

MICROENTERPRISE HOME KITCHEN OPERATION

MEHKO

INSPECTION GUIDE

DECEMBER 2024

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I. INTRODUCTION

Background

Since 2013, the landscape of food safety in California has evolved from integrating cottage food operations into the California Retail Food Code (**CRFC**) to the inclusion of Microenterprise Home Kitchen Operations (**MEHKO**) in 2019. The adoption of MEHKOs into the CRFC granted local jurisdictions the authority to authorize a broader range of foods, including higher-risk items, to be prepared and sold from home kitchens. In May 2024, the Los Angeles County Board of Supervisors authorized Public Health to implement the MEHKO program. In response, Los Angeles County Public Health has developed a comprehensive program, which became effective November 1, 2024, to ensure these kitchens and the food operators are able to meet the CRFC minimum requirements.

Authority

The Environmental Health Division is responsible for ensuring compliance with the California Retail Food Code, California Health and Safety Code and Los Angeles County Code, Title 8.

Purpose

This guide is intended to assist Environmental Health Specialists (**inspectors**) and MEHKO operators. It aims to promote safe food handling and ensure compliance with regulations. It provides key information for obtaining permits, conducting inspections, and maintaining safety practices crucial for preventing foodborne illnesses. The guide also aids inspectors in documenting the Homebased Food Official Inspection Report (**HFOIR**), ensuring that violations are clearly identified, and observations accurately recorded. While this guide may not address all circumstances, or violations that may be observed during an inspection or complaint investigation, in those cases where a food operator does not understand the violation identified, the inspector will remain approachable to discuss the violation and provide an opportunity to educate the operator on the importance of public health compliance.

NOTE: *This guide is subject to change based on changes to law and when further clarification is warranted.*

If you have questions regarding the inspection process, violations marked in the inspection report, actions taken by an inspector, or any applicable law or regulation, please contact us at (888) 700-9995.

II. COMMON TERMINOLOGY

The terms described in this section are defined in the Definitions section of The California Retail Food Code and the Los Angeles County Code, unless specified otherwise. This list is not exhaustive but includes only the essential terms necessary for understanding this guide. For more detailed definitions, refer to the [California Retail Food Code](#) and the [Los Angeles County Code](#).

Approved Source means 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.

Compact Mobile Food Operation (CMFO) means a mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized unenclosed conveyance that can be approved to sell packaged food or conduct limited food preparation.

Food Contact Surface means a surface of equipment or a utensil with which food normally comes into contact.

Infestation (vermin) means the presence of vermin—cockroaches, mice, rats, flies, and similar pests that carry disease—within the permitted MEHKO areas as evidenced by actual live bodies, fresh droppings or vomitus, urine stains, or gnaw marks that could result in contamination of the food, equipment, packaging, or utensils.

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

Microenterprise Home Kitchen Operation (MEHKO) means a food facility operated within a private home by a resident, where food is stored, handled, prepared, and served to consumers. Meals may be consumed on-site, picked up, or delivered by an employee. For detailed requirements and limitations as outlined in state law, refer to the [MEHKO Chapter](#) of the California Health and Safety Code.

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

MEHKO Operator means the resident of the private home where the MEHKO will be operating, who is the permit holder for the MEHKO, and who is responsible for the operation.

Notification of Intent to Suspend (NOITS) is a statement documented on the Official Inspection Report which notifies the permit holder of outstanding repeat violations and advises them of their right to request a hearing to show cause as to why their Public Health Permit should not be suspended.

Potentially Hazardous Food means food that requires time and temperature control to limit microbe growth or toxin formation. Examples include animal-origin food (raw/heat-treated), plant-origin food (heat-treated/raw seed sprouts), cut melons/tomatoes, and garlic-in-oil mixtures (not acidified).

Permitted Area means the home kitchen described in the application for MEHKO, the on-site consumer eating area, food storage area, utensils and equipment storage area, toilet room, janitorial or cleaning facilities, and refuse, and attached rooms within the home that have spaces, such as closets, that are used exclusively for food, utensil, and equipment storage for the MEHKO, as authorized by the County Health Officer

Private Home means a dwelling, including an apartment or other leased space, where people live.

Resident of a Private Home means any individual who resides in a private home when not elsewhere for labor or other special and temporary purposes.

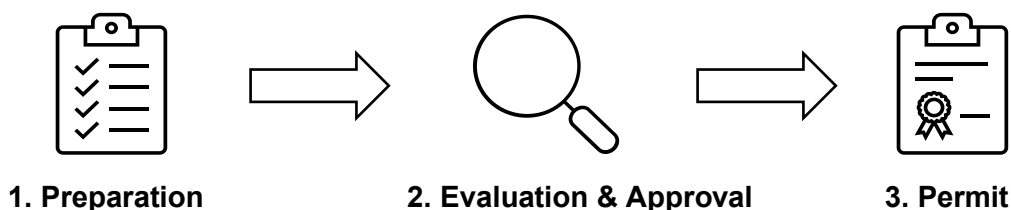
Sanitizing means using chemicals like bleach to significantly reduce pathogenic microorganisms on surfaces that come into contact with food, such as cutting boards, countertops, pots, pans, and utensils.

Time as a Public Health Control (TPHC) means 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.

III. INSPECTION SERVICES

PERMITS

To establish a MEHKO, operators must complete an application packet and undergo an initial evaluation of the home kitchen. The following steps outline the required actions before starting operations:



1. Preparation

- **MEHKO Application for a Public Health Permit:** The operator must complete this form to provide general information about their new business.
- **Standard Operating Procedures (SOPs):** SOPs should detail MEHKO’s day-to-day operations and safety protocols to demonstrate active management of food safety.
- **Food Safety Manager Certificate:** The operator must submit proof of certification with their application. This certification must be renewed every 5 years.
- **Review Fee:** Along with the application, the operator must submit a non-refundable, non-transferable review fee. For a limited time, Los Angeles County is offering a one-time subsidy on a first-come, first-served basis for up to 1,000 MEHKO permittees. The subsidy will waive the initial application review fee. The subsidy is available through June 30, 2026, or until the subsidy funds are exhausted.

2. Evaluation and Approval

After submitting the application and fee, an inspector will conduct an evaluation of the home kitchen to assess whether the MEHKO meets all required health and safety standards. Approval is necessary to proceed and is contingent upon meeting these stringent standards.

3. Permit Issuance

Following a successful evaluation, the MEHKO operator will be approved for the permit, officially authorizing the operator to commence operations once payment of the annual health permit is received.

Resources

Visit our [MEHKO webpage](#) for complete guidelines, application forms, and additional resources. If operators need assistance or have questions about the compliance process, they may contact the Environmental Health Homebased Food Operations Program at (626) 430-9855, or via email at homebasedfoods@ph.lacounty.gov.

MEHKO REQUIREMENTS AND LIMITATIONS

Requirements

- A permit issued from the Department of Public Health; Environmental Division must be obtained prior to operating a MEHKO.
- **One** full-time food employee, (not including a family member or household member) may work at the MEHKO.
- The MEHKO operator must successfully pass an approved and accredited food safety manager certification examination. Also, any person(s) involved with the MEHKO must complete food handler training.
- Food must be prepared, cooked, and served on the same day.

Limitations

- Only **one** MEHKO can be permitted per residence. This must be the primary residence of the MEHKO operator.
- Food preparation is limited to a maximum of **30 meals per day or 90 meals per week**. Gross annual sales are capped at **\$100,000** and adjusted annually according to the California Consumer Price Index.
- If operating a permitted mobile cart (CMFO) in conjunction with the MEHKO, the maximum is **80 meals per day or 200 meals per week**. Gross annual sales are capped at **\$150,000**.
- No signage or other outdoor displays for advertising are allowed.
- Food from a MEHKO cannot be sold to other food facilities, and a MEHKO cannot operate as a Cottage Food Operator or a Caterer.
- Only an employee of the MEHKO, or a family member, may deliver food to the consumer.
- MEHKOs may not produce, serve, or use raw milk, or serve raw oysters or any food that would require a HACCP plan/specialized process.
- A MEHKO that wishes to use their home as a commissary for their own permitted mobile food cart operation may do so only after receiving approval from this department.

