



# **COUNTY OF LOS ANGELES**

## **ENVIRONMENTAL HEALTH**



# **VEHICLE INSPECTION PROGRAM**

## **MOBILE FOOD FACILITIES GUIDE**

# MARKING GUIDE

Revised 03/06/2019

COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH  
ENVIRONMENTAL HEALTH

## THE MARKING GUIDE

- IN** Mark this item to indicate the subcategory is in compliance.
- N/A** Mark this item to indicate the subcategory is not applicable to the Mobile Food Facility (MFF).
- N/O** Mark this item to indicate the subcategory is not observed at the MFF at the time of inspection.
- COS** Mark this item to indicate the violation has been corrected and verified prior to the completion of the inspection. The actual corrective actions taken for each violation shall be documented in the inspection report. **The violation shall be marked and points shall be deducted.** A re-inspection date may be scheduled to confirm continued compliance.

## CRITICAL RISK FACTORS

### EMPLOYEE HEALTH, HYGIENE & KNOWLEDGE

#### 1. Demonstration of knowledge

This subcategory is marked when the Person In Charge (PIC) and/or food employee is not able to demonstrate food safety knowledge, practice, and principles applicable to their assigned duties.

**MINOR** violations include:

- Employee washing the utensils does not know the procedure for manually washing, rinsing and sanitizing dishes.
- Certified Food Protection Manager (CFPM) does not know when to exclude ill employees.

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#### California Retail Food Code, Section: 113947

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#### 2. Food safety certification

This subcategory is marked when an owner or food employee does not have a valid Certified Food Protection Manager (CFPM) certificate and/or all food employees do not have a Food Handler Card.

**MINOR** violations include:

- No one at the MFF 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 MFF experienced a change of ownership; or the MFF 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 CFPM and 60 days have not elapsed or a food employee lacks a food handler card and 30 days have not elapsed.

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#### California Retail Food Code, Sections: 113947.1, 113948

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### 3. Communicable disease; reporting, restrictions, and exclusions

This subcategory is marked when an employee does not inform the PIC of an illness or a wound on hands, wrists, or exposed parts of the arm and employee does not comply with restrictions/exclusions.

**MAJOR** violations include:

- The 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 is marked in *subcategory #14 (Food in good condition, safe and unadulterated)*.
- Contamination of food-contact surfaces by an infected food employee is marked in *subcategory #15 (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 MFF may be closed until, in the opinion of the Enforcement Agency, identified danger of disease outbreak has been addressed.

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

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### 4. No discharge from eyes, nose and mouth

This subcategory is marked when food employee is persistently sneezing, coughing, or has a runny nose.

**MINOR** violations include:

- 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.

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 is marked in *subcategory #14 (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 marked in *subcategory #15 (Food-contact surfaces: clean and sanitized)*.

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**California Retail Food Code, Section: 113974**

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**5. Proper eating, drinking, or tobacco use**

This subcategory is marked when an employee is eating, drinking, etc. in areas where contamination of non-prepackaged food can result.

**MINOR** violations include:

- A food employee eating, chewing gum, or using tobacco products in the food preparation area.
- A food employee drinking from an open cup (no cover) in the food preparation area.

**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.

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**California Retail Food Code, Sections: 113967, 113977**

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**PREVENT CONTAMINATION BY HANDS**

**6. Hands clean and properly washed; proper glove use**

This subcategory is marked when food employees do not wash their hands as required or improperly use single-use gloves.

**MAJOR** violations include:

- Food employees in a MFF handling open food 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 (**CLOSURE**).
- A food employee is observed handling money and has bare hand contact with open foods without first washing their hands.
- A food employee not washing their hands after using the toilet and either puts on gloves for working with food or handles food, equipment, utensils, or linen.
- A food employee preparing raw chicken fails to wash their hands prior to handling clean utensils or ready-to-eat food.

- A food employee is observed 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 is observed having dirty hands and nails.
- A food employee rinses hands at hand wash sink without the use of soap and/or towels.
- A food employee using the hand sanitizer instead of washing their hands.
- A food employee not minimizing bare hand contact with ready to eat food by using utensils, tongs, forks, or gloves.
- A food employee fails to change gloves when hand washing would normally be required.
- 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.

**MINOR** violations include:

- A food employee 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 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/warewashing sink).

Additional Violations:

- Contamination of food by a food employee that has open lesions will result in disposal of the food and is marked in *subcategory #14 (Food in good condition, safe and unadulterated)*.
- Contamination of a food-contact surface by a food employee that has open lesions will also be marked in *subcategory #15 (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 the PIC of the condition, *subcategory #3 (Communicable disease; reporting, restrictions & exclusions)* is marked.

Exception:

- Food employees in a pre-packaged MFF, 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 #7 (Adequate hand washing facilities; supplied accessible)*.

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**California Retail Food Code, Sections: 113952, 113953.1, 113953.3, 113953.4, 113961, 113967, 113968, 113973**

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**7. Adequate hand washing facilities: supplied and accessible**

This subcategory is marked when handwashing facilities are insufficient in number, inaccessible, and/or not supplied with soap/hand towels.

