/or fecal spots with no evidence of active infestation.

An active infestation at exterior trash area or exterior dining area.

Customer's pet allowed inside the food facility.

A few flies in the food preparation area.

Flies in a pre-packaged food facility.

Flies in the delivery staging area only.

Gnats in the warewashing area or around floor sink.

? Ants found in the kitchen.

? Multiuse customer utensils used for animal(s).

Additional Violations:

? If food is adulterated by insects, rodents, cockroaches, or fecal waste subcategory #13 (Food in good condition, safe and unadulterated) is also marked.

? If food-contact surfaces are contaminated by insects, rodents, cockroaches or fecal waste subcategory #14 (Food-contact surfaces: clean and sanitized) is also marked.

? If non-food contact surfaces are contaminated by insects, rodents, cockroaches or fecal waste subcategory #33 (Nonfood contact surfaces clean) is also marked.

If a facility's permit is suspended for no water available, sewage, and/or vermin infestation, eleven (11) points will be deducted for each of the specified closure types marked.

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Exception:

? Vermin proofing violations, such as a door with a gap greater than 1/4" is only marked in subcategory #43 (Premises; personal/cleaning items; vermin proofing).

California Retail Food Code, Sections: 114259, 114259.1, 114259.4, 114259.5

GOOD RETAIL PRACTICES

SUPERVISION

24. Person in charge present and performs duties

This subcategory is marked OUT if any of the following violations are observed:

? A Person In Charge (PIC) is not present during operation hours.

? Customer allowed access through the food preparation area or warewashing area where there is not at least 3 feet of clearly delineated space or a rail at least 3 feet high.

? Customers not notified that clean tableware is to be used when they return to self-service areas (e.g., salad bars).

NOTE: The permit holder or a person designated by the permit holder is the PIC. The PIC does not have to be the certified food protection manager.

California Retail Food Code, Sections: 113945, 113945.1, 113984.1, 114075

25. Personal cleanliness and hair restraints

This is marked OUT if any of the following violations are observed:

? Food employee preparing, serving, handling food or clean utensils without wearing hair restraints.

? Food employee working with soiled outer garments.

? Food employee working without adequate clothing to protect food, clean equipment, utensils, or linen.

NOTE: There are three different requirements regarding hair restraints:

1. Food employees such as chefs or cooks actively involved in food preparation are required to restrain AND cover their hair (e.g., hats, hair nets).

2. Employees who have limited contact with open foods are only required to restrain their hair (e.g., pony tail, hair pulled back from face and off shoulders).

3. Employees with no visible hair, or who only serve wrapped/prepackaged foods do not require a hair restraint or cover.

California Retail Food Code, Sections: 113969, 113971

26. Approved thawing methods used, frozen food

This subcategory is marked OUT if any of the following violations are observed:

PHF thawing using an unapproved method

Frozen foods displayed for sale are thawing in a display case

Additional Violation:

Problems with a freezer that causes thawing is also marked in subcategory #35

(Equipment/utensils-

approved; installed; clean; good repair; capacity)

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Exceptions:

When improper thawing methods or excessive thawing time causes PHF to be in the temperature danger zone, ONLY subcategory #7 (Proper hot and cold holding temperatures) is marked.

NOTE: Frozen foods shall be removed from their packaging when thawed under running water. California Retail Food Code, Sections: 114018, 114020, 114020

27. Food separated and protected

This subcategory is marked OUT if any of the following violations are observed:

Raw food of animal origin is stored above ready-to-eat food (e.g., produce).

Food is being thawed, washed, sliced or cooled in an unenclosed, unapproved facility or overhead protection is not provided where required (i.e., outdoor food displays, vending machines, or satellite food service operations).

Food displayed without a sneeze guard or the sneeze guard is inadequate to protect food.

Ice machine/refrigeration unit located in hallway with contents accessible to consumers.

Badly dented cans, particularly with severe dents on can seams.

The open-air barbecue or outdoor wood burning oven is not separated from public access to prevent food contamination or injury to public.

During non-operating hours and periods of inclement weather, satellite food service operations or outdoor

displays are not fully enclosed; or food, food-contact surfaces, and utensils are not stored inside a fully

enclosed permanent food facility.

Food products held for return to distributors are not separated and stored in a manner that prevents adulteration of other foods or contributes to a vermin problem.

Food stored in ice or water was subject to the entry of water because of nature of the packaging, wrapping, or container, or the positioning in the ice or water.

NOTE: This section addresses preventive measures ONLY. Actual contamination of food is marked in subcategory #13 (Food in good condition, safe and unadulterated)

California Retail Food Code, Sections: 113984(a,b,c,d,e), 113986, 114047, 114055, 114060, 114067(d,e,j), 114069(a,b), 114073, 114077, 114089.1(c), 114143(c), 114145(g)

28. Washing fruits and vegetables

This subcategory is marked OUT if the following violation is observed:

Raw whole produce has not been washed prior to being cut, combined with other ingredients, cooked, served, or offered for customer consumption in ready-to-eat form. California Retail Food Code, Section: 113992

29. Toxic substances properly identified, stored and used

This subcategory is marked OUT if any of the following violations are observed:

Employee applying unapproved (e.g., household use only) insecticide, pesticide, or rodenticide inside food facility.

Chemical container without a label identifying the contents.

A chemical container is stored where it may result in contamination of food, utensils, or food-contact surfaces, such as detergent above the drain board of a warewashing sink where clean utensils are allowed to dry.

Sanitizer bucket stored on top of food preparation surface.

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Additional Violations:

Food-contact surfaces that have been contaminated by hazardous materials or chemicals is also marked in subcategory #14 (Food-contact surfaces: clean and sanitized).

California Retail Food Code, Sections: 114254, 114254.1, 114254.2

FOOD STORAGE/DISPLAY/SERVICE

30. Food storage; food storage containers identified

This subcategory is marked OUT if any of the following violations are observed:

Working food containers, such as those located at the rear storage area, are missing labels that identify the food by common name (except food that can be easily identified, such as rice or pasta).

Food stored in an unapproved area (e.g., outside, cargo containers, toilet room or locker room).

Containers of food stored on the warewashing sink drain board.

Double-stacking food inside the refrigerator without adequate protection of the food product.

Food container that is not water-proof/rodent-proof is not stored at least 6 inches above floor surface.

Additional Violations:

Damaged food containers and unapproved containers will also be marked in subcategory #35 (Equipment/utensils-approved; installed; clean; good repair; capacity).

NOTE:

o Pressurized beverage containers, cased containers of bottles or cans, milk or other food in water proof containers, and milk containers stored in plastic crates can be stored on a clean floor.

o Food in packages and working containers can be stored less than 6 inches above the floor if stored on dollies, pallets, racks, and skids designed to be moved by hand or by conveniently available hand trucks or fork lifts.

o Working containers of bulk foods stored adjacent to the cook line and used during active food preparation DO NOT require labels.

California Retail Food Code, Sections: 114047, 114049, 114051, 114053, 114067(h), 114069(b)

31. Consumer self service

This subcategory is marked OUT if any of the following violations are observed:

A food dispensing utensil(s) is not provided for each container at buffets and salad bars.

Consumer self-service bulk beverage dispensers not properly operated and/or maintained.

Customer utensils are not protected from contamination by being individually wrapped or dispensed to avoid customer contact with any part other than the handle.

Raw, non-prepackaged food of animal origin such as lamb, beef, pork, poultry, and eviscerated fish is offered for customer self-service (Mongolian stir fry/grills are exempt).

California Retail Food Code, Sections: 114063, 114065

32. Food properly labeled & honestly presented

This subcategory is marked OUT if any of the following violations are observed:

Pre-packaged food without required labeling information: e.g., common name, name and address of

manufacturer, packer or distributor, ingredients listed in descending order of predominance by weight, and net weight of contents.

Pre-packaged food products not labeled in English.

- Bulk food containers for consumer self-service are missing required labeling information.
- Lack of “use by” date on a PHF packaged at the facility using reduced oxygen packaging.
- The fat content of ground beef exceeds the labeled percentage (e.g., 15%, 22% or 30% etc.)
- Primal cut (meat) or species (seafood) information on menu, package label, or sign card/boards is false and/or misleading.
- Pre-cooked weight of food item is less than advertised.
- Previously frozen fish is advertised as “Fresh”.
- Burrito advertised as a “1 lb.” but the product weighs 14.5 oz.
- Primal cut information missing from the label on package of cut of meat.
- Use of deceptive lighting to misrepresent freshness of meat.
- The manufacturers or food facility’s dating information on foods is concealed or altered.
- A confectionary contains more than 1/2% alcohol and is not prominently displayed or disclosed.
- CFO product is being used and not disclosed.

NOTE: Bakery products sold directly to a restaurant, catering service, retail bakery, or over the counter directly to the consumer by the manufacturer or baker distributor are exempt from labeling provisions.

California Retail Food Code, Sections: 114087, 114089, 114089.1(a,b), 114090, 114093.1, 114094, 114094.5, and the Sherman Food, Drug, and Cosmetic Law
EQUIPMENT/UTENSILS/LINEN

33. Nonfood contact surfaces clean

This subcategory is marked OUT if any of the following violations are observed:

Accumulated grease or food debris on the nonfood-contact surfaces of equipment, shelving, cabinets, or fryers.

- Accumulation of mold/mildew inside the soda gun holder.
- Dirty fan guards or door gaskets in walk-in refrigerator.
- Debris encrusted drawer used for the storage of utensils.
- Dirty shelving in refrigeration unit with no direct food contact.
- Accumulation of calcium or chemical buildup on the interior surfaces of the mechanical warewasher unit.
- Reach-in units with unclean handle or door gaskets.