INSPECTION AND ENFORCEMENT

Education

Inspectors prioritize education to achieve voluntary compliance when violations are identified. However, when education alone does not result in compliance, inspectors may employ enforcement actions to protect public health. The approach to enforcement—informal or formal—depends on the violation's severity, frequency, and the potential risk to public health.

Inspection Frequency Guidelines

Inspectors will conduct annual inspections of the MEHKO. The inspection will be scheduled in advance with the MEHKO operator to ensure that food activities are observed. The inspection cycle runs annually from July 1 to June 30. Should any violations be identified, a follow-up re-inspection will be scheduled. Failure to correct the violations on the re-inspection will result in additional fees.

Additionally, inspectors may perform unannounced investigations in response to complaints.

- **Annual Inspections:** An initial inspection will be scheduled within 90 days of permit issuance to ensure compliance with health standards. Subsequent annual inspections are conducted to verify ongoing adherence to regulations.
- **Complaint Investigations:** Public Health will promptly investigate any complaints, including alleged foodborne illness complaints, concerning a MEHKO to ensure the operation maintains its compliance and operational status.

Operators are encouraged to conduct monthly self-inspections using the [Self-Inspection Checklist](#) on our [MEHKO webpage](#). This practice helps in consistently upholding health standards.

Inspection Process

The following are steps in the inspection process:

- 1) **Online Preliminary Check:** Prior to the physical inspection, the inspector will review the MEHKO's website to ensure that the operator is not advertising as a **caterer** and that the online menu, if provided, is consistent with the approved menu. Any discrepancies or concerns identified will be addressed with the operator during the physical inspection.
- 2) **Initiation:** The inspector will introduce themselves with County Identification and start the inspection by engaging with the MEHKO operator or Person In Charge (**PIC**). If the inspector is not willing to present County Identification, please do not allow access to your home. Contact the Environmental Health Call Center (888) 700-9995 immediately to report.
- 3) **Facility Inspection:** The inspector will conduct a detailed inspection of permitted areas including the home kitchen, eating area, food storage, utensils and equipment, and sanitation facilities, with a special focus on food preparation, hand washing, and sanitizing practices. The MEHKO operator must also be prepared to present sales receipts during this inspection to verify compliance with meal and income limits.
- 4) **Assessment:** The inspector will document compliance on the Homebased Food Official Inspection Report (HFOIR), as detailed on page 10, including taking measurements and photos as needed.
- 5) **Discussion:** The inspector will discuss the inspection findings at the conclusion of the inspection. The MEHKO operator or PIC should take this opportunity to ask for clarification and education on how to comply.
- 6) **Immediate Corrections:** Any violations marked must be corrected immediately if critical for operation, or by the specified re-inspection date.
- 7) **Referrals:** Non-EH issues, such as noise or unlicensed alcohol sales, will be referred to relevant agencies, with details noted on the HFOIR and communicated to the operator or PIC.
- 8) **Documentation:** The HFOIR will be sent to the operator by email or mail the next business day. If there are immediate health risks, EHS will take urgent action and may consult their supervisor.
- 9) **Follow-Up:** A follow-up inspection will verify that all corrections have been made.

Additional Charges

- MEHKO operators will incur additional charges for second or subsequent re-inspections if initial violations are not remedied by the re-inspection date.
- Inspections requested outside of regular hours (Monday–Friday after 5 p.m., before 8 a.m., weekends) will be billed at an overtime rate.

Voluntary Condemn and Dispose (VC&D)

- When food items are observed to be unwholesome (e.g., adulterated, contaminated, time and/or temperature abuse, etc.), the EHS will request the operator to voluntarily condemn and dispose of those food items. In the event the operator refuses this request, the EHS shall red tag/impound the food item(s) and schedule a compliance review to seek an administrative or legal remedy for the disposition.

Non-Compliance

- A compliance review may be scheduled with the Chief EHS when a MEHKO operator fails to comply, shows no reasonable progress, or when a permit is suspended. Refer to **Appendix A** for detailed enforcement instructions.

Permit Suspension

- MEHKO permits may be suspended, and operations closed if an imminent health hazard is identified, or high-risk violations cannot be corrected at the time of inspection. Refer to **Appendix B** for closure and reopening procedures.

IV. UNDERSTANDING THE OFFICIAL INSPECTION REPORT

The HFOIR is the official document used by Environmental Health Specialists (**EHS**) to record observed violations during an inspection. Its primary goal is to accurately represent the **compliance status** of a MEHKO food operation at the time of the inspection.

The HFOIR is aligned with the CRFC which focuses on evaluating the degree of active managerial control that operators have over foodborne illness risk factors. The report emphasizes critical safety areas: proper holding temperatures, adequate cooking, preventing equipment contamination, safe food sourcing, and maintaining personal hygiene. It integrates key public health interventions, including demonstration of knowledge, employee health controls, hand hygiene, time and temperature controls, along with consumer advisories to enhance food safety.

Compliance Status

In the main section, located under the report header, the inspector will include detailed descriptions of observed violations. Each violation will be accompanied by citations of relevant laws or code sections, observations made by the inspector, and the required corrective actions. Violations that are corrected on-site during the inspection will be noted as "Corrected on-site."

Classification of Violations

- **Major Violations:** These are violations that pose an imminent health hazard and may require immediate closure or immediate corrective actions.
- **Minor Violations:** These are non-imminent health hazard violations that require timely correction.

Overall Inspection Comments

This section documents additional information relevant to the inspection that is not captured under specific violations. This may include the purpose of the visit, any referrals made to applicable cities/departments, administrative hearing details, and the method by which the report was communicated to the owner.

Re-inspection dates

The header of the report will list the date of the inspection and the **re-inspection dates**, if applicable. This section also identifies the MEHKO being inspected and includes details such as the facility name, owner/permittee, and facility address.

Disclosures

The HFOIR also provides information on how to report improper solicitations, along with details about additional fees and compliance instructions.

V. VIOLATION CATEGORIES

FOOD SAFETY PRACTICES

1. Standard Operating Procedures

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

- The MEHKO operator does not have a copy of the approved written Standard Operating Procedures (SOP) onsite.
- The MEHKO operator has implemented substantial changes to its menu like adding new potentially hazardous foods (PHF) to the menu, which affects the originally approved SOP, and 20 days have passed. **(Compliance Review)**
- The MEHKO operator has installed new food preparation equipment or expanded to support other food facilities such as Compact Mobile Food Operations (CMFO), without approval by EH which affects the originally approved SOP, and 20 days have passed. **(Compliance Review)**

This subcategory is not marked if a MEHKO operator updates their menu or equipment in a way that affects the approved Standard Operating Procedures (SOP) without notifying Environmental Health (EH), provided 20 days have not elapsed. The Environmental Health Specialist (EHS) will document the change and issue a directive requiring a new SOP submission within 20 days.

NOTE:

- *Preparation of new PHF must be discontinued AT ONCE until the new SOP is approved by EH.*
- *The use of new, unapproved food preparation equipment or unapproved support to other food operations must be discontinued AT ONCE until EH approves the new SOPs.*
- *MEHKO's operation days and times are not binding on the permit holder and are not violations. They are used for informational purposes only.*

Authority: California Retail Food Code – 114367.2 (c), 114367.2 (c)(1), Los Angeles County Code 11.17.050 (F)

2. Demonstration of Knowledge

This subcategory is marked **MINOR** if a food employee, including the Person in Charge (PIC), is unable to demonstrate food safety knowledge, practices, and principles pertinent to their tasks. This applies to all aspects of food handling and includes scenarios such as:

- An employee responsible for washing utensils does not know the proper procedures for manually washing, rinsing, and sanitizing dishes.
- A Certified Food Protection Manager (CFPM) does not know the necessary actions for excluding ill employees from the workplace.
- An employee involved in food preparation lacks understanding of cooking temperatures, cross-contamination prevention, or specific food handling practices.
- An employee handling food storage fails to demonstrate knowledge of proper storage practices, including temperature control and the separation of raw and cooked foods to prevent cross-contamination.

Authority: California Retail Food Code – 113947

3. Food Safety Certification

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

- The MEHKO operator has an expired certified food manager certification, and more than 60 days have elapsed.
- An employee has a lacks a food handler's card, or the card is expired with the expiration or employment start date exceeding 30 days.
- Food safety certifications are not available upon request by the inspector.