**MINOR** violations include:

- Empty or missing soap or towel dispenser.
- Use of bar soap or cloth towels.
- No soap or towels are available at the MFF but are provided by the end of inspection.
- A MFF handling only pre-packaged food lacks hand washing supplies.
- Obstructed, inaccessible, improper use of, or unclean hand washing sink.
- Non-functional soap and/or towel dispenser.
- Missing a six (6) inch high metal splashguard or twenty four (24) inch separation between hand washing sink and the warewashing sink.

Exception:

- If soap or paper towels are not available on the MFF and are not provided by the end of inspection, *subcategory #6 (Hands clean and properly washed; proper glove use)* is marked **(CLOSURE)**.

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**California Retail Food Code, Sections: 113953.1, 113953.2, 114306(c), 114311(a)(b)**

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## **TIME AND TEMPERATURE RELATIONSHIP**

### **8. Proper hot and cold holding temperatures**

This subcategory is marked when potentially hazardous food (PHF) is not received/stored/held at the specified holding temperatures.

**MAJOR** violations include:

- Multiple servings of PHF in hot or cold 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 MFF.
- 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.
- Vietnamese rice cake has exceeded the 24-hour time period, or is missing the required label/label information. Vietnamese rice cakes that have exceeded time or are unlabeled shall be disposed.
- Asian rice-based noodles 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.

**MINOR** violations include:

- 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 2 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.

**N/A** This subcategory is marked N/A when the MFF does not store/serve/sell PHF; does not hold unpasteurized pooled eggs; or raw shell eggs.

**N/O** This subcategory is marked N/O when the MFF does store/serve/sell PHF, but no PHF are being held hot or cold during the time of inspection; unpasteurized pooled eggs or raw shell eggs are not observed during the time of inspection.

Additional Violations:

- When faulty equipment causes PHF to be out of temperature, *subcategory #36 (Equipment/utensils-approved; installed; good repair; capacity)* is also marked.
- When PHF is being transported on a Mobile Support Unit without approved equipment to maintain food at the required temperatures, *subcategory #36 (Equipment/utensils approved; installed; good repair; capacity)* is also marked.

**NOTE:** Mechanical refrigeration is required for MFFs that handle potentially hazardous foods.

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**California Retail Food Code, Sections: 113996, 113998, 114037**

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**9. Time as a public health control: procedures & records**

This subcategory is marked when a MFF is using Time as a Public Health Control (TPHC) and requirements are not met.

**MAJOR** violations include:

- Time marked on food has been exceeded. **(Dispose of 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)**
- Potentially hazardous food(s) stored above 135°F is not destroyed at the end of the operating day **(Dispose of the food)**.
- Food preparation beyond the scope of operation [e.g., pre-cooked chicken being skewered at limited food prep cart; cutting fruit (i.e., melons) that is potentially hazardous at limited food prep cart; hot dog cart used to prep sandwiches; limited food prep cart barbecuing potentially hazardous food items, etc.]. **(Dispose of the food)**

**MINOR** violation include:

- Written procedures are 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.

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**California Retail Food Code, Sections: 113818, 114000, 114305(d)**



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## 10. Proper cooling methods

This subcategory is marked when PHF is not cooled rapidly from 135°F to 41°F or below within six hours and during this time the decrease in temperature from 135°F to 70°F does not occur within two hours; PHF prepared from ingredients at ambient temperature is not cooled within four hours to 41°F or below; or the facility does not use rapid cooling methods.

**MAJOR** violations include:

- 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 four (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.

**MINOR** violation include:

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

**N/A** This subcategory is marked N/A when the MFF does **NOT** receive or prepare foods that require cooling.

**N/O** This subcategory is marked N/O when the MFF does cool PHF, but proper cooling per the prescribed temperature and time parameters cannot be determined during the inspection. In this case, the EHS should inquire about the cooling methods used by food employees to ensure proper procedures are being used.

Additional Violation:

- When faulty equipment results in a cooling violation, *subcategory #36 (Equipment/utensils-approved; installed; good repair; capacity)* is also marked.

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**California Retail Food Code, Sections: 114002, 114002.1**

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## 11. Proper cooking time and temperature

This subcategory is marked when raw or incompletely cooked food of animal origin is not cooked to the required temperature/time as follows:

- cooked fruits and vegetables for hot holding; 135°F;
- eggs prepared for immediate service, fish, single pieces of meat: 145°F or above for 15 seconds;
- comminuted meats, ratites, eggs prepared from pooled eggs or for hot holding: 155°F for 15 seconds;

- poultry, comminuted poultry, stuffed meats, stuffing containing meats: 165° for 15 seconds

**MAJOR** violation include:

- Cooking process did not meet required cooking temperatures and an employee attempts to serve the product without returning the product to the cooking process.

**N/A** This subcategory is marked N/A when no raw animal foods are cooked in the MFF.

**N/O** This subcategory is marked N/O when no raw animal foods are in the cooking process during the time of inspection.

Additional Violation:

- When a MFF **intentionally** serves undercooked meat or eggs, and fails to disclose that fact, *subcategory #20 (Consumer advisory provided for raw/undercook food)* is also marked.

**NOTE:** Foods prepared for immediate service in response to a customer order may be cooked to any temperature.

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**California Retail Food Code, Sections: 114004, 114008, 114010, 114093**

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## **12. Proper reheating procedures for hot holding**

This subcategory is marked when PHF is not reheated to at least 165°F for 15 seconds within 2 hours for hot holding and ready-to-eat commercially processed food is not heated to at least 135°F for hot holding.