Exceptions:

- Violations related to the cleaning of ventilation hoods or lights/light shields will be marked ONLY in subcategory #37(Adequate ventilation and lighting; designated areas, use).

Violations related to the cleaning of floors, walls, and ceilings, inclusive of walk-in refrigerators, will be marked ONLY in subcategory #44 (Floors, walls and ceiling: built, maintained and clean).

California Retail Food Code, Section: 114115(c)

34. Warewash facilities: installed, maintained, used; test equipment

This subcategory is marked OUT if any of the following violations are observed:

The food facility prepares food and the approved warewashing sink has been removed but there is a mechanical warewash machine available.

The sink compartments are not large enough to accommodate the largest equipment or utensil.

The warewashing sink is not cleaned and sanitized before and after each time it is used to wash wiping cloths, wash produce, or thaw food.

Warewashing sink is missing one or both drain boards.

The mechanical warewashing machine is missing one or both approved, integral metal drain

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boards attached at point of entry and exit of mechanical warewasher.

Mechanical warewashing machine is not approved, installed, or operated according to manufacturer's specifications.

The warewashing sink is used for handwashing and the facility was constructed or remodeled after January of 1996.

The sanitizing test kit is missing or the wrong type.

Sanitizer levels are found to be in excess of 200 ppm for chlorine and in excess of 400 ppm for quaternary ammonia, indicating that test strips were not used to verify sanitizer level.

The mechanical warewashing machine is tested and determined to be non-functional or does not effectively sanitize (ppm of chemical/contact time/temperature) and CAN NOT be readily adjusted at time of inspection. A three-compartment sink is available for warewashing.

Exceptions:

Produce washed in the warewashing sink without prior sanitizing is marked ONLY in subcategory #13 (Food in good condition, safe and unadulterated).

California Retail Food Code, Sections: 114067(f, g), 114099, 114099.3, 114099.5, 114101(a), 114101.1, 114101.2, 114103, 114107, 114125

35. Equipment/utensils-approved; installed; good repair; capacity

This subcategory is marked OUT if any of the following violations are observed:

Approved Equipment

All new and replacement food-related and utensil-related equipment is not certified by an ANSI accredited certification program, or if no standard exists, is not approved by the local enforcement agency.

Electrical equipment is not UL listed.

- Using domestic “household use only” utensils or equipment.
 - Using wood and/or wood wicker as a food-contact surface.
 - Using enamel/ceramic/stoneware pots or pans or lead glazed containers.
 - Unapproved use of portable propane burner.
 - Fogging device installed after July 1, 2007, using a reservoir instead of water under pressure for fogging or misting of food.
 - Copper or copper alloys are used in contact with food that has a pH below 6.0, such as vinegar, fruit juice, or wine, or for a fitting between a backflow prevention device and a carbonator.
 - Clean In Place (CIP) equipment is not self-draining or designed for effective cleaning and sanitizing.
- NOTE: Hard maple or equivalent is used for cutting boards, rolling pins, chopsticks and as specified in Section 114132 (b).

Good Repair

- Refrigeration unit not holding required temperature.**
- Non-working refrigeration unit used for storage.
- Equipment is non-functional or in disrepair.
- Cutting boards are not smooth, easily cleanable, in good repair.**
- Torn door gaskets, rusty shelves or missing fan guard in a refrigeration unit.
- Ice build-up on the condenser unit in the walk-in freezer.
- Damaged utensils (knives, spoons, colander, chipped dishes, and glassware).**
- Frayed or deteriorated fabric implements.
- Cracked/leaking condensate pan in the walk-in refrigeration unit.
- A piece of cloth used to hold equipment in place.
- Plastic bags being used as sink stoppers in three-compartment sink.
- Cracked sink or sink not secured to wall.

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- Deteriorated caulking at the wall and sink junction.
- Sink unapproved or damaged. Capacity
- No food preparation sink installed when the food facility conducts thawing, rinsing, washing or similar food preparation.
- Equipment for cooling, heating, hot holding or cold holding is not sufficient in quantity or capacity to ensure safe food temperatures during transportation or operation.
- Electrical power is not provided at all times.
- A hand truck or forklift is not provided to easily move dollies, pallets, racks, or skids that are not designed to be moved by hand. Installed
- Fixed equipment that is not easily movable is not installed with adequate spacing or sealing or floor-mounted equipment that is not easily movable is not sealed to floor or elevated on 6 inch legs.
- Table-mounted equipment that is not easily movable is not sealed to table or elevated on 4 inch legs.
- Cutting or piercing parts of can openers are not readily removable.

Exceptions:

Cast-off items within the facility will be marked ONLY in subcategory #43 (Premises; personal/cleaning items; vermin proofing).

Cast-off items outside the facility will be marked ONLY in subcategory #41 (Garbage/refuse properly disposed; facilities maintained).

California Retail Food Code, Sections: 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182, 114185

36. Equipment, utensils and linens: storage and use

This subcategory will be marked OUT if any of the following violations are observed: Use

Unapproved use of approved equipment, such as merchandise refrigerator approved for canned or bottled non-PHF is used for open foods or PHF.

Milk crates used as shelving.

Laundry facilities on premises are used for laundering items other than those used in the operation of the food facility.

Condiment containers not intended for reuse (e.g., ketchup bottles) are refilled.

Storage

Storing serving utensils in ice water, in sanitizing solution, or in standing water less than 135°F.

Handle of approved scooping utensil submerged in ice or bulk food that requires further processing.

Storing knives in between equipment.

Clean pots, pans, multi-service dishes, or clean take out containers stored where they are subject to contamination, such as on the floor or in an unapproved area.

Kitchen utensils stored together with tools/hardware.

Easily moveable equipment/utensils stored inside/on top of handwash, food preparation, or janitorial sink.

Tableware preset at outside dining areas without adequate protection.

Single use articles in preparation/storage area are not kept in original protective package or otherwise protected from contamination until used.

Clean equipment and utensils are not stored covered or inverted such that they are self-draining.

Unsecured pressurized CO2 tanks.

Linens

Linens used to line food service containers are not changed and washed each time the container is refilled.

Linens, cloth gloves, or cloth napkins are not washed as required.

Clean linens are stored where they are subject to contamination, such as on the floor or in an unapproved

area.

Linens or work clothes are laundered on the premises and a mechanical washer and dryer are not provided.

Exception:

Fabric implements (i.e., linens used in contact with food) are marked in subcategory #14 (Food- contact surfaces, cleaned and sanitized).

NOTE:

o Single-use papertowels may be used in contact with raw/ready to eat foods.

o Linen may be used to cover food items if the linen is used exclusively on food and is laundered and sanitized after each use.

California Retail Food Code, Sections: 114074, 114075, 114081, 114083, 114119, 114121, 114161, 114172, 114178, 114179, 114185, 114185.2, 114185.3, 114185.4, 114185.5

37. Adequate ventilation and lighting; designated areas, use

This subcategory is marked OUT if any of the following violations are observed:

Hood filter(s) are missing or improperly installed.

Hood (exterior/interior) has an accumulation of grease and/or dust.

Hood is not functioning properly (does not effectively remove smoke, odors, grease, etc.)

Grease-collecting device at hood is missing.

Mechanical ventilation at hood is not turned on as required.

Grill/broiler is not fully under the canopy-type hood (no 6" overhang).

Gas rice cooker is not installed under a hood.

Deep fryer installed under a Type II hood instead of a Type I hood.

Table top cooking (e.g., shabu-shabu) without required ventilation system.

Solid fuel burning equipment is not installed under a separate exhaust duct.

No ventilation system or window in the toilet room/dressing room/food storage.

Un-vented gas water heater (this will be referred to the Gas Co. immediately).

Makeup air is not provided in the amount equal to exhaust air.

Missing/damaged light shields in food preparation area refrigerators or display cases.

Water inside the light shield of the walk-in refrigeration unit.

Not maintaining at least 50 foot candles where safety is a factor, such as at a cutting table, slicer or grinder.

Light shields with accumulated dust or dead insects.

Exception:

Use of deceptive lighting to misrepresent freshness of meat is marked ONLY in subcategory #32 (Food properly labeled & honestly presented).

NOTE:

o High velocity hood may not require 6" overhang. Issues concerning ventilation or reasonable condition of comfort for employees should be referred to the local Building Department.

o Restricted food service facilities are exempt from 114149.1 (a), but must still provide ventilation to remove gases, odors, steam, heat, grease, vapors and smoke from the food facility.

California Retail Food Code, Sections: 114149, 114149.1, 114149.2, 114149.3, 114252-114252.1

38. Thermometers provided and accurate

**This subcategory is marked OUT if any of the following violations are observed:
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Missing/non-functional/inaccurate thermometer in any refrigeration unit holding PHF.

Missing/non-functional/inaccurate/unapproved probe thermometer.

Thermometer missing/not working at high-temperature warewashing machine.

Probe thermometer not available for use at warewashing sink.

NOTE: This requirement does not apply to equipment for which the placement of a temperature measuring device is not practical, such as steam tables and salad bars.

California Retail Food Code, Sections: 114157, 114159

39. Wiping cloths; properly used and stored

This subcategory is marked OUT if any of the following violations are observed:

Sponges are used in contact with cleaned and sanitized or in-use food-contact surfaces.

Cloths used to wipe spills from tableware or take out containers are not dry and used only once.

Cloths used for wiping tables or seats are used repeatedly and not stored in an approved sanitizing solution.

The same wiping cloth is used for multiple purposes, such as wiping food preparation surfaces and customer tables.

Storage of a wiping cloth in a bucket with excessively soiled solution.