This subcategory is not marked if the owner's food safety certification has expired within the last 60 days, or if a food employee lacks a valid food handler card and less than 30 days have elapsed. The Environmental Health Specialist (EHS) will document these deficiencies and issue a directive requiring the owner to provide the necessary certifications: the employee's valid food handler card within 30 days and the renewed food safety certification within 60 days. The employer shall consider the time that it takes for the employee to complete the training and the examination as compensable "hours worked," for which the employer shall pay the employee for any necessary expenditures or losses associated with the employee obtaining a food handler card and shall not condition employment on the applicant having an existing food handler card.

Authority: California Retail Food Code – 113947.1, 113947.2, 113948, 114367.1 (d)(e)

4. Communicable disease; reporting, restrictions, and exclusions

This subcategory is marked **MAJOR** when any of the following occurs:

- A MEHKO operator has not excluded themselves or a food handler when diagnosed with an "illness" as required.
- A MEHKO operator has been diagnosed or 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.
- A MEHKO operator is aware that two or more food handlers, including themselves if applicable, are concurrently experiencing symptoms associated with an acute gastrointestinal illness, and the operator has not reported it to the local enforcement agency.
- A MEHKO operator is suffering from an acute gastrointestinal illness or has been made aware of a food handler who is suffering from such an illness and has not restricted his duties or the duties of the food employee.
- A MEHKO operator removes a restriction of a food employee or themselves before the resolution of symptoms of acute gastrointestinal illness.
- A MEHKO operator removes the exclusion of food employees or themselves prior to receiving clearance.
- A food employee does not inform the MEHKO operator or Person in Charge (PIC) of a lesion or wound on their hand that is exposed and not properly protected with an impermeable cover and single-use glove.
- A MEHKO operator or PIC with a lesion or wound on their hand that is exposed and not properly protected with an impermeable cover and single-use glove.

Illness means a condition caused by any of the following infectious agents: Salmonella typhi, Salmonella spp., Shigella spp., Entamoeba histolytica, Enterohemorrhagic or Shiga toxin- producing Escherichia coli, Hepatitis A virus, Norovirus, or other communicable diseases that are transmissible through food. These illnesses are to be reported immediately to Los Angeles County, Environmental Health.

Additional Violations:

- *Subcategory #17 (Food Free from Contamination and Adulteration)* shall also be marked if there is contamination of food by an infected MEHKO operator, food employee, or a resident who is not an employee and shall result in food being voluntarily condemned and disposed of or impounded/red tagged.

- *Subcategory #18 (Food-contact Surfaces are Cleaned and Sanitized)* shall also be marked due to contamination of food-contact surfaces by an infected MEHKO operator, food employee, or a resident who isn't an employee.

Authority: California Retail Food Code – 113949.1, 113949.2, 113949.5, 113950, 113950.5, 113973(a), 113975, 114367.1

5. No Discharge from Eyes, Nose, and Mouth

This subcategory is marked **MAJOR** when a MEHKO operator or food employee is experiencing persistent sneezing, coughing, or runny nose that is associated with discharge from the eyes, nose, or mouth (that cannot be controlled by medication) and is working with exposed food, clean equipment, clean utensils, or clean linen.

Additional Violations:

- *Subcategory #17 (Food Free from Contamination and Adulteration)* shall also be marked if there is contamination of food by a MEHKO operator or food employee experiencing persistent sneezing, coughing, or runny nose that is associated with discharges from the eyes, nose, or mouth and shall result in food being voluntarily condemned and disposed of or impounded/red tagged.
- *Subcategory #18 (Food-contact Surfaces are Cleaned and Sanitized)* shall also be marked due to contamination of food-contact surfaces by a MEHKO operator or food employee experiencing persistent sneezing, coughing, or runny nose that is associated with discharges from the eyes, nose, or mouth.

Authority: California Retail Food Code – 113974

6. No smoking in CFO

This subcategory applies only to Cottage Food Operations (CFO) and is not marked on the HFOIR for MEHKO inspections.

7. Employees Shall not Contaminate Food, Food-contact Surfaces, Utensils

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

- A MEHKO operator or employee commits any act that may contaminate or adulterate food, food-contact surfaces, or utensils.
- A MEHKO operator or employee smoking or eating or drinking from an open cup during food preparation or warewashing.
- A MEHKO operator or employee touching or scratching bare body parts while preparing or handling any food products.
- A MEHKO operator or operator or employee touching food, food-contact surfaces, and/or utensils with soiled hands.
- A MEHKO operator or employee with an open lesion on hands or arm touching food and/or food-contact surfaces. **(Voluntary condemnation and disposal)**
- MEHKO food preparation, packaging, and handling are not kept separate from other domestic activities, including but not limited to, family meal preparation, guest entertaining, or dishwashing.
- Pets are observed touching, licking, or lying on food or equipment.

Additional Violation:

- *Subcategory #9 (Hands Properly Washed; Proper Glove Use)* shall also be marked when food, clean equipment, and utensils have been contaminated by a MEHKO operator or employee failing to wash hands before food preparation or packaging.

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

Authority: California Retail Food Code – 113967, 114367.1(b)(5), Los Angeles County Code 11.17.070 (a)

8. Unsafe Presence of Animals or Persons

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

- Persons unnecessary to the operation or pets are observed in the home kitchen, food storage, or warewashing areas during the MEHKO operation without barriers or safety measures to protect food and equipment.
- Persons not part of the MEHKO operation are observed handling food or equipment.
- Persons not part of the MEHKO operation, including household residents, displaying persistent symptoms such as sneezing, coughing, or a runny nose—especially with discharges from the eyes, nose, or mouth that cannot be controlled by medication—without preventive measures in place to avoid contamination of food, clean equipment, utensils, or linens.

Additional Violations:

- *Subcategory #17 (Food Free from Contamination and Adulteration)* shall also be marked when persons not part of the MEHKO operation (small children, visitors, residents who are not employees, etc.) or animals observed touching or licking food products in the permitted kitchen area and shall result in food being voluntarily condemned and disposed of or impounded/red tagged.
- *Subcategory #18 (Food Contact Surfaces are Cleaned and Sanitized)* shall also be marked when pets are observed licking or touching food-contact surfaces in the kitchen area.
- *Subcategory #28 (Equipment/utensils Approved; in Good Repair and Clean)* shall also be marked when persons not part of the MEHKO operation (small children, visitors, residents who are not employees, etc.) are observed touching kitchen equipment.

Authority: California Retail Food Code, Sections – 114367.1 (b)(3), 114367.1(b)(21)

9. Hands Properly Washed: Proper Glove Use

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

- Food workers handling open food are unable to wash their hands due to the lack of soap or paper towels **AND** the handwashing supplies are not available by the end of the inspection. **(CLOSURE)**.
- A MEHKO operator or employee not washing their hands after using the toilet begins to prepare or package food products. **(voluntary condemnation and disposal)**
- A MEHKO operator or employee with an open wound or lesion is not wearing a single-use glove for lesions on the hand or wrist or an impermeable cover for lesions on the arms. **(voluntary condemnation and disposal)**
- A MEHKO operator or employee who does not wash their hands after sneezing, coughing, eating, drinking, or using tobacco products and then puts on gloves or resumes preparing food.
- A MEHKO operator or employee fails to wash hands after touching bare human body parts or hair.

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

- A MEHKO operator or employee uses hand sanitizer instead of washing their hands.
- A MEHKO operator or employee washes their hands with an unapproved water supply.
- A MEHKO operator or employee with artificial nails, nail polish, or unclean nails fails to wear single-use gloves while touching food and/or food-contact surfaces.
- Food employees observed handling food with fingernails that are not trimmed, cleanable and smooth.

Additional Violation:

- *Subcategory #7 (Employees Shall not Contaminate Food, Food-contact Surfaces, and Utensils)* shall also be marked when a MEHKO operator or employee commits any act that may contaminate or adulterate food, food-contact surfaces, or utensils.

Authority: California Retail Food Code – 113952, 113953.3, 113973

10. Adequate Handwashing Facilities; Supplied and Accessible

This subcategory is marked **MINOR** if any of the following violations are observed at the handwashing sink in the bathroom used by food employees:

- Empty or missing soap or single-use towel dispenser at the handwashing sink.
- No soap or towels are available on the premises but are provided by the end of the inspection.
- Handwashing sink lacks warm water.
- Obstructed, inaccessible, improperly used, or unclean handwashing sink.
- Non-functional soap and/or towel dispenser.