**MAJOR** violations include:

- 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.
- Steam table unapproved for re-thermalization being used to reheat PHF, and the food items are still within time and temperature parameters.

**N/A** This subcategory is marked N/A when foods are not reheated for hot holding in the MFF.

**N/O** This subcategory is marked N/O when foods are normally reheated but are not being reheated during the time of inspection.

**NOTE:** Cooked and refrigerated food that is prepared for immediate service in response to an individual consumer order may be served at any temperature.

## California Retail Food Code, Sections: 114014, 114016

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### PROTECTION FROM CONTAMINATION

#### 13. Returned and re-service of food

This subcategory is marked when food is returned by the consumer and the facility re-serves or offers the food for human consumption.

**MINOR** violation include:

- Previously served food is re-served to another customer.

**N/A** This subcategory is marked N/A if the MFF only handles prepackaged foods.

**NOTE:** A container of food that is not potentially hazardous may be 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).

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## California Retail Food Code, Section: 114079

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#### 14. Food in good condition, safe and unadulterated

This subcategory is marked when food is intentionally or unintentionally contaminated/adulterated.

**MAJOR** violations include:

- 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 hand washing 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.
- Rain water is observed leaking from ceiling and dripping onto open ready-to-eat food.
- Food prepared using reduced oxygen packaging (ROP) and the MFF does not have or is not adhering to approved HACCP.
- 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.
- 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.
- Non-edible ice (i.e., commissary ice) is used as an ingredient (e.g., added in Horchata beverage, used to cool shrimp, oysters on ice).
- Water from an unknown source. **Water must be obtained from a closed system.**
- 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.
- Canned food leaking or swelling.
- Raw oysters from the Gulf of Mexico are offered for sale during the period from April 1<sup>st</sup> – October 31<sup>st</sup> and the oysters have not been treated to reduce pathogenic bacteria.
- 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.
- Soft serve is dispensed from spigot of soft serve machine and is then placed back into machine, but not served to consumer (**Dispose of the food**).
- **Operating beyond the scope.**

**MINOR** violations include:

- Meat, fish, or poultry products that have the appearance of spoilage.
- PHF in reduced oxygen package exceeds a “use 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.
- Rain water is observed leaking from ceiling and dripping onto open raw food.

Additional Violations:

- Operating without an approved HACCP plan is also marked in *subcategory #19 (Compliance with variance, specialized processes & HACCP)*.
- Storing food in unapproved containers (such as lead glazed containers) is also marked in *subcategory #36 (Equipment/utensils-approved; installed; good repair; capacity)*.

**NOTE:**

- 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.
- Sell by or expiration dates of food products, other than infant formula or baby food are not enforced by this Department and shall not be marked in any subcategory. Instead, the EHS shall recommend that the owner/operator discontinue the sale of the food based on the expiration date.
- Foods found containing artificial Trans Fat of 0.5 grams/serving or more shall be red tagged and a Compliance Review shall be issued.

### 15. Food contact surface; clean and sanitized

This subcategory is marked when food contact surfaces and multiservice utensils are not properly cleaned and sanitized. Required sanitizer concentration and contact time during manual sanitization for Chlorine = 100 ppm for 30 seconds, Quaternary Ammonia = 200 ppm for one minute, Iodine = 25 ppm for one minute.

**MAJOR** violations include:

#### **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.
- A non-food grade lubricant used on food-contact surfaces of equipment.
- 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.
- Rain water is observed leaking from ceiling and dripping onto food contact surfaces.

#### **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, unless specified by the detergent manufacturer's instruction label.
- Sanitizer level is not detectible or below 50 ppm for Chlorine or below 100 ppm for Quaternary Ammonia during active manual warewashing.
- Sanitizing rinse for manual heat sanitizing measures below 171°F.
- No approved detergent and/or sanitizer used during warewashing at a two compartment sink.

**MINOR** violations include:

#### **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 beverage 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).
- During active manual warewashing the utensil surface temperature at a heat sanitizing warewash sink measures between 155°F – 159°F and can be readily adjusted at time of inspection.
- Inadequate contact time with an approved sanitizer.

**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 Violation:

- When 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 #3 (Communicable disease; reporting, restrictions & exclusions)* is also marked.

### Exceptions:

- When excessive sanitizer level is observed (sanitizer level is above 200 ppm for Chlorine or 300 ppm for Quaternary Ammonia), *subcategory #35 (Warewash facilities; installed, maintained, used; test equipment)* is marked.
- If no water is available or water temperature measured is <100°F throughout the MFF, **ONLY** *subcategory #22 (Hot and cold water available-Major)* is marked (**CLOSURE**).
- When the water temperature throughout the MFF is measured between 110°F-119°F, **ONLY** *subcategory #22 (Hot and cold water available-Minor)* is marked.

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**California Retail Food Code, Sections: 114095, 114097, 114099.1, 114099.2, 114099.4, 114099.6, 114105, 114109, 114111, 114113, 114115, 114117, 114118, 114125(b), 114141, 114313**

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## **FOOD FROM APPROVED SOURCES**

### **16. Food obtained from approved source**

This subcategory is marked when food is not obtained from an approved source and when egg products and frozen milk products are not obtained pasteurized.