Same sanitizer bucket is used to keep wiping cloths used for raw foods of animal origin, and wiping cloths used for other purposes.

Soiled wiping cloths are stored in the food preparation or food storage area.

Clean wiping cloths are stored in an area subject to contamination, such as the restroom.

Wiping cloths not laundered and dried in a mechanical washer/dryer or not properly laundered in a ware- washing sink.

NOTE: Sanitizer buckets do not have to be set up in prep areas. They are only required when wiping towels are being re-used. The sanitizing frequency must also be met.

**California Retail Food Code, Sections: 114135, 114185.1, 114185.3(d,e)
PHYSICAL FACILITIES**

40. Plumbing; fixtures, back flow devices, drainage

This subcategory is marked OUT if any of the following violations are observed:

Leaking faucet at the warewashing sink.

Hose used to clean floor mats is also used to supply water at wok stove.

Floor sinks are not readily accessible for cleaning.

- Non-potable water piping is not identified so as to be readily distinguishable from potable water piping.
- Backflow prevention device is missing or leaking.
- Drain line without an air gap.
- An air gap between a water supply inlet and flood level rim of a plumbing fixture, equipment, or nonfood equipment is not at least twice the diameter of the inlet, or is less than one inch.
- Food preparation sink/ice machine drain line is directly connected to the sewer.
- A grease trap or grease interceptor is located in a food or utensil handling area without approval.
- A grease trap or grease interceptor is not easily accessible for servicing.
- Unapproved rubber hose used as a faucet extension.
- Faucet unable to reach all compartments of the sink.
- Floor sink with food debris.
- Accumulation of mold or slime on drain lines.
- Uncapped sewer clean-out (no discharge).

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- Drain line is leaking from any sink (e.g., janitorial sink, handwashing sink).
- Unsecured flexible drain line used for discharge from refrigerator.
- Refrigerator unit draining to a bucket/floor/pan/exterior ground surface.

NOTE:

- o Mop sinks and sinks equipped with hose threaded faucets should be protected with a back flow prevention device.
- o An evaporator for refrigeration units is acceptable if properly installed and functioning.
- o Food facilities approved with a grease trap or grease interceptor that were in operation before July 1, 2007, of this part of Cal Code are NOT required to comply with this Section.

California Retail Food Code, Sections: 114171, 114189.1, 114190, 114192, 114192.1, 114193, 114193.1, 114199, 114201, 114269

41. Garbage/refuse properly disposed; facilities maintained

This subcategory is marked OUT if any of the following violations are observed:

- Exterior refuse container lids propped open or missing.
- Exterior/customer area refuse container encrusted with waste.
- Lack of adequate refuse containers/inadequate refuse pick up resulting in overflowing trash.
- Cardboard box used as a refuse receptacle.
- No waste receptacles are present for use by consumers.
- Storage areas and/or receptacles are not clean and/or in good repair.
- Refuse is overflowing and creating a nuisance.

- Animal byproducts and inedible kitchen grease is not dispose of as required.
- Refuse, recyclables, or returnable are not kept in nonabsorbent, durable, cleanable, leak proof, and rodent proof containers.
- Cast-off/non-functional equipment stored at the exterior of the facility.

Trash containers in outdoor dining area are not vermin proof or are not emptied at the end of the operating day.

Additional Violation:

- If improper handling/storage of trash at refuse area has resulted in vermin (rodent, cockroach, fly) infestation at exterior refuse area, subcategory #23 (No insect, rodents, birds or animals present-Minor) is also marked.

NOTE:

- o Refuse containers inside a food facility do not need to be covered during periods of operation.
- o Cardboard or other packaging material that does not contain food residue and that is stored outside can be stored outside without being in a covered receptacle if it does not create a rodent harborage problem.

California Retail Food Code, Sections: 114211, 114244, 114245, 114245.1

42. Toilet facilities: properly constructed, supplied, cleaned

This subcategory is marked OUT if any of the following violations are observed:

Toilets are not accessible to employees at all times the facility is in operation.

- One of the available toilets is damaged, leaking, clogged, or inoperative.
- Urinal is missing in men's toilet room of a facility that has on-site liquor consumption.
- Separate men's and women's toilets are not available in a facility that serves alcohol for on-site consumption.
- Toilet paper not provided in permanently installed dispensers at each toilet.
- Missing toilet paper dispenser.

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- Door removed or propped open at the toilet room.
- Missing or damaged self-closing device.
- Unclean toilet facilities.

Exceptions:

- Lack of functional toilets is marked ONLY in subcategory #22 Major (Sewage and wastewater properly disposed).

NOTE: Food facilities located within amusement parks, stadiums, arenas, food courts, fairgrounds, TFF's and similar premises are not required to provide toilet facilities for employee use within each food facility if approved toilet facilities are located within 200 feet.

California Retail Food Code, Sections: 114250, 114250.1, 114276; LA County Code Title 11

43. Premises; personal/cleaning items; vermin proofing

This subcategory is marked OUT if any of the following violations are observed:

- Dressing area is cluttered or unclean.
- No dressing room/area is provided as necessary.
- Personal items (e.g., jacket, purse, keys, cell phone, medicines, radio or TV) stored in the food preparation/storage area.
- First aid supplies are not labeled with a legible manufacturer's label and stored in a kit or container that is located to prevent contamination of food, utensils, and single use articles.
- Open doors/pass-thru window left open.
- Missing/torn window screens.
- Insect electrocution devices do not retain the insect or are located over food or utensil handling areas.
- Air curtain ineffective, non-functional, or turned off at open door.
- Pass-thru window exceeds 432 square inches and missing an air curtain.
- Front door has a gap at the bottom greater than 1/4".
- Roll-up metal door does not seal adequately (at sides, top, or bottom).
- Washing floor mats at the exterior of the facility.
- Mops/brooms stored in food preparation area.
- No designated room/area or cabinet for the storage of cleaning equipment and supplies, separate from food preparation/storage area.
- No mop sink or a designated cleaning facility.

California Retail Food Code, Sections: 114143(a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

44. Floors, walls and ceiling: built, maintained and clean

This subcategory is marked OUT if any of the following violations are observed:

- Missing base cove tiles, floor tiles, or grout between tiles.
- Unapproved floor material (carpet/vinyl tiles) installed in food/utensil/warewashing areas.
- Damaged walls (e.g., holes, cracks, peeling paint, deteriorated caulking, plaster not smooth, or loose metal flashing).
- Missing electrical outlet or light-switch cover.
- Missing or unapproved type of ceiling panels.
- Deteriorated floors/walls/ceilings in the walk-in refrigerators (aggregate/gravel exposed).
- Cardboard or unapproved floor boards used on floors.
- A permanent food facility not fully enclosed in a building or does not consist of permanent floors, walls, and an overhead structure that meet minimum standards.
- The floor surfaces extending from a permanent open-air barbecue or wood-burning oven are not a minimum of 5 feet of impervious or easily cleanable material.
- Dirty and not easily removable floor mats and duckboards.

Using an unapproved method of cleaning the floors (not using dustless methods such as wet cleaning or vacuum cleaning).

Accumulated food debris, grease, mold, or dirt on floors, walls, ceilings including inside of walk-in refrigerator.

Cockroach fecal spots, rodent droppings/rub marks/urine on floors, walls, or ceilings. California Retail Food Code, Sections: 114143(d), 114266, 114268, 114268.1, 114271, 114272

45. Sleeping Quarters

This subcategory is marked OUT if any of the following violations are observed:

Bedding in food storage area.

Door/opening between food facility and living/sleeping quarters.

NOTE: Restricted food service facilities are exempt provided that no sleeping accommodations are in any area where food is prepared or stored.

California Retail Food Code, Sections: 114285, 114286

SIGNS REQUIREMENTS

46. Signs posted; last inspection report available

This subcategory is marked OUT if any of the following violations are observed:

A copy of the most recent routine inspection report is not maintained at the food facility or made available upon request.

The required signs are not posted (e.g., hand washing, no smoking, public restroom).

The grade/score card has not been properly posted as required by Ordinance #97-0071.

The public notice is not posted at the food facility.

Exception:

Missing gulf oyster warning signs is marked in subcategory #17 (Compliance with Gulf Oyster Regulations).

NOTE: This section does not apply to toilet rooms in guestrooms of restricted food service facilities. California Retail Food Code, Sections: 113725.1, 113953.5, 113978, 114276(f)(1), 114381(e)

47. Permits Available

This subcategory is marked OUT if any of the following violations are observed:

Food facility is open for business and does not have a valid Public Health Permit.

Permit is not posted in a conspicuous location.

The permit holder of the permanent food facility and the permit holder of the satellite food service are not the same.

Satellite food service not operated in conjunction with a fully enclosed permanent facility, written procedures are not available, food and utensils are not stored inside the fully enclosed food facility during period of closure, or the activities are not conducted under constant and complete control of the permit holder.

NOTE: Satellite food service means a remotely located food service operation that is conducted on the same property as, in reasonable proximity to, in conjunction with, and by a fully enclosed permanent food facility. Satellite food

service does not include remote food service operations located within a fully enclosed food facility.

California Retail Food Code, Sections: 114067, 114381

COMPLIANCE & ENFORCEMENT

48. Plan Review

This item is marked OUT when complete, easily readable plans drawn to scale, for new construction or remodel of a food facility are not submitted prior to construction, or construction of a new facility or remodel of an existing retail food facility begins prior to plan approval. California Retail Food Code, Section: 114380

49. Sample collected

This item is marked OUT when enforcement officer collects samples of food for testing at a laboratory or food, photographs, or other evidence, including copies of a HACCP plan and other documents.