Exceptions:

- *Subcategory #9 (Hands Properly Washed; Proper Glove Use)* shall be marked if soap or paper towels are not available on the premises and are not provided by the end of the inspection. **(CLOSURE)**
- *Subcategory #24 (Potable Hot and Cold Water Available)* shall be marked if warm water is not provided by the end of the inspection.

Authority: California Retail Food Code – 113953.1, 113953.2, 114367.1(b)(1)

TIME AND TEMPERATURE CONTROL

11. Proper Hot and Cold Holding Temperatures

This subcategory is marked if any of the following violations are observed. Items in salad bars and serving lines may be held between 41°F and 45°F, provided they are disposed of after 12 hours. Pasteurized milk products in original sealed containers, raw shell eggs, and unshucked live molluscan shellfish may be held at 45°F or less.

This subcategory is marked **MAJOR** for the following violations and will require **voluntary condemnation and disposal**.

- PHF held in hot or cold holding equipment at temperatures of 50°F – 130°F.
- PHF found in the range of 50°F – 130°F exceeding a 2-hour preparation time.
- PHF transported to the facility exceeding 30 minutes at temperatures of 50°F – 130°F.
- PHF during the thawing process held between 50°F – 130°F in excess of 2 hours.
- Pooled eggs held at temperatures of 50°F – 130°F that have exceeded the 2-hour food preparation limit.
- 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.
- Korean rice cake found between 50°F – 130°F exceeding the 24-hour period or missing label information.
- Asian rice-based noodles held between 50°F – 130°F exceeding the 4-hour period or missing label information.

This subcategory is marked **MINOR** for the following violations, and may be **corrected on site**:

- PHF held at temperatures between 131°F – 134°F for less than two hours in hot holding equipment.

- PHF held between 42°F/46°F – 49°F in a refrigeration unit.
- PHF held at room temperature for more than two hours after preparation in the range of 42°F —49°F.
- PHF during the thawing process in the range of 42°F – 49°F for over 2 hours.

Corrective Action: Must be immediately reheated to 165°F for at least 15 seconds if above 130°F or immediately cooled to 41°F if below 50°F. Ensure that the cooling time and the time PHF has been above 41°F do not exceed 4 hours.

Additional Violation:

- *Subcategory #28 (Equipment/utensils Approved; in Good Repair and Clean)* shall also be marked when faulty equipment has caused PHF to be out of temperature.

NOTE:

- *If it is necessary to remove PHF to facilitate preparation, in no case exceed two cumulative hours without a return to the specified holding temperatures.*
- *Roasts cooked per section 114004(b) must be held at 130°F or higher.*

Authority: California Retail Food Code 113996,113998, 114037, 114425, 114429, 114429.3, 114429.5

12. Time as a Public Health Control (TPHC)

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

Improper Time Marking

- PHF not labeled to clearly show the time that is four hours past its removal from temperature control.

Exceeding Time Limits

- Time-marked PHF not cooked, served, or discarded within the four-hour window after being removed from temperature control. **(voluntary condemnation and disposal)**
- PHF found in unmarked containers or labeled to exceed the four-hour time limit. **(voluntary condemnation and disposal)**

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

Lack of Comprehensive Procedures

- The facility lacks documented procedures that clearly outline the steps for managing PHF using time rather than temperature as a public health control. This includes preparation prior to time control initiation, ensuring compliance with safety standards.

Authority: California Retail Food Code 114000

13. Proper Cooling Methods

This subcategory is marked **MAJOR** for the following violations and will require **voluntary condemnation and disposal**.

- PHF not cooled from 135°F to 70°F within two hours (e.g., pot of cooked beans found at 90°F after more than 2 hours).
- PHF not cooled from 70°F to 41°F within an additional four hours (e.g., roast found at 60°F after cooling for more than 6 hours).
- PHF not cooled from 135°F to 41°F or below within six hours after heating or hot holding.
- PHF prepared from ingredients at ambient temperature not cooled to 41°F within four hours.
- Deliveries of PHF not cooled to below 41°F within four hours if received between 41°F to 45°F.

This subcategory is marked **MINOR** for the following violations, and may be **corrected on site**:

- PHF is cooling using an unapproved method but remains within the required time and temperature parameters.

See Figure C-1 Appendix C for an illustration of approved cooling methods for Potentially Hazardous Foods (PHF), which can help ensure compliance with the following standards.

Additional Violation:

- *Subcategory #28 (Equipment/utensils Approved; in Good Repair and Clean) shall also be marked when faulty equipment results in a cooling violation.*
- *Subcategory #21 (Food is Prepared, Cooked, and Served on the Same Day) shall also be marked when food was prepared or cooked on a previous day for service on a following day.*

Authority: California Retail Food Code 114002, 114002.1

14. Proper Cooking Time and Temperatures

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

Inadequate Cooking Temperatures

- Cooking processes did not reach the required temperatures:
 - 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
- An employee attempts to serve undercooked food without returning it to the cooking process.

Microwave Cooking Compliance

- Raw foods of animal origin cooked in a microwave oven fail to meet these requirements:
 - Stirred or rotated midway.
 - Covered during cooking to retain moisture.
 - Heated to at least 165°F.
 - Allowed to stand covered for 2 minutes after cooking.

See Figure C-2 Appendix C for an illustration of approved cooking temperatures for Potentially Hazardous Foods (PHF), which can help ensure compliance with the following standards.

Additional Violation:

- *Subcategory #22 (Food Honestly Presented as Advertised) shall also be marked when a food facility intentionally undercooks meat or eggs without providing the required consumer advisory.*

Note:

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

Authority: California Retail Food Code 114004, 114008, 11410, 114014

15. Proper Reheating Procedures for Hot Holding

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

- PHF not rapidly reheated to 165°F for 15 seconds within 2 hours for hot holding (e.g., previously cooked and cooled stew not reaching 165°F within the time limit).
- PHF reheated in a microwave to 165°F without being rotated or stirred, covered, or allowed to stand covered for two minutes after reheating.
- Commercially processed ready-to-eat PHF not heated to at least 135°F within 2 hours for hot holding.
- Remaining unsliced portions of roasts not reheated for hot holding to the required minimum temperature of 165°F.

Note:

- *Cooked and refrigerated food prepared for immediate service in response to an individual order may be served at any temperature.*

Authority: California Retail Food Code 114014, 114016

PROTECTION FROM CONTAMINATION

16. Returned and Re-service of Food

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

- Food that has already been sent or served to a customer is returned and reserved for another customer. (**voluntary condemnation and disposal**)
- Re-served tortilla chips, salsa, or unpackage bread.
- Previously served steamed rice used in the preparation of fried rice.

Authority: California Retail Food Code 114079

17. Food Free from Contamination and Adulteration

This subcategory is marked **MAJOR** for the following violations, and will require **voluntary condemnation and disposal or impounded/red tagged:**

- Foreign objects found inside food products (e.g., glass, bandage).
- Food adulterated by rodents, cockroaches, or flies.
- Food contaminated by touch or licking from an ill person, child, or pet.
- Use of chemical containers to store food products or ingredients.
- Use of unapproved ingredients in food products (e.g., raw oysters, raw milk, water from an unapproved source).
- Food products stored on the floor in contact with overflowing sewage or wastewater.
- Food adulterated by a food employee who uses a utensil to taste food and then uses it again without proper washing, rinsing, and sanitizing.
- Food contaminated by an employee with an open lesion on hands or arms.
- Food is prepared outside of the approved area (e.g., bathroom, sleeping area, etc.)
- Numerous shell eggs found to be broken, unclean, or below Grade B standards.
- Ice is used to cool the external surfaces of items like melons, fish, or canned beverages and then used as food.
- Canned food products for service that are leaking or swelling.
- Presence of food-infesting insects (e.g., beetles, moths, larvae), ants, or gnats.

This subcategory is marked **MINOR** for the following violations, and may be **corrected on site:**

- Washing produce in a sink compartment that has not been washed and sanitized.
- Not changing linens used as linings in bread baskets between customers.
- Using newspapers as linings in food containers.