**MAJOR** violations include:

- PHF or ice is not from an approved food source, such as 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 the MFF.
- Liquid frozen, dry eggs and 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.
- Prepared food is served, but there is no cooking equipment on the premises.
- Invoices for PHFs suspected of being from an unapproved source are not available on site.
- A pre-packaged ice cream truck is handling open food (i.e., scooping ice cream, preparing and serving chili, etc.).

**MINOR** violations include:

- Home grown produce is being used or offered for sale.
- Chocolate chip cookies baked in a private home (not registered as a Class B Cottage Food Operation).
- Food products from a Cottage Food Operation registered 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 #16 (Food obtained from approved source)* is marked and the food item is red tagged, and a Permit Suspension Review is issued. If the source cannot be verified at the Permit Suspension Review, then the food is disposed.

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**California Retail Food Code, Sections: 113980, 114021, 114023, 114024, 114025, 114027, 114029, 114031, 114035, 114041**

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### **17. Compliance with shell stock tags, condition, display**

This subcategory is marked when shell stock is not received in good condition; not maintained in container/properly displayed; and/or properly tagged or labeled.

**MINOR** violations include:

- 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.
- 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.

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

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## 18. Compliance with Gulf Oyster Regulations

This subcategory is marked when the MFF does not comply with raw gulf oyster requirements which includes maintaining the certification tags or labels, written warning signs, and verification letter.

**MINOR** violations include:

- Raw Gulf Oysters are offered for sale, without evidence of approved treatment, between the months of April 1st – October 31st.
- Raw Gulf Oyster warning signs are not posted for untreated oysters between the months of November 1st – March 31st (Title 17 CCR 13675).
- Required warning signs do not conform to size/language specifications.

**N/A** This subcategory is marked N/A when Gulf Coast oysters are not sold or served at the MFF.

**N/O** This subcategory is marked N/O when Gulf Coast oysters are sold or served at the MFF, but none are observed at the time of inspection.

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**California Retail Food Code, Sections: 113707, 114090; California Code of Regulations, Title 17, Section 13675**

## ADDITIONAL CRITICAL RISK FACTORS

## 19. Compliance with variance, specialized process and HACCP

This subcategory is marked when a MFF does not have a HACCP plan for specialized processes or violates the conditions of a HACCP plan or variance.

**MINOR** violations include:

- A MFF operator did not submit a HAACP plan for approval by the enforcement agency for smoking, curing, using vinegar or other additives for food preservation, or custom slaughtering.
- A MFF 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.
- A MFF operator violates the conditions of a variance or HACCP plan.
- The MFF utilizes a HACCP plan and is unable to provide the required documentation.
- The MFF operator is not able to provide variance documentation to support the use of alternative practices or procedures.

**N/A** This item is marked **N/A** if the MFF is not required by the enforcement agency to have a variance or HACCP plan.

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

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## **20. Consumer advisory provided for raw/undercook food**

This subcategory is marked when a MFF does not provide a consumer advisory (in writing with a disclosure and reminder) when serving raw or undercooked food.

**MINOR** violations include:

- Pasteurized eggs or pasteurized egg products are not substituted for raw shell eggs in food such as Caesar salad dressing and no consumer warning is provided.
- If the MFF serves raw or undercooked food and fails to provide an advisory (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).

**N/A** This subcategory is marked N/A when the MFF does not serve raw/undercooked animal foods.

**N/O** This subcategory is marked N/O when the Environmental Health Specialist is unable to determine if the required verbal consumer advisory was provided routinely.

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**California Retail Food Code, Sections: 114012, 114093, 114093.1**

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## **21. Licensed health care facilities/public & private schools: prohibited foods not offered**

This subcategory is marked when prohibited foods (i.e., unpasteurized juice, milk, shell eggs; ready-to-eat food that contains raw food of an animal origin; raw seed sprouts) are served at a licensed health care facility or public/private school cafeteria.

**MAJOR** violations include:

- Juice, fluid milk or dry milk is served unpasteurized.
- Serving hamburgers medium rare.
- Serving raw seed sprouts at a licensed health care MFF.
- Multiple servings of scrambled eggs made from unpasteurized eggs.
- Fish is served raw or undercooked, such as sushi or seared ahi tuna at a licensed health care MFF.

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

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**California Retail Food Code, Section: 114091**

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## **22. Hot and cold water available**

This subcategory is marked when hot water temperature measures below 120°F at food preparation/warewashing sinks; water temperature at handwashing sink is less than 100°F or exceeds 108°F; and when no potable water is available throughout the MFF.

**MAJOR** violations include:

- The water supply is contaminated or unapproved. **(CLOSURE)**.
- No adequate, protected, pressurized, potable water is available to the MFF **(CLOSURE)**.
- Lack of cold water throughout the MFF.
- Water temperature measures less than 100°F **ONLY** at the faucet of the warewashing sink.
- Water is measured <100°F throughout the MFF **(CLOSURE)**.
- Water temperature is measured <100°F throughout the MFF; however it is restored between 100-119°F by the end of the inspection, MFF shall be given 24 hours to correct the violation.
- Temperature of water at hand wash sink is not adjustable and is less than 100°F or exceeds 108°F.

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

- Water throughout the vehicle is measured at 110°F - 119°F (24 hours to abate).
- Lack of warm water (100°F) at a hand washing sink.
- Water is less than 100°F at a pre-packaged MFF (24 hours to abate).

**NOTE:** A MFF may provide only warm water if the water supply is used solely for hand washing as required by section 113953.