California Retail Food Code, Section: 114390

50. Impoundment/VC&D

This item is marked OUT when the enforcement officer impounds food, equipment, or utensils that are found to be, or suspected of being unsanitary or in such disrepair that food, equipment, or utensils may become contaminated or adulterated, or impounds any utensil that is suspected of releasing lead or cadmium.

NOTE: Within 30 days, the enforcement agency that has impounded the food, equipment, or utensils pursuant to subdivision (a) will commence proceedings to release the impounded materials or to seek administrative or legal remedy for its disposition.

California Retail Food Code, Section: 114393

51. Permit Suspension

This item is marked OUT when a food facility's permit has been suspended due to imminent health hazard, continued non-compliance or when a facility is closed for not having a valid health permit.

California Retail Food Code, Sections: 114405, 114409

52. Multiple Major Critical Violations / Increased Risk to Public Health

If two (2) or more major critical risk violations are marked, an additional three (3) points will be deducted. Full implementation of point deductions will begin January 1, 2017, when the six month grace period ends, and #52 will be marked.

Major Critical Violations #2, #5, #7, #8, #9, #10, #11, #13, #14, #15, #20, #21a

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COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL HEALTH

5050 Commerce Drive, Baldwin Park, CA 91706

<http://www.publichealth.lacounty.gov/eh>

Revised: January 2, 2014

FOOD FACILITY SELF-INSPECTION CHECKLIST

The Self-Inspection Checklist is provided as a guideline for the food operator to use in evaluating their facility's operation and food handling practices. It is separated into High Risk Factors and Low Risk Factors that are based on the same food safety principles as the Food Official Inspection Report (FOIR) or Compliance Report.

Note: Although the safety principles used on this Self-Inspection Guide are the same as used on the FOIR, the order of the categories on this form does not necessarily follow the same order used on the FOIR.

HIGH RISK FACTORS

MET

NOT MET

EMPLOYEE HEALTH, HYGIENE & PRACTICES

1. At least one (1) employee is a Certified Food Protection Manager. Certificate is valid and available at the site.
2. All employees handling food (including preparation and service) and utensils must have a valid Food Handler Card. Certificate or copy available at the site
3. Employees have food safety knowledge that is related to their assigned duties (i.e., cooking, cooling, warewashing, etc.)
4. Employees appear in good health. No reports of illness or food employees are not experiencing persistent sneezing, coughing, or runny nose that is connected with discharges from their eyes, nose, or mouth.
5. Employees have no open sores, cuts, on hands or fingers.
6. Employee wears clean outer clothing / apron.
7. Hair of employees is properly confined (i.e., hairnets, caps, etc.)
8. Food employees fingernails are trimmed, filed, and clean.
9. Employees do not eat, drink, chew gum and smoke in utensil washing/storage areas; food preparation and storage areas.
10. Food employee drinks from a closed beverage container and stored correctly to prevent contamination.
11. Clothing and personal belongings are stored away from food.
12. Food employees will not care for or handle animals that are allowed in the food facility, such as service or patrol animals.
13. A person in charge (PIC) is present and performs his/her duties during all hours of operation.

PROPER HANDWASHING, SUPPLIES AND PROPER USE OF GLOVES

14.

Employees wash their hands with soap and warm water (100°F) for 15 seconds for the following reasons:

a) before starting work, b) immediately after using the restrooms, c) after handling raw animal products or unwashed produce, d) when there is hand contact with hair, skin, and clothes, e) any time needed to prevent food contamination.

15. Employees wash their hands only in approved hand wash sinks.

16. Hand sinks are accessible for use.

17. Single use towels and soap at dispensers are available.

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MET

HIGH RISK FACTORS

18. Gloves are worn by the food employees who have any open sores, cuts on the hands or fingers, jewelries unclean able orthopedic support devices, artificial nails or nail polish.

19. Single use gloves are use only for one task and shall be discarded when soiled or when food handling is interrupted.

TIME AND TEMPERATURE CONTROL

NOT MET

HOT AND COLD HOLDING TEMPERATURES

20. Cold food shield at 41°F or below.

21. Hot food shield at 135°F or above.

22.

Food preparation is performed diligently so that food items are not in the temperature danger zone (42°F- 134°F) for more than two (2) hours.

23. An accurate probe thermometer for measuring food temperatures is available.

TIME AS A PUBLIC HEALTH CONTROL (TPHC)

24. Food is marked

or identified to indicate the time that is four (4) hours past the point in time when the food is removed from temperature control.

25. Within the four (4) hour time limit, raw food shall be cooked and served; ready-to-eat

food shall be served. 26. The food in unmarked container or packages

or marked to exceed a four (4) hour limit shall be disposed.

27.

Written procedures are maintained and available for review to the Health Inspector upon request.

COOLING METHODS

28.

Food is rapidly cooled from 135°F to 70°F within two (2) hours and from 70°F to 41°F within four (4) hours.

29.

Food is rapidly cooled using an approved method (i.e., use of ice bath, ice paddle, adding ice into food,

separating food in smaller portions, using blast chiller, and shallow metal pans.)

COOKING TEMPERATURES

30.

Raw food products are cooked at the following internal cooking temperatures for at least 15 seconds

- o Raw shell eggs (for immediate service) are cooked to $\geq 145^{\circ}\text{F}$.

- o **Fish is cooked to $\geq 145^{\circ}\text{F}$.**

- o **Single pieces of meat (beef, veal, lamb, pork) are cooked to $\geq 145^{\circ}\text{F}$.**

- o **Ground meat (ex. Ground beef), any food containing raw eggs, sausages are cooked to $\geq 155^{\circ}\text{F}$.**

- o **Poultry, stuffed fish/meat/poultry are cooked to $\geq 165^{\circ}\text{F}$.**

REHEATING

31.

Previously cooked and cooled food is reheated quickly to 165°F for at least 15 seconds before being served or placed in the hot holding equipment such as steam table.

32.

Reheating is done quickly, and the time the food is between 41°F and 165°F shall not exceed two (2) hours.

33. Proper equipment is used to reheat food (i.e. stove, microwave, oven, grill, etc.)

THAWING

34.

Approved thawing or defrosting methods are used in the food facility (i.e., under running water for ≤2 hours, microwave, as part of cooking process, inside refrigerator.)

35. Food is defrosted or thawed in an approved sink.

36. Thawed foods are not re-frozen.

37. Frozen food is maintained in a frozen state, unless being thawed/defrosted.

FOOD PROTECTION FROM CONTAMINATION

38. Food that have been returned, or have been served to a customer, are not to be re-served, reused and offered to customers for consumption.

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MET

HIGH RISK FACTORS

39. Minimizing bare hand contact with exposed food that is not ready-to-eat by using utensils, tongs, forks or gloves.

40. Food is received at proper temperatures when delivered.

41. Food appears in good condition, no signs of alteration, damage, or contamination when delivered (ex. swollen canned food.)

42. Ready to eat foods are stored separately or above raw animal products and unwashed produce.

43. Food items stored inside the refrigerator unit are covered with approved material and protected from overhead contamination.

44. Food preparation is done in an approved and clean area (i.e., not food preparation at the dining room.)

45. Food is prepared/washed in a food preparation sink or other Health Department approved sink.

46. An advisory is provided to the customers if serving raw or undercooked food.

47. When using HACCP Plan, written procedures and documentation are maintained and available in the food facility.

48. If a variance has been granted, food facility operator complies with all the restrictions.

49. Potentially hazardous foods that are in a reduced oxygen package (ROP) have not exceeded the "USE BY" date.

CLEANING AND SANITIZING

50. Approved sanitizer solution and correct test strip/kit available and maintained on site.

51. The 3 compartment or manual warewashing sink set up properly when actively washing utensils (1st compartment: warm water 100°F; 2nd compartment: rinsing; 3rd compartment: sanitizer with approved concentration.)

52. All food utensils have enough contact time with the sanitizer (chlorine: 30 seconds; iodine: 1 minute; quaternary ammonium: 1 minute)

53. All food utensils are washed, rinsed, and sanitized after each use.
54. After sanitizing, equipment and utensils are air dried or used after enough draining before use and are not cloth dried.

55. Mechanical dish washer or ware washing machines in good repair and comply with manufacturer specifications on water temperature and sanitizer concentration.

56. Food contact surfaces (ex. cutting boards, food preparation tables) and equipment are cleaned and sanitized once every four (4) hours or as required.

FOOD SOURCE

57. Food is purchased from other licensed and agency regulated food facilities/ establishments, including Cottage Food Operation (CFO) Class B.

58. Consumers are notified the Cottage Food Products from a Class B CFO is used in the food facility.

59. Food invoices available at the facility upon request by a Health inspector.

60. Facility serving Gulf oysters complies with all the requirements or Gulf Oyster Regulations (ex. shell stock tags, letter of verification, posting of warning signs, no co-mingling etc.)

WATER AND SEWAGE

61. All sinks, except handsink, are fully operable with hot water (120°F) and cold water under pressure at each faucet.

62. Hand wash sink and lavatories are fully operable with warm water (100°F-108°F) and cold water under pressure.

63. Floor drains and floor sinks are in good working order.

64. Grease trap or interceptor is maintained clean and in good working condition.

PEST CONTROL & OTHER ANIMALS

65. Facility is free from insects (flies, cockroaches, ants) and rodent infestation.

66.

Live animals, birds, fowl are not located in the food facility, except for service and patrol animals.

67. All exterior doors are self-closing, in good repair and rodent proof.

68. Air curtain is operating properly.

NOT MET

30

LOW RISK FACTORS

FOOD STORAGE / DISPLAY/ SERVICE

69.

Food items are stored in an approved clean, dry location and at least six (6) inches above the floor on approved racks.