Authority: California Retail Food Code 113980, 113988, 113990, 114035, 114041, 114041(a), 114254.3

18. Food-contact Surfaces are Cleaned and Sanitized

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

Manual Warewashing

- Warewashing sink is missing, non-functional, or clogged with no other approved means of cleaning and sanitizing available. **(CLOSURE)**
- Lack of detergent or approved sanitizer not available by the end of the inspection. **(CLOSURE)**
- Inability to clean and sanitize due to the detergent being ineffective at less than 100°F and lack of hot water at warewashing sink which cannot be restored by the end of the inspection. **(CLOSURE)**
- Detectable sanitizer levels are not maintained below 100 ppm for Chlorine or below 200 ppm for Quaternary Ammonium during active warewashing.
- Inadequate contact time with approved sanitizer (Chlorine = 30 seconds, Quaternary Ammonium = 1 minute).

Food-Contact Surfaces

- Failure to clean and sanitize food-contact surfaces every four hours or as required when changing tasks (e.g., from handling raw food of animal origin to handling ready-to-eat food).
- Dirty equipment is in direct contact with food products.
- Neglect to wash and sanitize a utensil used for tasting between uses.
- Food contact surfaces contaminated due to a wiping cloth used improperly.
- Fabric implements used in direct contact with food are not laundered and sanitized before or after use.
- Use of non-food grade lubricant on food-contact surfaces of equipment.

Mechanical Warewashing

- MEHKO food employees do not follow manufacturer specifications when using a dishwasher (e.g., not removing excess food from dishes, hot water is not connected or operational, etc.)

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

- Excessive sanitizer level is observed (sanitizer level is above 200 ppm for Chlorine or 400 ppm for Quaternary Ammonia). Utensils are not properly scraped or flushed of food debris, pre-soaked, or scrubbed as necessary.
- Equipment and utensils are not allowed to adequately drain or air dry before reuse.
- Temperature of the washing solution is below 100°F or below the temperature specified by the manufacturer on the detergent label and can be corrected prior to the end of the inspection.

See Figure C-3 Appendix C for an illustration of approved warewashing and sanitizing procedures for one (1) and two (2) compartment sinks, which can help ensure compliance with the following standards.

Additional Violations:

- *Subcategory #17 (Food Free from Contamination and Adulteration)* shall also be marked when food has been contaminated due to improper washing and sanitizing.
- *Subcategory #24 (Potable Hot and Cold Water Available)* shall also be marked when there is a lack of hot water.

If cleaning and sanitizing operations are not being conducted during the inspection, the inspector should ask

the operator to describe and demonstrate their methods for cleaning and sanitizing food-contact surfaces. The required supplies must be available on-site or available by the end of the inspection to avoid permit suspension.

Authority: California Retail Food Code – 113976, 114095, 114097, 114099.1, 114099.6, 114099.7, 114101, 114105, 114109, 114111, 114113, 114115, 114117, 114118, 114141, 114367.1 (a)(b)(2)

PROHIBITED FOOD ITEMS

19. Food Obtained from an Approved Source

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

- Food purchased for service lacks required labels, such as prepackaged food missing labels that should indicate the manufacturer and ingredients, as mandated by the Sherman Food, Drug, and Cosmetic Law.
- Operator lacks receipts for food ingredients suspected of being from an unapproved source.
- Game animals from an unapproved source, particularly those listed in 50 CFR 17 (Endangered and Threatened Wildlife and Plants), are sold or served at the food facility.

Authority: California Retail Food Code – 114021, 114023, 114024, 114025, 114027

20. Food Prepared from Prohibited Food Items or under Prohibited Processes

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

- Offering of raw oysters for service or sale.
- Production, service, or sale of raw milk or raw milk products.
- Food preparation that requires a Hazard Analysis Critical Control Point (HACCP) plan.
- Manufacturing, processing, freezing, or packaging milk products, including, but not limited to, cheese, ice cream, yogurt, sour cream, and butter.

Authority: California Retail Food Code – 113825(a)(4), (5), (6)

21. Food is Prepared, Cooked, and Served on the Same Day

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

- Food prepared with PHF ingredients that were prepared on a previous business day.
- Food offered for sale that was prepared before the same business day of the inspection, identified by dates or confirmed by the operator.
- A food employee observed defrosting previously prepared meals and intending to be served to MEHKO customers.

Note:

- *Thawing raw meats, poultry, or fish inside a refrigerator is permissible hours or days before the service date, as required for subsequent food preparation.*

Authority: California Retail Food Code - 113825 (a)(2)

LABELING, ADVERTISING AND CONSUMER ADVISORY

22. Food Honestly Presented as Advertised

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

Misleading Advertising

- Previously frozen fish advertised as “Fresh.”
- Advertising foods as meeting a standard but using a substitute (e.g., advertising dolphin safe tuna, advertising organic, or advertising a country of origin while substituting another product).
- Imitation ingredients substituted for advertised ingredients (e.g., imitation crab, imitation honey, imitation wasabi, imitation maple syrup).
- A burrito advertised as “1 lb.” but the product weighs only 14.5 oz.

Inadequate Consumer Advisory

- Failure to provide a complete consumer advisory when serving raw or undercooked animal-derived foods, including both a Disclosure and a Reminder as required:
 - **Disclosure:** Adequate description of the animal-derived foods (e.g., “raw-egg Caesar salad,” “hamburgers (can be cooked to order)”) or identification marked by an asterisk denoting that the items are served raw or undercooked.
 - **Reminder:** A statement identified by an asterisk that includes warnings such as “Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.”

Lack of Advisory for Alcohol Content

- A confectionary containing more than ½% alcohol by weight without a prominently displayed warning.

Authority: California Retail Food Code 114087, 114090(a), 114093 (Disclosure & Reminder), 114093.1; Sherman Food, Drug Law

23. Proper Advertising and Delivery

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

Advertising

- MEHKO displays outdoor signs or advertisements on the property.
- MEHKO’s online advertisement lacks one or more of the following: permit number, “Los Angeles County, Department of Public Health, Environmental Health Division” as the enforcement agency, MEHKO’s name and address, or the designation “Made in a Home Kitchen.”
- MEHKO uses an Internet Food Service Intermediary (IFSI) that is not registered with the California Department of Public Health.
- MEHKO uses an IFSI site that omits any of the following advertising requirements on its online or mobile platform: MEHKO permit requirements, fees associated with its advertising and third-party delivery services, liability insurance information, contact information for food safety complaints with the intermediary and with the Los Angeles County Department of Public Health.
- MEHKO is advertising as a caterer or as a Cottage Food Operation in any online advertisement, including on IFSI sites.

Delivery

- MEHKO uses a third-party delivery service (e.g., Uber Eats, DoorDash) for customers who are not persons with disabilities who cannot easily access the food themselves.

Authority: California Retail Food Code – 114367.4(a)((1)(A), 114367.5, 114367.6

WATER SUPPLY AND WASTE MANAGEMENT

24. Potable Hot and Cold Water Available

This subcategory is marked **MAJOR** for the following violations:

Unapproved or Insufficient Water Supply

- Water used in food preparation comes from an unapproved source such as an unauthorized well, water body, or stream. **(CLOSURE)**
- No adequate, protected, pressurized, potable water is available at the MEHKO facility. **(CLOSURE)**

Private Well Compliance

- MEHKO operating with a private well lacks water testing records for nitrates, nitrites, and/or coliform.
- Latest water testing results for a MEHKO with a private well indicate the presence of coliform bacteria. **(CLOSURE)**
- Latest water testing results show levels exceeding 10 mg/L for nitrates or 1.0 mg/L for nitrites. **(CLOSURE)**
- Records provided by the MEHKO operator indicate water testing for coliform bacteria is not conducted quarterly as required.
- Records provided by the MEHKO operator indicate water testing is not conducted per the required frequency: annually for nitrates, every three years for nitrites.
- Records provided by the MEHKO operator indicate that quarterly nitrate testing was not completed after a sample result of greater than 5 mg/L.
- Records provided by the MEHKO operator indicate that annual nitrite testing was not completed after a sample result greater than 0.5 mg/L.

This subcategory is marked **MINOR** for the following violations:

Plumbing fixtures

- Leaking faucet at the MEHKO kitchen or restroom sink.
- Unapproved rubber hose used as a faucet extension.
- Hose used for other purposes is also used to supply potable water in the food preparation area.