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**California Retail Food Code, Sections: 113941, 113953(c), 114099.2(b), 114189, 114192, 114192.1, 114195, 114205, 114325**

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### **23. Sewage and wastewater properly disposed**

This subcategory is marked when sewage/wastewater/liquid waste is not properly disposed of through an approved plumbing system.

**MAJOR** violations include:

- Overflowing or clogged grease trap/interceptor **(CLOSURE)**.
- Overflow or backup of floor drains/sinks of sewage/wastewater onto floors in the food preparation areas **(CLOSURE)**.
- Sewage overflow contaminates the utensil area, food preparation area, or storage area **(CLOSURE)**.
- Open sewer line discharging to the outside of the vehicle **(CLOSURE)**.
- Sewage is draining onto the ground and the waste tank is missing; the valve assembly is missing or is unable to close **(CLOSURE)**.
- Toilet facilities have been removed, are non-functional (e.g., broken/missing flushing mechanism) or are completely inaccessible **(CLOSURE)**.
- No toilet and hand washing facility available for food employees whenever the vehicle is stopped to conduct business for more than a one-hour period **(CLOSURE)**.
- **Unable to stop wastewater discharge from a MFF.**

**MINOR** violations include:

- 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 of the vehicle.
- **Wastewater from MFF was stopped by replacing the missing valve/cap.**

Additional Violations:

- Sewage observed on floors is also marked in *subcategory #45 (Floors, walls and ceiling: properly built, maintained and clean)*.
- Sewage observed on non-food contact surface is marked in *subcategory #34 (Nonfood-contact surfaces clean)*.
- Sewage observed on food-contact surface is marked in *subcategory #15 (Food-contact surfaces: clean and sanitized)*.
- Sewage observed on food is marked in *subcategory #14 (Food in good condition, safe and unadulterated)*.

Exceptions:

- A drain line from a walk-in refrigerator which drains onto the ground outside of the vehicle is marked **ONLY** in *subcategory #41 (Plumbing; fixtures, backflow devices, drainage)*.
- Sewage observed draining onto the ground from an open waste tank valve which can be closed immediately is marked **ONLY** in *subcategory #41 (Plumbing; fixtures, backflow devices, drainage)*.

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**California Retail Food Code, Sections: 114197, 114250**

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**24. No insect, rodent, birds or animals present**

This subcategory is marked when the MFF has vermin and/or a non-service animal present in food preparation/storage area.

**MAJOR** violations include:

- Rodent infestations as evidenced by fresh droppings, gnaw marks, nesting materials, grease marks, live or dead rodents in the food preparation, food storage, warewashing areas, or in the restroom **(CLOSURE)**.
- Cockroach infestation as evidenced by one or more live cockroaches in the food preparation, food storage, warewashing area, or restrooms **(CLOSURE)**.
- Fly infestation as evidenced by numerous flies in food preparation area contacting food and/or food-contact surfaces **(CLOSURE)**.

**MINOR** violations include:

- Old rodent droppings with no evidence of active infestation.
- One live cockroach with no other evidence of an active infestation.
- Old dead cockroaches and/or fecal spots with no evidence of active infestation.
- A few flies in the food preparation area.
- Flies in a pre-packaged MFF.
- Gnats in the warewashing area or around floor sink.
- Ants found in the vehicle.

Additional Violations:

- If food is adulterated by insects, rodents, cockroaches, or fecal waste *subcategory #14 (Food in good condition, safe and unadulterated)* is also marked.
- If food-contact surfaces are contaminated by insects, rodents, cockroaches or fecal waste *subcategory #15 (Food-contact surfaces: clean and sanitized)* is also marked.
- If non-food contact surfaces are contaminated by insects, rodents, cockroaches or fecal waste *subcategory #34 (Nonfood-contact surfaces clean)* is also marked.

Exception:

- Vermin proofing violations, such as a door with a gap greater than ¼” is **ONLY** marked in *subcategory #44 (Premises; personal/cleaning items; vermin proofing)*.

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**California Retail Food Code, Sections: 114259, 114259.1, 114259.4, 114259.5, 114303(b)**

## **GOOD RETAIL PRACTICES**

### **SUPERVISION**

#### **25. Person in charge present and performs duties**

This subcategory is marked **OUT** when PIC is not present to perform duties during hours of operation.

Violation include:

- A PIC is not present during operation hours.

**NOTE:** The permit holder or a person designated by the permit holder is the PIC. The PIC does not have to be the CFPM.

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**California Retail Food Code, Sections: 113945, 113947**

#### **26. Personal cleanliness and hair restraints**

This subcategory is marked **OUT** when food employees are not wearing clean outer clothing and/or hair restraints when appropriate.

Violations include:

- 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.

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**California Retail Food Code, Sections: 113969, 113971**

## **GENERAL FOOD SAFETY REQUIREMENTS**

### **27. Approved thawing methods used, frozen food**

This subcategory is marked **OUT** when food is not thawed by one of the approved methods:

- Under refrigeration that maintains the food temperature at 41°F or below.
- Completely submerged under potable running water for a period not to exceed two hours at a water temperature of 70°F or below, and with sufficient water velocity to agitate and flush off loose particles into the sink drain.
- In a microwave oven if immediately followed by immediate preparation.
- As part of a cooking process.