70. Food that are removed from original packages and cannot be easily recognized are stored in working containers identified with the common name.

71. All prepackaged foods are properly labeled in English.

72. Foods at the customer self-

service areas (i.e., buffet lines, salad bars, and salsa bar) have approved sneeze guards and dispensers.

73. Approved serving utensils to dispense food are provided at the self-service areas.

EQUIPMENT / UTENSILS / LINENS

74. All equipment (i.e., stoves, refrigerators, shelves, food preparation tables, cutting board, sinks, etc.) is clean and in good repair.
75. Damaged or inoperable food equipment and utensils have been repaired, replaced or removed.
76. All food equipment has ANSI certification (NSF, ETL, UL-Listed, CSA).
77. Facility has sufficient and approved food equipment that has the capacity to support food operation and storage such as refrigeration units, and cooling pans.
78. The three (3) compartments sink or manual ware washing sink is large enough to accommodate the largest equipment or utensil that requires washing and sanitizing.
79. Food equipment, utensils, disposable utensils and linens are stored in an approved area.
80. Linens used to line food containers for service are replaced each time the container is refilled or a new consumer and laundered prior to reuse.
81. Soiled linens are kept separate from food, single use utensils, clean equipment and utensils.
82. Wiping cloths used with raw food of animal origin are kept separately from cloths used for other purposes.
83. Reusable wiping cloths are kept in a clean sanitizing solution.
84. Working containers of sanitizing solutions for reusable wiping cloths are stored separately from food equipment, utensils, linens, or single use articles.
85. Thermometers calibrated, available and in good repair.

VENTILATION AND LIGHTING

86. Adequate ventilation and lighting is provided throughout the facility.
87. Hood, grease filters, make-up air vents are clean, installed properly, and well maintained.
88. All cooking equipment is under the correct type of mechanical exhaust hood system (except Health Department approved exempted cooking equipment.)
89. Light fixtures are in good repair and are shatter proof or fitted with light shields and end caps.

RESTROOM / DRESSING ROOM

90. Employee restrooms are available, clean and in good repair.
91. Customer restrooms are clean, and in good repair.
92. Restroom and dressing room door has self-closing device and are working properly.
93. Facility selling alcoholic beverages for on-site consumption has separate men's and women's restrooms within the food facility. Urinals are available in the men's restroom.
94. Toilet tissue dispensers are full and in good repair.
95. Ventilation is provided in each restroom and is in proper working order.
96. Lockers or other suitable facility is available for employees to store personal belongings or other possessions.

NOT MET- MET

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LOW RISK FACTORS MET

NOT MET

FACILITY SANITATION AND MAINTENANCE

97. Plumbing fixtures such as faucets and drain pipes are in good repair (i.e., not leaking or clogged.)

98. Minimum one (1) inch air gap between the flood level rim of the floor sink and end of a drain pipe.

99. Faucet can reach all the compartments in a sink.

100. Toxic substances are identified if removed from original packaging/container.

101. Toxic substances used are approved for a food facility and are stored separately from food, food contact surfaces, equipment, utensils, and single use articles.

102. Floors are clean, well maintained and in good repair.

103. Walls, ceilings and windows are clean, well maintained and in good repair.

104. A separate area for refuse, recyclables, and /returnables from food, equipment, utensils and linens.

105. Janitorial supplies are available and stored separately from food, food contact surfaces, equipment and utensils.

106. Premises around the food facility and trash area are clean and free of debris. Trash container lids are maintained closed.

107. Legible handwashing and no smoking signs are properly posted.

108. Letter/Numeric Grade and Public Notification are posted in a visible area to the consumer.

109. Last Food Official Inspection Report is available at the facility.

110. Public Health Permit is posted in a visible area.

ENVIRONMENTAL HEALTH

DISTRICT SURVEILLANCE & ENFORCEMENT OFFICES

Civic Center Office

3530 Wilshire Blvd., 9th Floor Los Angeles, CA 90010 (213) 351 - 7892

FAX: (213) 351 - 2788

Northeast Los Angeles Office

3530 Wilshire Blvd., 9th Floor Los Angeles, CA 90010 (213) 351 - 7892

FAX: (213) 351 - 2788

Downtown West Office

695 S. Vermont Ave., 14th Floor Los Angeles, CA 90005 (213) 351-5085

FAX: (213) 637-4882

Mid-City Office

695 S. Vermont Ave., 14th Floor Los Angeles, CA 90005 (213) 351-5085

FAX: (213) 637-4882

Hollywood Office

3530 Wilshire Blvd., 9th Floor Los Angeles, CA (213) 351-7895

Fax: (213) 351-2787

Mid-Wilshire Office

3530 Wilshire Blvd., 9th Floor Los Angeles, CA 90010 (213) 351-7895

Fax: (213) 351-2787

South Los Angeles Office

5850 S. Main Street, # 2257 Los Angeles, CA 90003 (323) 235-7009

Fax: (323) 231-0029

Southeast Los Angeles Office

5850 S. Main Street, # 2257 Los Angeles, CA 90003 (323) 235-7009

Fax: (323) 231-0029

Beverly Hills Office

3530 Wilshire Blvd., 9th Floor Los Angeles, CA 90010 (213) 351-7896

Fax: (213) 351-2736

Brentwood Office

3530 Wilshire Blvd., 9th Floor Los Angeles, CA 90010 (213) 351-7896

Fax: (213) 351-2736

Gardena-Hawthorne Office

9800 S. La Cienega Bl., #850 Inglewood, CA 90301 (310) 338-3200

Fax: (310) 348-9336

Inglewood Office

9800 S. La Cienega Bl., #850 Inglewood, CA 90301 (310) 338-3200

Fax: (310) 348-9336

Coastal Cities Office

122 W. 8th Street San Pedro, CA 90731 (310) 519-6060 Fax: (310) 514-0170

Harbor Office

122 W. 8th Street San Pedro, CA 90731 (310) 519-6050 Fax: (310) 514-0170

Santa Monica Office

6101 W. Centinela Blvd., 3rd Floor Culver City, CA 90230 (310) 410-3400

Fax: (310) 348-1037

Marina Office

6101 W. Centinela Blvd., 3rd Floor Culver City, CA 90230 (310) 410-3444

Fax: (310) 348-1037

Lancaster Office

335A East Avenue K-6 Lancaster, CA 93535 (661) 471-4880 Fax: (661) 948-9354

Santa Clarita Office

26415 Carl Boyer Dr., Room 145 Santa Clarita, CA 91350 (661) 287-7000

Fax: (661) 286-2744

Burbank Office

1101 W. Magnolia Blvd. Burbank, CA 91506 (818) 557-4187 Fax: (818) 848-2336

Glendale Office

1101 W. Magnolia Blvd. Burbank, CA 91506 (818) 557-4187 Fax: (818) 848-2336

Van Nuys Office

6851 Lennox Ave, Ste. 305 Van Nuys, CA 91405 (818) 902-4460

Fax: (818) 902-4433

Sherman Oaks Office

6851 Lennox Ave, Ste. 305 Van Nuys, CA 91405 (818) 902-4460

Fax: (818) 902-4433

Chatsworth Office

21515 Vanowen St., Ste. 116 Canoga Park, CA 91303 (818) 593-7300

Fax: (818) 999-6524

Calabasas Office

21515 Vanowen St., Ste. 116 Canoga Park, CA 91303 (818) 593-7300

Fax: (818) 999-6524

East Los Angeles Office

245 S. Fetterly Ave., Room 2014 Los Angeles, CA 90022 (323) 780-2272

Fax: (323) 260-5209

Montebello Office
245 S. Fetterly Ave., Room 2014 Los Angeles, CA 90022 (323) 780-2272
Fax: (323) 260-5209

Pomona Office
1435 W. Covina Pkwy., Room 10 West Covina, CA 91790 (626) 813-3380
Fax: (626) 813-3333
Fax: (626) 337-7645
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West Covina Office
1435 W. Covina Pkwy., Room 10 West Covina, CA 91790 (626) 813-3380
Fax: (626) 813-3333
Fax: (626) 337-7645

Norwalk Office
12440 E. Imperial Hwy., Room 519 Norwalk, CA 90650
(562) 345-6800
Fax (562) 409-5074

Whittier Office
12440 E. Imperial Hwy., Room 519 Norwalk, CA 90650
(562) 345-6800
Fax (562) 409-5074

Monrovia Office
1435 W. Covina Pkwy., Room 5 West Covina, CA 91790 (626) 813-3346
Fax: (626) 814-9173

El Monte Office
1435 W. Covina Pkwy., Room 5 West Covina, CA 91790 (626) 813-3346
Fax: (626) 814-9173

PLAN CHECK PROGRAM SERVICE AREAS

Culver City Office
6101 W. Centinela Ave., Suite 300 Culver City, CA 90230
(310) 410 – 3446

Lancaster Health Center
335-A East Avenue, K-6, Room 23 Lancaster, CA 93535
(661) 723 - 4551

Metroplex Office
3530 Wilshire Blvd., 9th Floor Los Angeles, CA 90010 (213) 351 - 7352

South Bay Office
122 W. 8th Street, Room 20-A San Pedro, CA 90731 (310) 519 - 6081

West Valley Health Center
6851 Lennox Ave., 3rd Floor Van Nuys, CA 91401 (818) 902 - 4490

East Los Angeles
4801 E. 3rd Street Los Angeles, CA 90022 (323) 780-2272

Administrative Headquarters
5050 Commerce Dr. Rm. 150 Baldwin Park, CA 91706 (626) 430 - 5327

COMPLIANCE ASSISTANCE

Quality Assurance

5050 Commerce Drive, Baldwin Park, CA 91706 (626) 430-5300
Consultative Services

5050 Commerce Drive, Baldwin Park, CA 91706 (626) 430-5320

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## **COMMON TERMINOLOGY**

The success of any food inspection program requires a clear understanding of the common terminology used by the Environmental Health Specialist (EHS) and the food industry. The following terms should provide a better understanding of the food inspection process:

**Approved Source** is a producer, manufacturer, distributor, transporter or food facility that is licensed or permitted by a local or state agency, which conforms to current public health standards.