Additional violations:

- *Subcategory #18 (Food-contact Surfaces are Cleaned and Sanitized)* shall also be marked when an unapproved or contaminated water supply is used for cleaning food-contact surfaces.
- *Subcategory #28 (Equipment/utensils Approved; in Good Repair and Clean)* shall also be marked when unapproved or contaminated water source was used for cleaning equipment and utensils.
- *Subcategory #17 (Food Free from Contamination and Adulteration)* shall also be marked when unapproved or contaminated water source is served for drinking or used as a food ingredient. **(voluntary condemnation and disposal)**

Authority: California Retail Food Code – 113869, 113941, 114189, 114190, 114192, 114192.1, 114195

25. Sewage and Wastewater Properly Disposed

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

- Active sewage backup is present in the MEHKO permitted area. **(CLOSURE)**
- Liquid waste (excluding sewage) is not disposed of through an approved plumbing system or does not discharge into the public sewer system or an approved private disposal system.
- Drain line leaking from any sink in the MEHKO permitted area.

Authority: California Retail Food Code – 1114190, 14197, 114367.1(b)(18)

VERMIN

26. No Rodents, Insects Within the Permitted Area

This subcategory is marked **MAJOR** for the following violations, and will require **CLOSURE**:

- **Rodent Infestation:** Presence of fresh droppings, gnaw marks, nesting materials, grease marks, and live or dead rodents in the food preparation or storage areas.
- **Cockroach Infestation:** One or more live cockroaches in the approved MEHKO food areas.
- **Fly Infestation:** Numerous flies in contact with food or food-contact surfaces within food preparation areas.

This subcategory is marked **MINOR** for the following violations:

Minor Signs of Vermin

- Old rodent droppings with no signs of active infestation.
- A single live cockroach with no other signs of infestation.
- Old dead cockroaches and/or fecal spots without active infestation.
- Presence of flies in the MEHKO preparation area, not directly affecting food or food-contact surfaces.
- Gnats in the preparation/storage area.
- Ants in the MEHKO kitchen.

Structural Issues

- Open or damaged windows, doors, or structural flaws in walls/ceilings/floors that could allow vermin entry.

Inappropriate Insect Control

- Insect electrocution devices that do not retain insects.
- Placement of insect electrocution devices or traps over food or utensil handling areas, risking contamination from dead insects and insect fragments.

Additional Violations:

- *Subcategory #17 (Food Free from Contamination and Adulteration)* shall also be marked when food is adulterated by insects, rodents, or cockroaches.
- *Subcategory #18 (Food-contact Surfaces are Cleaned and Sanitized)* shall also be marked when food-contact surfaces are contaminated by vermin.
- *Subcategory #28 (Equipment/utensils Approved; in Good Repair and Clean)* shall also be marked when non-food-contact surfaces are contaminated by vermin.

Authority: California Retail Food Code – 114259, 114259.1, 114259.3

FACILITY AND EQUIPMENT MAINTENANCE

27. Refuse, Used Oils and Grease / Properly Disposed

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

Refuse Management

- Refuse is overflowing and creating a nuisance.
- Food waste is not properly bagged and disposed.
- Exterior refuse container lids are propped open or missing.
- Recyclables stored in a manner that creates a public health nuisance.

Used Oil Mismanagement

- Used cooking oil is poured into the kitchen sink and not being properly disposed.
- Used cooking oil is not disposed of in trash.

Authority: California Retail Food Code 114190, 114244, 114245(b), 114245.1, 114245.4

28. Equipment/Utensils Approved; in Good Repair and Clean

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

Approved Equipment

- New equipment of commercial grade has been installed after initial MEHKO approval without submitting an updated SOP for review/approval.
- Use of enamel/ceramic/stoneware pots or pans or lead-glazed containers.
- Copper or copper alloys are used in contact with food with a pH below 6.0, such as vinegar, fruit juice, or wine, or as a fitting between a backflow prevention device and a carbonator.

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, or in good repair.
- Refrigeration unit not being maintained in good repair.
- Ice build-up on the condenser unit in the freezer.
- Damaged utensils (knives, spoons, colander, chipped dishes, and glassware).
- Frayed or deteriorated fabric implements.
- Plastic bags being used as sink stoppers in the sink.
- Insufficient natural or artificial light in the food preparation areas when food is being prepared.

Clean

- Accumulated food debris on the nonfood-contact surfaces of food equipment and/or shelving/cabinets used for food ingredient storage.
- Using a soiled wiping cloth to clean non-food contact surfaces.

Authority: California Retail Food Code, Sections – 114130.1, 114130.2, 114133, 114137, 114153, 114165, 114167, 114175, 114177, 114180, 114182, 114185, 114367.1(b)(2)(9 -16)(19)

29. Adequate Food Storage and Related Equipment; Food Storage Containers Identified

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

Unapproved Storage Locations

- Food ingredients or products stored in unapproved areas, such as in bathrooms, bedrooms, sleeping areas, or in secondary residential units on the same property.
- Food stored in garages, other detached rooms, or accessory buildings must be in an approved refrigerator or freezer with a closable door/lid; any food items not stored according to these standards or left open in these locations will be marked as a violation.
- Food equipment and utensils stored in unapproved locations such as bedrooms or bathrooms.

Improper Storage Conditions

- Food stored in soiled or wet locations susceptible to contamination.
- Food items stored directly on the floor.
- Insufficient or inadequate food or equipment storage space.

- Returning a dirty utensil to a clean food storage area.
- A CMFO stored in an unapproved location.

Labeling Deficiencies

- Working food containers lack labels identifying the contents by their common names, except for items easily identifiable, such as rice or pasta.

Additional Violations:

- *Subcategory #17 (Food Free from Contamination and Adulteration)* shall also be marked when food is contaminated or adulterated due to improper storage. **(voluntary condemnation and disposal)**
- *Subcategory #28 (Equipment/utensils Approved; in Good Repair and Clean)* shall also be marked with equipment/utensils are soiled due to improper storage.

Authority: California Retail Food Code, Sections – 114047, 114049, 114051, 114053, 114055, Los Angeles County Coe 11.17.070 (B)

30. Testing Equipment

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

Thermometers

- No probe thermometer available at the time of inspection.
- Probe thermometer is non-functional, inaccurate, or unapproved.

Sanitizing Test Kits

Note:

- *While sanitizing test kits are not mandatory for MEHKO, they are strongly recommended. Operators must ensure proper solution preparation. For guidelines on preparing chlorine solutions, refer to the graphic in the section for violation 26, "Food-contact Surfaces are Cleaned and Sanitized."*

Authority: California Retail Food Code – 114099.5, 114159, 114367.1(b)(2)(14)

31. Floors, Walls, And Ceilings Easily Cleanable

This subcategory is marked **MINOR** if the floors, walls, and ceilings in the kitchen, storage, and toilet areas are not smooth, durably constructed, and easily cleanable.

Note:

- *There are no restrictions on the use of wood, tile, and other non-fiber floor surfaces commonly used in residential settings.*

Authority: California Retail Food Code – 114367.1(b)(22)

32. Adequate Ventilation

This subcategory is marked **MINOR** if:

- The MEHKO kitchen and food preparation areas lack adequate ventilation (e.g., range hoods, windows, or other systems) to effectively remove gases, odors, steam, heat, grease, vapors, and smoke from the environment.

- Existing ventilation systems like range hoods are broken or malfunctioning, impeding their ability to function properly.

Note:

- *MEHKOs are not required to install new ventilation equipment. However, all equipment must be in good working order to be considered adequate.*

Authority: California Retail Food Code – 114367.1(b)(13)

COMPLIANCE & ENFORCEMENT

33. Permit Valid and Available

This subcategory is marked **MINOR** for the following violations, and will require a **CLOSURE**:

- Operating without a valid Public Health Permit.
- More than one MEHKO operating from the same residence.
- The operating location differs from the address approved on the MEHKO permit.
- A Cottage Food Operation is operating from the same residence as a MEHKO.
- Operating with an expired permit.
- The name of the MEHKO operator does not match the permit holder.
- MEHKO not operated or no longer operated from the operator's primary residence, such as a home used exclusively for business purposes or rented solely to conduct business while the operator resides elsewhere.
- Permit or an accurate copy is not posted in a conspicuous location during operation.