Violations include:

- PHF thawing using an unapproved method.
- PHF thawing in a food preparation sink without running water and not completely submerged.
- Food thawed in a microwave but is not immediately prepared.

Additional Violation:

- Problems with a freezer that causes thawing is also marked in *subcategory #36 (Equipment/utensils-approved; installed; good repair; capacity)*.

Exception:

- When improper thawing methods or excessive thawing time causes PHF to be in the temperature danger zone, **ONLY** *subcategory #8 (Proper hot and cold holding temperatures)* is marked.

**NOTE:** Frozen foods shall be removed from their packaging when thawed under running water.

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**California Retail Food Code, Section: 114018, 114020**

### **28. Food separated and protected**

This subcategory is marked **OUT** when food is not properly separated/stored/protected/displayed, so that it is protected from contamination.

Violations include:

- Raw food of animal origin is stored above ready-to-eat food (e.g., produce).
- Food is being thawed, washed, sliced, cooked, or cooled in an unenclosed, unapproved MFF or overhead protection is not provided where required (i.e., outdoor food displays).
- Cooking outside the vehicle.
- Food displayed without a sneeze guard or the sneeze guard is inadequate to protect food.
- Open food items in an unlocked warming unit, stored at the exterior of vehicle (**Dispose of the food**).
- Badly dented cans, particularly with severe dents on can seams.
- Open-air barbecue is not separated from public access to prevent food contamination or injury to public at a community event.
- Open food displayed outside the vehicle (i.e., prepped salsa).
- Uncovered ready-to-eat foods stored inside the MFF, adjacent to open pass thru window, and accessible to the public.
- Consumers and non-employees (such as children) are observed in the MFF.
- 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.
- 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.

Exception:

- When uncovered ready-to-eat foods are stored inside MFF, adjacent to open pass thru window, and the public is observed touching the food, only *subcategory #14 (Food in good condition, safe and unadulterated)* is marked.

**NOTE:** This section addresses preventive measures **ONLY**. Actual contamination of food is marked in *subcategory #14 (Food in good condition, safe and unadulterated)*.

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**California Retail Food Code, Sections: 113770, 113945.1, 113984, 113986, 114053, 114055, 114060, 114077, 114143, 114303(c), 114307(c), 114327(b)(4)**

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## **29. Washing fruits and vegetables**

This subcategory is marked **OUT** when fruits and vegetables are not washed.

Violation include:

- 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.

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**California Retail Food Code, Section: 113992**

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## **30. Toxic substances properly identified, stored and used**

This subcategory is marked **OUT** when toxic substances are not used in accordance with manufacturer's instructions and improperly stored/labeled.

Violations include:

- Employee applying unapproved (e.g., household use only) insecticide, pesticide, or rodenticide inside MFF.
- 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 drainboard of a warewashing sink where clean utensils are allowed to dry.
- Sanitizer bucket stored on top of food preparation surface.
- Gasoline stored in an unapproved container.

Additional Violation:

- Food-contact surfaces that have been contaminated by hazardous materials or chemicals is marked in *subcategory #15 (Food-contact surface; clean and sanitized)*.

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**California Retail Food Code, Sections: 114254, 114254.1, 114254.2, 114254.3, 114319(b)**

## **FOOD STORAGE/DISPLAY/SERVICE**

### **31. Food storage; food storage containers identified**

This subcategory is marked **OUT** when food/food containers are improperly stored.

Violations include:

- Working food containers, such as those located at the storage area, are missing labels that identify the food by common name in English (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, locker room, driver's/plumbing/battery compartments, or below warewashing sink).
- Sealed, pre-packaged food item is stored on the drainboard of the warewashing sink, or at the driver's compartment.
- Open food stored on the drainboard of the warewashing sink, or at the driver's compartment.
- Containers of food stored on the drainboard of the warewashing sink, adjacent to dirty utensils.
- Double-stacking food inside the refrigerator without adequate protection of the food product.

Additional Violations:

- Damaged food containers and unapproved containers is marked in *subcategory #36 (Equipment/utensils-approved; installed; good repair; capacity)*.
- Open food observed adulterated due to storage at the drainboard of the warewashing sink, underneath the warewashing sink, or at the driver's compartment is marked in *subcategory #14 (Food in condition, safe and unadulterated)*.

#### **NOTE:**

- 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(d), 114049, 114051, 114305(a)(c), 114307(b), 114319(c)**

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**32. Consumer self-service**

This subcategory is marked **OUT** when a serving utensil or other approved device or mechanism for dispensing food is missing or not protected from possible contamination.

Violations include:

- Customer single-use utensils are not protected from contamination by being individually wrapped or dispensed to avoid customer contact with any part other than the handle.
- Uncovered straws out for customer self-service.
- **Uncovered coffee stirrers.**

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**California Retail Food Code, Section: 114065(d)**

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**33. Food properly labeled & honestly presented**

This subcategory is marked **OUT** when consumer foods are improperly labeled and/or falsely advertised.

Violations include:

- Pre-packaged food without required labeling information (i.e., 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.
- Lack of “use by” date on a PHF packaged at the MFF 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 “1 lb.”, but the product weighs 14.5 oz.
- Primal cut information missing from the label on package of cut of meat.
- The manufacturer’s or MFF’s dating information on foods is concealed or altered.
- A confectionary contains more than 1/2% alcohol and is not prominently displayed or disclosed.
- Cottage Food Operation product is being used and not disclosed.