California Retail Food Code (CRFC) (AKA: Cal Code) is part of the California Health and Safety Code that regulates retail food facilities.

**Comminuted means** reduced in size by methods including chopping, flaking, grinding, or mincing. Examples include gefilte fish, formed roast beef, gyros, ground beef, sausage, and a mixture of two or more types of meat that have been “comminuted”.

**Cross Contamination is the transfer of harmful microorganisms 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.**

**Critical Sink is the only sink available for a specific purpose (e.g., the only janitorial sink, the only food prep sink, the only hand washing sink) within a reasonable distance.**

**Environmental Health Specialist (EHS) also known as “health inspector” is someone who has completed college level studies in biology, chemistry, physics and microbiology; possesses a bachelor’s degree or higher; and who has passed or is in the process of taking the California State Registered Environmental Health Specialist examination.**

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.

Food Contact Surface is a surface of equipment or a utensil where food normally comes into contact.

Food Facility means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level. Permanent food facilities include but are not limited to, restaurants, food markets, bakeries, public and private school cafeterias, restricted food service facilities, licensed health care facilities, commissaries, and vending machines.

**GRP (Good Retail Practices)** are those preventive measures required by law that effectively control the introduction of pathogens, chemicals, and physical objects into the food.

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.

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 department or the local health agency having jurisdiction over the food facility.

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

Minor Violation means a violation that does not pose an imminent health hazard, but does warrant correction.

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

Pooled Eggs are the eggs from domesticated chicken, turkey, duck, goose, or guinea which have been removed from the shell at the retail food facility and combined with other egg yolks and/or whites.

**Potentially Hazardous Food (PHF) means 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.**

**Prohibited Foods** refers to those foods including but not limited to, unpasteurized **eggs, dairy products, or juices**, and raw seed sprouts that are, or contain food products frequently associated with foodborne illness, especially in the “high-risk” populations.

Ready-to-eat (RTE) Foods means food that is in the form that is edible without additional preparation to achieve food safety or may receive additional preparation for palatability or aesthetic, epicurean, gastronomic, or culinary purposes.

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.

**Revocation is an action taken by the Environmental Health Division to permanently order a facility closed under the existing Public Health Permit.**

Sherman Food Drug and Cosmetic Act is part of the California Health and Safety Code regulating labeling, advertising and pure foods. Suspension is an action taken by the Environmental Health Division to temporarily order a facility closed.

**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. (Documentation is a requirement).  
Ware washing means the cleaning and sanitizing of utensils and food-contact surfaces of equipment.**

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## **Cottage Food Operation Guidelines**

### **INTRODUCTION**

Assembly Bill 1616, the California Homemade Food Act, was signed into law by Governor Brown on September 21, 2012 and became effective on January 1, 2013. **This new law allows certain foods, known as Cottage Foods, to be made in private homes and sold to the public.** Individuals who own and run these home-based businesses are known as Cottage Food Operators (CFOs).

This guide provides information to anyone who may want to start a Cottage Food Operation. This guide will provide information on the different types of CFO businesses; how to register and apply for a permit; and general food safety.

### **SUBMISSION OF REGISTRATION/PERMITTING FORM AND SELF-CERTIFICATION CHECKLIST**

You may complete and submit the Registration/Permitting Form on our web site at **<http://www.publichealth.lacounty.gov/eh/> or you may mail your completed Registration/Permitting Form to Los Angeles County Environmental Health, 5050 Commerce Drive, Baldwin Park, CA 91706, and attention: Plan Check Program (Class A) or Specialized Food Services (Class B).** In order to obtain the registration or permit number (Facility ID), please include the following items along with your Registration/Permitting Form:

- Self-Certification Checklist (Class A only).
- A sample copy of the labels for your planned cottage food products.
- If the drinkable water source at your home is from a private well, a laboratory analysis from within the prior three months verifying that the water meets State water quality standards for bacteriological and primary inorganic chemicals.
- Payment of the appropriate fee (Class A and Class B).

Note: For Class B, a non-refundable payment of \$254 is required prior to the application review. A permit (Facility ID) to operate will only be granted after an initial inspection has

been conducted and approval to operate is received. The Permit granted is only valid the first year of issuance and it required to renew annually.

The fees are as follows:

1. Registration (Class A ONLY).....\$103
2. Permit (Class B ONLY).....\$254

Payments in the form of checks and money orders are accepted. Please make checks payable to: County of Los Angeles, Department of Public Health, and include the name of your cottage food operation in the memo line of your check or money order.

Note: There will be a \$33.00 fee for all returned checks.

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#### DEFINITIONS:

1. "Class A CFO" is a Cottage Food Operation (CFO) that may only conduct direct sales of cottage food products from the CFO or other direct sales places.
2. "Class B CFO" is a CFO that may conduct both direct sales and indirect sales of cottage food products.
3. "Cottage food employee" is a person, paid or volunteer, who is involved in the preparation, packaging, handling, and storage of a cottage food product, or otherwise works for a CFO. An employee does not include an immediate family member or household member of the cottage food operator.
4. "Cottage Food Operation (CFO)" means a business, which produces cottage food products only in the home kitchen of that person's primary home. A CFO shall not operate as a food facility or wholesale food manufacturer.
5. "Cottage food operator" is a person who operates a CFO in his or her private home and is the owner of the CFO.
6. "Cottage food products" means non-potentially hazardous foods that are prepared for sale in the kitchen of a CFO. Foods containing cream, custard, or meat fillings are potentially hazardous and are not allowed in food preparation by a CFO.
7. "Direct sales" means a transaction between a CFO and a customer, where the customer buys the cottage food product directly from the CFO. Examples include, but are not limited to, holiday bazaars, temporary events, bake sales, food swaps, certified farmers' markets and community-supported agricultural subscriptions.
8. "Indirect sales" means an interaction between a CFO, a third party retailer, and a consumer; where the consumer buys cottage food products made by the CFO from a third party retail market or restaurant that holds a valid permit.
9. **"Potentially hazardous food" means a food that requires time/temperature control for safety to limit pathogenic microorganism growth or toxin formation. Non-potentially hazardous foods do not require time or temperature control.**
10. "Private home" is a dwelling, including an apartment or other leased space, where people live.
11. "Registered or Permitted area" means the part of a private home that has the private home's kitchen used for the preparation, packaging, storage or handling of cottage food products and the ingredients or equipment, or both, that are used to make the food items. This also includes any attached rooms within the home that are used only for storage.

**12. “Vermin” means cockroaches, mice, rats, flies and similar pests that carry disease.**

**13. “Sanitizing” means the use of chemicals such as bleach to remove harmful bacteria from food contact areas such as countertops, cutting boards, pots, pans and other utensils. County of Los Angeles | Cottage Food Operation Guide 2 EH-EH-0033-01 (11/20/14)**

#### WHERE DO I START?

In order to become a Cottage Food Operator, you must decide what type of cottage food products you want to prepare and sell. Next, you must decide if the type of sales you want to have will be direct sales (Class A) or indirect sales (Class B). Finally, you must contact LA County Department of Public Health, (LA DPH), Environmental Health Division to register as either “Class A” or “Class B”.

#### WHAT TYPE OF PERMIT IS REQUIRED?

1. A “Class A” CFO shall not be open for business unless it is registered with LA DPH, Environmental Health Division and has submitted an approved self-certification checklist.

a. “Class A” CFOs are subject to inspection based on a customer complaint, a reason to suspect that adulterated or otherwise unsafe food has been made by the CFO, or that the CFO has violated this chapter.

b. The fee to register is \$103.

**2. A “Class B” CFO shall not be open for business unless it obtains a permit from LA DPH, Environmental Health Division.**

a. A Permit shall be issued after an initial inspection has been made to determine that the proposed “Class B” CFO and its method of operation are in compliance.

“Class B” CFOs are subject to one routine inspection per year.

b. The fee for a permit is \$254 and is due every fiscal year (July 1st – June 30th).

#### ADDITIONAL REQUIREMENTS

1. A registration or permit is non-transferable. A registration or permit shall be valid only for the person, location, type of food sales, and distribution activity specified by that registration or permit, and unless suspended or revoked for cause, for the time period indicated.

2. A person who prepares or packages cottage food products shall complete a food processor course by the California Department of Public Health (CDPH) within three months of becoming registered.

Note: For both types of Cottage Food Operations, the Cottage Food Operator must contact their local city/county planning department for approval.

#### WHAT ARE THE REQUIREMENTS FOR COTTAGE FOOD OPERATIONS?

Cottage Food Operations (CFOs) are single-family style homes or apartment units with a non-commercial kitchen.

**1. CFO Area: Any and all equipment, utensils, food, drinks, ingredients, and items used for the CFO must be stored and used within the home. No cottage food functions including storage, preparation, mixing, assembling, packaging, and/or labeling may occur in any location outside the registered/permitted area.**

**Examples of areas that may not be used include, but are not limited to,**

**backyards, sheds, garages, lean-tos, vehicles, out-buildings or any other structure or location that is not inside the living space of the home.**

a. Registered or Permitted Area: The CFO operator is required to point out which areas will be considered the “registered/permited area” when getting their registration/permit from the local enforcement agency.

b. Non-CFO Operators: No infants, small children, or pets are allowed in the registered area during CFO food handling or preparation activities.