Note:

- *A Cottage Food Operation (CFO) must obtain a registration or permit based on type of operation from Environmental Health and may not operate from the same residence as a MEHKO.*

Authority: California Retail Food Code – 113825(a), (c), 114367.2 (a), (f), (g), (h); Los Angeles County Code 11.17.050 (G-I)

34. Approved / Permitted Area

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

- MEHKO conducting food operations outside the approved **permitted area**.

Exception: Improper storage of food and food utensils or equipment is marked under violation #29 (*Adequate Food Storage and Related Equipment; Food Storage Containers Identified*).

Note:

- *For permitting purposes, the permitted area includes the home kitchen, onsite consumer eating area, food storage, utensils and equipment, toilet room, janitorial or cleaning facilities, and refuse storage area.*

Authority: California Retail Food Code – 113825, 114367.2 (e)

35. Approved number of employees

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

- MEHKO has more than one full-time employee, not including a family or household member.

Note:

- *A MEHKO may have two employees who work 20 hours per week, or other combinations, as long as the total FTE does not exceed 40 hours per week.*

Authority: California Retail Food Code – 113825(a)1

36. Meets Sales Limits

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

- MEHKO exceeds \$100,000 in verifiable gross annual sales, adjusted for inflation.
- MEHKO operating up to two CMFOs exceeds \$150,000 in verifiable gross annual sales, adjusted for inflation.
- MEHKO exceeds sales of 30 meals per day or 90 meals per week.
- MEHKO operating in conjunction with up to two CMFOs exceeds sales of 80 meals per day or 200 meals per week.
- Records of MEHKO's sales / meals are not available upon request.

Note:

- *The meal and gross annual sales limitations do not apply to the sale of non-potentially hazardous food or produce for up to two CMFOs operated by the MEHKO.*

Authority: California Retail Food Code –113825(a)(7), (8), (d), 114368.3(a)(8); Los Angeles County Code 11.17.080 (D)

37. Expanded Food Service

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

- MEHKO serves as a commissary for CMFOs without prior approval.
- MEHKO serves as a commissary for unapproved CMFOs.

Authority: California Retail Food Code – 114368.3(a)(5), (7); Los Angeles County Code 11.17.080 (A), (C).

38. Impoundment/VC&D

This subcategory is marked when the EHS impounds (red tag, seizure, or voluntarily condemns/disposes) food, equipment, or utensils suspected of being unsanitary, in disrepair, potentially releasing lead or cadmium, or contaminated.

Note:

- *Within 30 days, proceedings will commence to release impounded materials or seek administrative or legal remedy for their disposition.*

Authority: California Retail Food Code – 113812, 114393

39. Permit Suspension or Revocation

This subcategory is marked when the MEHKO permit is suspended due to imminent health hazards or continued non-compliance.

Note:

- *EHS must indicate reasons for closure, which may include imminent health hazards, no permit, vermin infestation, etc. (See Appendix B for closure reasons)*
- *The permit may be reinstated if conditions that prompted the suspension no longer exist.*

Authority: California Retail Food Code – 114405, 114409, 114411, LACC 11.17.050 (G)

40. Compliance Review

This subcategory is marked when a Compliance Review is scheduled.

41. Referral to Other Agency

This subcategory is marked when a referral is made to another agency due to violations or concerns that fall outside the Environmental Health Division's (EH) direct jurisdiction.

Note:

- *Local City Issues: Referrals related to traffic, noise, and other local nuisance laws in a city will be directed to local city contacts.*
 - *Unincorporated Areas: Referrals for similar issues in unincorporated areas will be directed to the corresponding county agency.*
 - *Documentation: EHS will document the issue, the reference number, and the agency it was referred to in this section.*
-

VI. APPENDIX A

COMPLIANCE AND ENFORCEMENT PROCEDURES

Introduction to Enforcement

Environmental Health inspectors prioritize education to achieve voluntary compliance when violations are identified. If education alone does not lead to compliance, enforcement actions are taken to protect public health, depending on the violation's severity, frequency, and potential risk.

Correction, Re-Inspection and Legal Ramifications

The EHS must ensure all violations listed on the HFOIR are corrected by the scheduled re-inspection date. Extensions may be granted if significant progress is made. Violations noted on the HFOIR may lead to fines, imprisonment, or both. Daily continuation of a violation constitutes a separate offense, and non-compliance fees or other administrative penalties may apply.

Scheduling of Re-Inspections

Re-inspection dates are set based on the public health risk associated with the violation. If multiple compliance dates are necessary, the earliest date should be noted in the Re-inspection Date field on the HFOIR. The EHS will document re-inspection dates for other violations in the "Overall Comments" section of the HFOIR. For violations with multiple compliance requirements, each re-inspection date should be recorded in the narrative comments for each respective violation. Detailed scheduling criteria are outlined in the table under the next section "Classification of Violations" of this Appendix.

Classification of Violations

- **Major Violations:** These pose an imminent health hazard requiring immediate closure or urgent corrective actions. Details on scenarios warranting MEHKO closures are outlined in **Appendix B**.
- **Minor Violations:** These require timely correction but do not pose an immediate health hazard.

The EHS shall use the table below to determine compliance dates.

Violations	Compliance Times	When to Issue a NOITS
Major Violations	Major – Corrective action required prior to the end of inspection. EHS shall schedule a re-inspection within 14 calendar days to determine ongoing compliance.	<ul style="list-style-type: none">• A Major violation is observed at the routine inspection and remains outstanding at the first re-inspection.• A "repeat" Major violation is identified at the routine inspection.
Minor Violations	Minor – Up to 14 calendar days; however, some violations require corrective action before the end of the inspection.	<ul style="list-style-type: none">• A Minor violation observed at the routine inspection remains outstanding at the chargeable re-inspection.• A "repeat" Minor violation identified at the routine inspection remains outstanding on the re-inspection.

ENFORCEMENT

Non-compliance of violations indicated on a HFOIR by a food facility operator/owner is a misdemeanor and may be punishable by a fine of no less than one hundred (\$100) for the first violation and no more than five hundred dollars (\$500) for the second violation and any subsequent violations, or imprisonment in the county jail for no more than six months, or both as stated in the LA County Code, Title 8, section 8.04.947. Non-Compliance fees or other administrative fines may also be issued.

When food items are observed to be unwholesome (e.g., adulterated, contaminated, time and/or temperature abuse, etc.), the EHS will request the operator to voluntarily condemn and dispose (VC&D) of those food items. In the event the operator refuses this request, the EHS shall red tag/impound the food item(s) and schedule a compliance review to seek an administrative or legal remedy for the disposition.

The EHS shall ensure that all violations cited on the HFOIR are corrected by the indicated re-inspection date. If most violations are corrected or reasonable progress is made, additional time may be granted. However, the owner may be charged for the additional re-inspections.

A public health permit may be suspended or revoked by the Department for non-compliance of serious or repeat violations; or violations that are considered an imminent health hazard. Any food facility for which the permit has been suspended shall close and remain closed until the permit has been reinstated. Any food facility for which the permit has been revoked shall close and remain closed until a new permit has been issued.

At any time within 15 calendar days after the facility has been closed, the permit holder may make a request in writing for a compliance review before a compliance review officer to show cause as to why the permit suspension is not warranted. The compliance review shall be held within 15 calendar days of the receipt of a written request. A failure to request a compliance review within 15 calendar days shall be deemed as a waiver to the right for a compliance review.

A permit may be reinstated, or a new permit issued if the Department determines that the conditions that prompted the suspension or revocation no longer exist.

VII. APPENDIX B

MEHKO CLOSURES

The primary reason for suspending a health permit in MEHKOs is the detection of an immediate health hazard, which poses a significant threat to public health. Such hazards include:

- **Lack of Essential Utilities:** Such as potable or hot water (required for proper warewashing and sanitization), critical for operations.
- **Significant Vermin Infestations.**
- **Sewage Backups:** Compromising the sanitary conditions within the facility.

Immediate corrective actions are mandated to mitigate risks of injury, illness, or death. If hazards are identified and not addressed expediently, an enforcement officer may suspend the health permit and close the MEHKO to protect public health. For specific violations and closure criteria, refer to the violation table in **Appendix A**.

Intent to Suspend Permit Notice

When a hazard does not pose an immediate threat but requires swift correction, the Environmental Health Specialist (EHS) will issue an Intent to Suspend Permit Notice alongside a Compliance Review. Situations that might trigger this include insufficient hot water, employee illness not linked to an outbreak, or failure to maintain proper hygiene practices, detailed in the violation chart in **Appendix A**.