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

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**California Retail Food Code, Sections: 114057(a), 114087, 114089, 114089.1, 114090, 114093.1, 114094, and the Sherman Food, Drug, and Cosmetic Law**



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## EQUIPMENT/UTENSILS/LINENS

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### 34. Nonfood-contact surfaces clean

This subcategory is marked **OUT** when non-food contact surfaces of equipment, shelving, and cabinets are not maintained clean.

Violations include:

- 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.
- Reach-in units with unclean handle or door gaskets.

Exceptions:

- Violations related to the cleaning of ventilation hoods or lights/light shields is marked **ONLY** in *subcategory #38 (Adequate ventilation and lighting; designated areas, use)*.
- Violations related to the cleaning of floors, walls, and ceilings, inclusive of walk-in refrigerators is marked **ONLY** in *subcategory #45 (Floors, walls and ceiling: built, maintained and clean)*.

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## California Retail Food Code, Section: 114115

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### 35. Warewash facilities: installed, maintained, used; test equipment

This subcategory is marked **OUT** when warewashing sink/mechanical dishwasher is inoperable/not maintained clean; and missing sanitizer test kit.

Violations include:

- The MFF prepares food and the approved warewashing sink has been removed.
- 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 warewashing sink is used for hand washing and the vehicle 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 300 ppm for quaternary ammonia at washwashing sink and in bucket used to store wiping cloths, indicating that test strips were not used to verify sanitizer level.

Exception:

- If produce is washed directly (without colander) in the warewashing sink without prior sanitizing, **ONLY** subcategory #14 (*Food in good condition, safe and unadulterated*) is marked.

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**California Retail Food Code, Sections: 114099.1, 114099.3, 114107, 114125(b), 114313**

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### **36. Equipment/utensils approved; installed; good repair; capacity**

This subcategory is marked **OUT** when food equipment/utensils are not approved, in good repair, and food equipment is not properly installed.

Violations include:

#### **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.
- Gas-fired appliances do not meet applicable ANSI standards for an unenclosed MFF or appliance is missing an ANSI sticker.
- 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.
- 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.
- Addition of a cooler (i.e., igloo) onto food cart, used for the storage of soda.

**NOTE:** Hard maple or equivalent may be used for cutting boards, rolling pins, chopsticks and as specified in Section 114132 (b).

#### **Good Repair**

- Missing positive closing lid with secure latch mechanism on coffee urn, deep fat fryer, steam table, and similar equipment.
- Refrigeration unit not holding required temperature.
- Non-working refrigeration unit used for storage of non-food items.
- 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.
- Cracked/leaking condensate pan in the walk-in refrigeration unit.
- Ice build-up on the condenser unit in the walk-in freezer.
- Damaged utensils (i.e., knives, spoons, colander, chipped dishes).
- Frayed or deteriorated fabric implements.
- 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.
- Deteriorated caulking at the wall and sink junction.
- An unapproved or damaged sink that is fully operational.

### Capacity

- No food preparation sink installed when the MFF 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.

### Installed

- Equipment is not spaced apart or sealed together for easy cleaning. Lacking a minimum of four inches of unobstructed space provided for sanitary maintenance beneath counter mounted equipment or between the sides of adjacent equipment.
- Threads, nuts, or rivets are exposed where they interfere with cleaning. Threads, nuts, or rivets that interfere with cleaning are not sealed or capped.
- Floor mounted equipment is not sealed to the floor to prevent moisture from getting under the equipment, or is not raised at least six inches off the floor by means of an easily cleanable leg and foot.
- Cutting or piercing parts of can openers are not readily removable.

**NOTE:** Portable equipment or machinery is not required to comply with the minimum leg height.

### Exceptions:

- Cast-off items within the vehicle is marked **ONLY** in subcategory #44 (*Premises; personal/cleaning items; vermin proofing*).
- Cast-off items outside the vehicle is marked **ONLY** in subcategory #42 (*Garbage and refuse properly disposed; facilities maintained*).

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**California Retail Food Code, Sections: 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114177, 114182, 114301, 114303(b), 114323(b)(2)**

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## 37. Equipment, utensils and linens: storage and use

This subcategory is marked **OUT** when the facility is implementing unapproved use of approved equipment and improper storage/use of utensils/linens.

Violations include:

### Use

- Unapproved use of approved equipment, such as a refrigerator approved for only canned or bottled non-PHF used for open foods or PHF.
- Unapproved use of approved cooking equipment (i.e., limited food prep cart not approved to barbecue, but using an approved barbecue grill).
- Milk crates used as shelving.

- 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 hand wash or food preparation sink.
- 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 CO<sub>2</sub> tanks.
- Utensils not stored in a secured manner.

### **Linens**

- 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.

### Exception:

- Fabric implements that contact food is marked in *subcategory #15 (Food-contact surface, clean and sanitized)*.

### **NOTE:**

- Single-use paper towels may be used in contact with raw/ready to eat foods.
- Linen may be used to cover food items if the MFF can provide adequate documentation that the linen has been commercially laundered and sanitized.

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**California Retail Food Code, Sections: 114081, 114119, 114161, 114178, 114179, 114185, 114185.2, 114185.3, 114185.4, 114323(b)(1)**

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### **38. Adequate ventilation and lighting; designated areas, use**

This subcategory is marked **OUT** when mechanical ventilation hood over food equipment/general ventilation is in disrepair/non-functioning/not maintain clean; improper use or absence of a hood, or improper hood type; and inadequate lighting or lack of required shatterproof lights/light shield.