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**2. Hand Washing: A sink must be available for hand washing during food handling or preparation activities. The sink must be supplied with hand soap and warm water. It is recommended that single-use paper towels be provided in a dispenser for drying of hands.**

**3. Water Supply: An adequate, protected, pressurized potable supply of warm water and cold water shall be available for cottage food operations. Water used during the preparation of cottage food products shall meet the potable drinking water standards described in Section 113869. If the CFO is serviced by a private well, the water shall be tested by an approved laboratory analysis to verify that it meets State water quality standards for bacteriological and primary inorganic chemicals. Approval to operate will be granted after submitting recent (within 3 Months) laboratory results to Environmental Health.**

**Water used during the preparation of cottage food products includes all of the following:**

**[?] Washing and sanitizing of equipment used in the preparation of a cottage food product.**

**[?] Washing and sanitizing of hands and arms.**

**[?] Water used as an ingredient.**

**Note: It is recommended that any CFO that has a private water supply contact their local Environmental Health Agency to find out what requirements they will have to meet regarding the water.**

**4. Food Sources: All foods or ingredients used in a Cottage Food Operation shall come from an approved source and shall be obtained from sources that comply with all applicable laws. Approved sources include an acceptable producer, manufacturer, distributor, or a permitted food facility.**

**5. Food Storage: All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage. All food shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination. Adequate and suitable space shall be provided for the storage of food and ingredients.**

a. It is recommended that all food should be **stored at least 6 inches above the floor or under other conditions that are approved by the local enforcement agency. Pressurized containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to moisture.**



**b. Potentially hazardous foods (such as eggs and milk) used to make non potentially hazardous food items for the cottage food operations are required to be held at 41°F or below.**

**6. Chemicals and Personal Item Storage:** Chemical and personal items should be stored in an area separate from food. It is recommended to use pesticides and other cleaning chemicals that are safe to use in food areas. Follow the manufacturer's product label on how to use the product safely.

**7. Food Handlers:** Actions by food handlers in a CFO shall not result in the contamination or adulteration of food, food contact surfaces, or utensils. It is recommended that food handlers keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable.

**8. Hand Washing:** All food handlers in a CFO shall thoroughly wash their hands and any exposed areas of the arms before starting work, immediately after using the bathroom, and as needed to prevent contamination of food or food equipment. Hand sanitizers are not acceptable to use in place of hand washing.

**County of Los Angeles | Cottage Food Operation Guide 4 EH-EH-0033-01 (11/20/14)**

**9. Wounds/Illness and Bandages:** A person with a contagious illness such as tuberculosis or hepatitis A shall not work in the cottage food operation. It is recommended that a person with cuts, blisters, or burns cover their hands, wrist and arms with a dry, sturdy bandage and wear a glove before doing any food preparation or packaging.

**10. Tobacco Use:** A person preparing or packaging cottage food products shall not smoke in the registered/permitted area of the CFO.

**11. Washing and sanitizing:** Kitchen equipment, utensils, and food contact surfaces used to produce cottage food products shall be clean and kept in a good repair and shall be washed, rinsed, and sanitized prior to conducting food preparation or packaging.

Recommended sanitizing solution: 100 parts per million (ppm) for bleach (commonly used sanitizer). Other approved chemicals that can be used are: 200 ppm quaternary ammonium or 25 ppm iodine.

To make a 100ppm bleach sanitizer solution use unscented household bleach 1 tablespoon of bleach per 1 gallon of water. For best results the bleach should be used in warm water

(100°F - 110°F).

**☒ The use of sponges when cleaning and/or sanitizing food-contact surfaces is not recommended.**

**☒ Other sanitizers may be used if they are safe to use on surfaces that come in contact with food. See sanitizer products labels.**

**12. General Sanitation:** No cottage food preparation, packaging, or handling may occur in the home kitchen/permitted area at the same time with any other domestic activities, such as family meal preparation, dishwashing, clothes washing, or guest entertainment. The sinks used for food preparation must be washed and sanitized before use. It is recommended that dirty mop water not be dumped in the kitchen sink.

**13. Animals: Animals/pets are not allowed in the registered/permitted areas of the cottage food operation at all times while preparing, packaging, or handling of cottage food products.**

**14. Vermin: All food preparation and food storage areas shall be maintained free of vermin.**

**15. Garbage: The premises of each cottage food operation shall be kept clean and free of litter, garbage, and vermin.**

**16. Sewer: A Cottage Food Operation using an onsite wastewater system (ie: septic tank) may need to have the system reviewed to ensure it is adequate for their proposed operation.**

**County of Los Angeles | Cottage Food Operation Guide 5 EH-EH-0033-01 (11/20/14)**

#### FOOD PRODUCT LABELING

A Cottage Food Operation (CFO) shall properly label all cottage food products in compliance with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.). Additionally, to the extent permitted by federal law, the label shall include, but is not limited to, all of the following:

The words “Made in a Home Kitchen” in 12-point type on the cottage food product’s primary display panel.

Note: If labeled as “Repackaged in a Home Kitchen” then a description of any purchased whole ready-to-eat products not used as an ingredient must also be included on the label.

The name commonly used for the food product or an adequately descriptive name.

The name of the Cottage Food Operation which produced the food product.

The physical address for Cottage Food Operation (street number, street name, city, state, zip code).

The registration or permit number of the Class A or Class B CFO, respectively, which produced the cottage food product and, in the case of a Class B CFO, the name of the county of the local enforcement agency that issued the permit number.

The ingredients of the cottage food product, in descending order of predominance by weight, if the product contains two or more ingredients.

The net quantity (count, weight, or volume) of the food product. It must be stated in both English (pound) units and Metric units (grams).

Note: If the food label makes any nutrient content health claims, then a Nutrition Facts Panel must be incorporated into the label.

The use of the following eleven terms are considered nutrient content health claims (nutritional value of a food): free, low, reduced, fewer, high, less, more, lean, extra lean, good sources and light.

County of Los Angeles | Cottage Food Operation Guide 6 EH-EH-0033-01 (11/20/14)

## FOOD PRODUCT LABELING

### “Class A” Label Requirements

### “Class B” Label Requirements

The words “Made in a Home Kitchen”

The words “Made in a Home Kitchen” (Required to be exact wording in the main display panel in 12 point size)

Common name of food or descriptive name

Name and address of Cottage Food Operation which produced the cottage food product

Registration Number of the Cottage Food Operation

List of product ingredients of the cottage food product, in descending order of predominance of weight, if the product contains two or more ingredients

A declaration on the label in plain language if the food contains any of the major food allergen allowed to be used as ingredients in Cottage Food Products such as milk, eggs, tree nuts, wheat, peanuts or soybeans.

The net quantity (count, weight, or volume) of the food products (Required to be exact wording in the main display panel in 12 point size)

Common name of food or descriptive name

Name and address of Cottage Food Operation which produced the cottage food product

Public Health Permit (Facility ID) number of the Cottage Food Operation

The name of the county of the local enforcement agency that issued the permit number

Ingredients of the cottage food product, in descending order of predominance of weight, if the product contains two or more ingredients.

A declaration on the label in plain language if the food contains any of the major food allergen allowed to be used as ingredients in Cottage Food Products such as milk, eggs, tree nuts, wheat, peanuts or soybeans.

The net quantity (count, weight, or volume) of the food products

All labels of products from Cottage Food Operations (CFO) that are submitted for review must contain the information listed above. Labels missing any of the listed information will not be approved and will need to be corrected and resubmitted for review.

### Food Business Advertising

A cottage food product that is served by a food business, such as restaurant, without packaging or labeling, shall be identified to the consumer as homemade on the menu, menu board, or other location that would reasonably inform a consumer of its homemade status. For the purpose of this document, “Homemade” means food made at a CFO.

### LIMITATIONS

1. A CFO can have only one cottage food employee equal to full time, not including a family or household members.
2. The CFO is limited to the following amount of gross annual sales: [?] In 2014 \$45,000 [?] In 2015 and in subsequent years \$50,000  
County of Los Angeles | Cottage Food Operation Guide 7 EH-EH-0033-01 (11/20/14)

**3. A cottage food product shall not be potentially hazardous food (food that needs temperature controls to remain safe). CDPH is responsible for maintaining the list of approved cottage food products on their website and may add or delete cottage food products from the list. Any change to the list shall become effective 30 days after it is added or removed from the list. This list can be found here <http://www.cdph.ca.gov/programs/Pages/fdbCottageFood.aspx>**

4. A “Class B” CFO may ONLY conduct indirect sales in the County where they are permitted, unless they receive permission from another County.
5. A cottage food operator may accept orders and payment on-line for the cottage food products, however, the cottage food products must be delivered directly, in person, to the buyer by the CFO. A CFO may not deliver any cottage food products via US Mail, UPS, FedEx or using any other third-party delivery service. A cottage food operator may not introduce the cottage food products into interstate commerce.

If you have additional questions or need further assistance, please call the Plan Check Program at (626) 430-5560 for Class A CFO and Specialized Food Services at (626) 430-5421 for Class B CFO or email [cottagefoodoperator@ph.lacounty.gov](mailto:cottagefoodoperator@ph.lacounty.gov).

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Health Code Requirements for Community Events in LA County 2 consecutive days per event and no more than four events per year.

Temporary Food Facility (TFF) – A food booth, food cart or food truck approved by the Department of Public Health to operate at a fixed location within a Community Event. A TFF may only operate for a period not to exceed 25 consecutive or nonconsecutive days in any 90-day period. For the purposes of this guide, the term temporary food facility is used when referring to both temporary food booths and temporary vehicles. The term temporary food booth is used when identifying requirements specific to the construction of a food booth.