Procedures for Closing a MEHKO

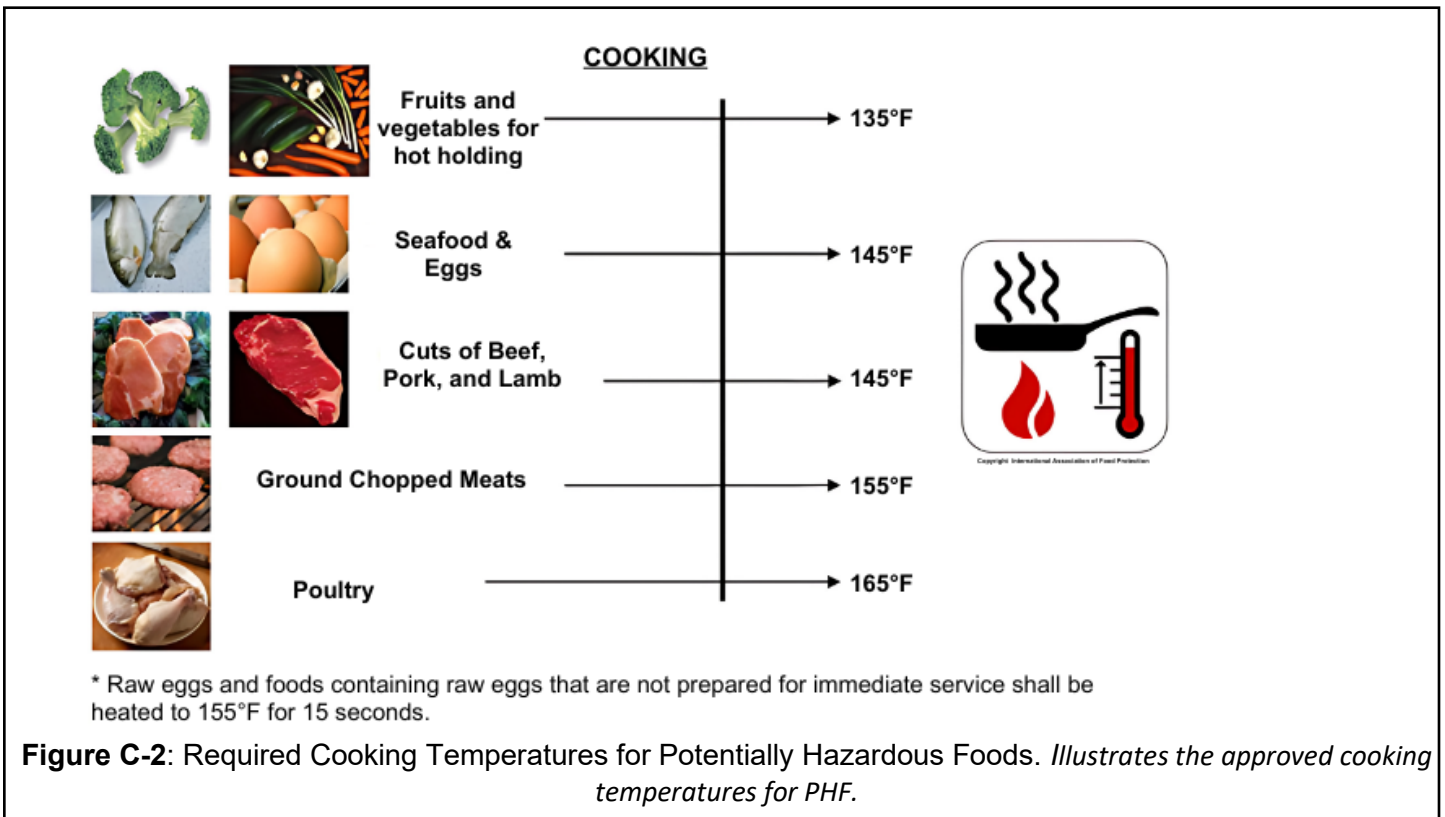
- **Discuss Closure Details:** Contact a supervisor to discuss the reasons and timing for the closure.
- **Secure Approval:** Obtain approval from the supervisor for the closure action.
- **Documentation:** Complete the Homebased Food Official Inspection Report (HFOIR), marking it with the necessary violations and stating the regulatory references and required corrective actions in the "Overall Inspection Comments" section.
- **Communicate with Operator:** Discuss the immediate hazards with the MEHKO operator and outline the necessary corrective steps.
- **Issue Closure Notice:** Formally issue the closure notice to the MEHKO operator and ensure the immediate cessation of operations.

Reopening a MEHKO

A MEHKO may be reopened once it is verified that the violations that led to the closure have been adequately addressed. This verification is documented in the HFOIR, clearly stating that all conditions for closure have been rectified. If, upon re-inspection, the facility remains non-compliant or unsafe, it must remain closed.

VISUAL AIDS AND ILLUSTRATIONS

This appendix provides visual representations to support and clarify the procedures and requirements discussed in the main document. Each figure is designed to visually communicate specific standards, techniques, or examples that enhance understanding and ensure proper compliance with the discussed regulations.



MANUAL WAREWASHING AND SANITIZING STEPS



Figure C-3: Proper Manual Warewashing and Sanitizing Steps. *Illustrates the approved ware washing and sanitizing steps for One (1) and Two (2) Compartment sinks.*

MAJOR FOOD ALLERGENS

The person in charge and employees at a food facility shall be knowledgeable about the nine (9) major food allergens to ensure proper communication between consumers and other staff, as well as implementing good practices that prevent cross contamination of food, equipment, and utensils.

Major Food Allergens

Although many different foods can cause an allergic reaction, the Food Allergen Labeling and Consumer Protection Act (FALCPA) has identified the following food items (which includes any food ingredients that contains protein derived from these foods) as major food allergens:



Crustacean Shellfish



Tree Nuts



Wheat



Sesame Seeds



Soybeans



Eggs



Milk



Peanuts



Fish

A highly refined oil (e.g., Peanut oil) derived from any of the foods listed above is not included in the definition of a major food allergen, as the refining process removes the allergen particles.

Food Allergen Labeling Requirements

FALCPA requires that food labels identify the food source names of all major food allergens used to make the food. This requirement is met if the common or usual name of an ingredient (e.g., buttermilk) that is a major food allergen already identifies that allergen's food source name (i.e., milk). Otherwise, the allergen's food source name must be declared at least once on the food label in one of two ways:

- 1) In parentheses following the name in the list of ingredients. Example: "flour (wheat), lecithin (soy), whey (milk), tahini (sesame)".
-OR-
- 2) Immediately after or next to the list of ingredients in a "contains" statement. Example: "Contains wheat, soy, milk, sesame."

An advisory statement (e.g., “may contain...”, “product manufactured in a facility that also handles...”, etc.) may be used on labels of prepackaged food items as supplemental information to customers, however such statements cannot be used as a substitute for implementing good practices to prevent cross contamination, allergen controls, and other labeling requirements under FALCPA and any other applicable statutes.

In addition to manufactured prepackaged foods, the FALCPA's labeling requirements extend to retail and food-service establishments that package, label, and offer products for human consumption. However, FALCPA's labeling requirements do not apply to foods that are placed in a wrapper or container (such as paper or a box for a sandwich) following a customer's order at the point of purchase.

Symptoms of Food Allergies

People who have allergic reactions from consuming a food allergen can experience symptoms that range from mild to life threatening. While most symptoms from food allergies are mild and limited to skin or digestive discomfort, some may progress to a severe, life-threatening allergic reaction called anaphylaxis. Symptoms of an allergic reaction can occur within minutes to a few hours after a person has ingested a food item.

Symptoms of food allergies (allergic reactions), can include:

- Hives
- Abdominal cramps
- Difficulty breathing
- Flushed skin or rash
- Coughing or wheezing
- Loss of consciousness
- Vomiting and/or diarrhea
- Face, tongue, or lip swelling
- Constricted airways in the lungs
- Dizziness and/or lightheadedness
- Swelling of the throat and vocal cords
- Tingling or itchy sensation in the mouth
- Suffocation by swelling of the throat and larynx
- “Anaphylactic shock” (severe lowering of blood pressure and shock)