Temporary Food Preparation Facility – Prepares and offers for sale non-prepackaged food. Examples include barbecued ribs, roasted corn, kettle corn, or fresh squeezed lemonade.

Temporary Prepackaged Food Facility – Offers for sale only commercially prepackaged food and may offer prepackaged samples of food. Example, selling prepackaged foods such as nuts, candy, sodas, ice cream.

Temporary Prepackaged Food Facility with Food Samples – Offers for sale only commercially prepackaged food, and serves unpackaged food without charge to the public to promote the sale of food. Example, selling prepackaged dips, and giving out open samples of dip and chips.

FREQUENTLY ASKED QUESTIONS

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Yes, a community event must have an event organizer who is responsible for the operation of the event and the facilities used by the public or shared by temporary food facilities. The event organizer must apply and pay for an Event Organizer Permit and is responsible for ensuring that the event complies with community event requirements.

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## **DEFINITIONS**

**Commissary – A facility that services mobile food facilities where any of the following occur:** a) Food, containers, or supplies are stored.

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**Members and Guests – Includes members of a church, private club, or other nonprofit organization. Guests mean people invited by a member to participate in a specific function.**

**Nonprofit Charitable Temporary Food Facility – A food booth run by a charitable organization in compliance with the Nonprofit Corporation Law, as per Section 501(c) of the Internal Revenue Code and Section 23701d of the Revenue and Taxation Code. This type of booth may only operate three**

**Environmental Health Division**

**Los Angeles County Department of Public Health [www.publichealth.lacounty.gov/eh](http://www.publichealth.lacounty.gov/eh)**

**Health Code Requirements for Community Events in LA County 2**  
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EVENT ORGANIZER REQUIREMENTS

EVENT ORGANIZER PERMIT

The event organizer and every temporary food facility that participates in a community event must have a valid Public Health Permit. The permit is only valid for the specified site and dates. The permit must be posted at the facility. To obtain a permit, submit a Community Event Organizer Application or a Community Event Temporary Food Facility Application 30 days prior to the event to the local District Office that covers the event location. An expedited processing fee equal to the greater of \$50.00 or 25 percent of the permit fee will be assessed for any application submitted less than 14 calendar days prior to the start of the event.

- The event organizer permit and your approved plot plan must be available at the event.

**• All food booths, food trucks, and food carts operating at the event must post their Public Health**

Permit.

**EVENT ORGANIZER RESPONSIBILITIES**

It is the event organizer's responsibility to verify that temporary food facilities have adequate hand washing sinks, dish washing sinks, and toilet facilities before the community event starts. Hand washing sinks inside of a mobile food facility MAY NOT be substituted for a hand washing sink required at a restroom facility.

**DISH WASHING SINKS**

**It is the event organizer's responsibility to make sure the dish washing sinks meet the following requirements:**

- **Temporary food facilities with open food have properly set up dish washing sinks prior to the start of the event.**
- **Each dish washing sink has 25 gallons of potable water available for each temporary food facility using the sink.**
- **No more than four (4) temporary food preparation facilities share a dish washing sink.**
- **Sinks have hot (120°F) and cold running water and are properly connected to the sewer or holding tanks.**

**Note: Food trucks and food carts that are not approved to store water in holding tanks and are unable to connect to a water supply must use event organizer provided dish washing sinks.**

**HAND WASHING FACILITIES**

- **See TEMPORARY FOOD FACILITY section for details.**

**FOOD EMPLOYEE TOILET FACILITIES**

- **One (1) toilet for each 15 food employees is located within 200 feet of each food booth, food truck or food cart.**
- **One (1) hand washing sink with warm water (100°F), liquid soap, single use towels, and trash container for towel waste is available for every toilet.**
- **A sign should be provided indicating "Employees Only."**

**PUBLIC TOILET FACILITIES**

- **Adequate toilet facilities (permanent or portable) are available for public use (See table below).**

- One hand washing sink is available for every four (4) toilets. Sinks are stocked with liquid soap, single use towels, and a trash container for towel waste.
- Environmental Health Division  
Los Angeles County Department of Public Health [www.publichealth.lacounty.gov/eh](http://www.publichealth.lacounty.gov/eh)

## Health Code Requirements for Community Events in LA County 9

### WATER SUPPLY

- Protect potable water sources with a backflow protection device when required by applicable plumbing codes.
- Use food grade hoses for connections.
- 

### LIQUID WASTE

- A sewage transport vehicle is available (on call) to service portable toilets and remove liquid waste from sinks with holding tanks.
- Holding tanks must have a capacity 50% greater than the potable water tanks.

### TRASH/WASTE

- Trash containers with plastic bag inserts are available adjacent to food booths and throughout the event as needed.
- Trash containers are emptied and bags replaced on a regular basis to prevent a nuisance.

### ANIMALS

- Animals are maintained at least 20 feet away from food booths (except service animals).
- Animal waste from petting zoos or other animal attractions is removed on a daily basis and stored in a covered container.

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This application is valid for all of SEE-LA's markets but you may indicate your preference for a particular market below:

- Atwater Village Farmers' Market Sunday, 10am–2pm
- Hollywood Farmers' Market Sunday, 8 am – 1 pm
- Glassell Park Farmers' Market Saturday, 10 am – 3 pm
- Central Avenue Farmers' Market Thursday, 10am –3 pm
- Watts Healthy Farmers' Market Saturday, 10 am – 2 pm
- Echo Park Farmers' Market Friday, 3pm–7pm
- Baldwin Hills Crenshaw Farmers' Market Saturday, 10 am – 3 pm

Have you ever sold at any of SEE-LA's farmers' markets?

Yes No If yes, which/when?

Other Market(s) at which you sell:

Required with Application:

- City of Los Angeles Business License
- Selling Permit from the State Board of Equalization (for hot prepared food only)
- \$25.00 Application Processing Fee- payable by check or PayPal
- Samples are to be submitted to SEE-LA before application is considered complete.

Product samples are to be prepared and properly packaged as for sale.

Approved applicants will need to submit proof of the following:

- Public Health Operating Permit and other Department of Health Permits:
 - Community Event Permit (if you prepare and sell foods at the site or you plan on sampling food items)

Renewable every three months. SEE-LA holds a permit, which allows the Market to be a sponsor of Community Event Permit Holders. For more information on this permit, contact the LA County Department of Health, Bureau of District Surveillance and Enforcement at (626) 430-5200.

- Retail Food Vehicle Inspection Permit (valid for one year). For more information on this permit, contact the LA County Department of Health Vehicle Inspection Program at (626) 430-5500.

Copy of Public Health Operating Permit (PHP) for Food Processing Facility if food is prepared off-site.

Product Liability Insurance. Copy to be submitted prior to selling at the Market. We require that each Market you will sell in be added to the policy as an additional insured, if and when approved to sell at any SEE-LA Markets.

How much stall space will you need in feet?

I request permission to sell at SEE-LA's farmers' markets. I have read the Rules & Regulations of the Market. I agree to abide by these rules and all other laws, codes, and regulations, as amended, to cooperate with Market Management, and to pay all required fees.

Signature of Vendor: Date:

VII. FOOD VENDORS

1. A prospective Food Vendor shall complete the "Food Vendor" Application and pay the \$25 non-refundable application fee.. (See Section XII)
- 2. Food Vendors are required to have a valid permit from the Los Angeles County Health Department and their local jurisdiction.**
- 3. The Market Manager selects prepared foods that are original, of high quality and that do not excessively duplicate foods already sold at Market. To benefit consumers, no food vendor will have exclusive right to sale of any category of food product. Food. Vendors' products may not directly compete with products made and sold by producers from their own farm products.**
- 4. All food stalls where cooking is taking place are required by the Los Angeles City Fire Marshall to have on site at all times a fire extinguisher w/ a minimum 20BC classification and a water container. Propane tanks must be secured in an upright position with proper U/L fittings and hoses. No Butane stoves are allowed. Sellers must not**

change propane cylinders during Market hours. All food stalls where cooking is taking place must meet Fire Department requirements for tarps and canopies (such as fireproofing and height requirements.)

5. All food stalls must have a trash can in front of the stall for customer use.
6. All food stalls must have a Los Angeles County Department of Public Health-approved hand-washing sink.
7. All food stalls where cooking is taking place are required to have a floor cover.
8. All menus must be clearly marked as to price and type. Food Vendors may not sell food not originally listed on the application without prior approval of the Market Manager.
9. All Los Angeles County and State Health Department regulations must be followed.
10. All food vendors shall use the sink provided by the Market to wash all equipment and utensils or provide their own Health Department approved sink.
11. All state and local requirements shall be met before a food vendor may sell at the Market. Food vendors must provide a copy of the following documents to the Market Manager and have on display, as applicable:
 12. Priority consideration will be given to food vendors who make their own products, are local to the Market area, and use produce from SEE-LA Certified Farmers' Market producers.
 13. Prepared food vendors must provide adequate facilities to keep hot and cold foods at prescribed temperatures as per Los Angeles County Health Department requirements.
 14. Food Vendors must accept EBT Market Dollars for take-home food products but must not accept EBT Market Dollars for food products prepared for immediate consumption. Valid SEE-LA-issued Market Coupons may be accepted for any purchase. All Market Coupons may be used to pay stall fees. (See Appendix D) Senior & Women, Infants and Children Farmers' Market Nutrition Program (FMNP) checks may not be accepted by any food vendor.
 15. Food Vendors are encouraged to use recyclable and/or compostable packaging and containers for processed and prepared foods. **Vendors are prohibited from using extruded polystyrene (Styrofoam) products and plastic t-shirt bags.**