### Violations include:

- 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.
- Makeup air is not provided in the amount of that exhausted/Makeup air vent is blocked.
- 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.
- No ventilation system or window in the toilet room/food storage.
- Un-vented gas water heater (this will be referred to the Gas Co. immediately).
- Excessive heat build-up in the vehicle.
- 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 at surface where a food employee is working with food or utensils or equipment such as slicer, grinder where employee safety is a factor.
- Light shields with accumulated dust or dead insects.
- Missing a fire extinguisher with minimum of 10 BC, extinguisher is expired, or improperly charged and maintained.
- Ansil system is not currently certified.

**NOTE:** 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.

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**California Retail Food Code, Sections: 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1, 114323(c), 114323(e)**

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### **39. Thermometers provided and accurate**

This subcategory is marked **OUT** when probe thermometer(s) are missing/inaccurate/non-functional.

Violations include:

- Missing/non-functional/inaccurate thermometer in any refrigeration unit holding PHF.
- Missing/non-functional/inaccurate/unapproved probe thermometer.
- 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.

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**California Retail Food Code, Sections: 114099.5, 114157, 114159**

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### **40. Wiping cloths; properly used and stored**

This subcategory is marked **OUT** when wiping cloth is improperly used/stored/not maintained in sanitizing solution when necessary.

Violations include:

- Sponges are used in contact with cleaned and sanitized or in-use food-contact surfaces.
- The same wiping cloth is used for multiple purposes.
- Storage of a wiping cloth in a bucket with excessively soiled solution.
- Same sanitizer bucket is used for storage of wiping cloths used for raw foods of animal origin, and of 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 three-compartment sink.

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

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**California Retail Food Code, Sections: 114135, 114185.1, 114185.3**

## **PHYSICAL FACILITIES**

### **41. Plumbing; fixtures, backflow devices, drainage**

This subcategory is marked **OUT** when the conveyance of potable water to any sinks and fixtures are leaking/not clean/in disrepair/unapproved.

Violations include:

- A MFF is missing a connection which is constructed so that backflow and other contamination of the water supply is prevented.
- A MFF is permanently connected to a water line.
- Leaking faucet at the warewashing sink.
- Floor sinks are not readily accessible for cleaning.
- Dirty sink faucet/fixtures.
- 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.
- Unapproved rubber hose used as a faucet extension.
- Hose used to clean floor mats is also used to supply water at wok stove faucet.
- Faucet unable to reach all compartments of the sink.
- Floor sink with food debris.
- Leaking water supply line (e.g., inlet valves).
- Potable water tank is not accessible for servicing.
- Potable water tank does not drain completely.
- Potable water hose(s) or potable water tank(s) are not clean.
- Drip tray not connected to the waste tank.
- Steam table draining to the waste tank.

- Accumulation of mold or slime on drain lines.
- Uncapped sewer clean-out (no discharge).
- Drain line is leaking from any sink (e.g., warewashing sink, hand washing sink).
- Unsecured flexible drain line used for discharge from refrigerator.
- Refrigerator unit draining to a bucket/floor/pan/exterior ground surface.

**NOTE:**

- Sinks equipped with hose threaded faucets should be protected with a backflow prevention device.
- An evaporator for refrigeration units is acceptable if properly installed and functioning.

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**California Retail Food Code, Sections: 114171, 114190, 114192, 114192.1, 114193, 114199, 114225, 114326**

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**42. Garbage and refuse properly disposed; facilities maintained**

This subcategory shall be marked **OUT** when refuse containers/refuse area is not maintained clean and free from trash accumulation/cast-off items.

Violations include:

- Exterior/customer area refuse container encrusted with waste.
- 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 returnables are not kept in nonabsorbent, durable, cleanable, leak proof, and rodent proof containers.
- Cast-off/non-functional equipment stored at the interior/exterior.
- **Accumulation of trash/debris surrounding the exterior of MFF.**

Additional Violation:

- If improper handling/storage of trash at refuse area has resulted in vermin (rodent, cockroach, fly) infestation at exterior refuse area, *subcategory #24 (No insect, rodents, birds or animals present-Minor)* shall also be marked.

**NOTE:** Refuse containers inside a MFF do not need to be covered during periods of operation.

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**California Retail Food Code, Sections: 114317, 114244, 114245, 114257, 114326**

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**43. Toilet facilities: properly constructed, supplied, cleaned**

This subcategory is marked **OUT** for violations involving the toilet facilities.

Violations include:

- Toilet rooms are not accessible for use during all hours of operation.

- Toilet paper not provided in permanently installed dispensers at each toilet.
- Missing toilet paper dispenser.
- Unclean toilet facilities.
- Door removed or propped open at the toilet room.
- Missing or damaged self-closing device.

Exceptions:

- Lack of functional toilets is marked **ONLY** in subcategory #23 Major (Sewage and wastewater properly disposed).

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**California Retail Food Code, Sections: 114250, 114315, Los Angeles County Code Title 11**

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**44. Premises; personal/cleaning items; vermin proofing**

This subcategory is marked **OUT** for violations involving dressing rooms/areas, storage of personal items/cleaning equipment and supplies, and possible entrance of vermin.

Violations include:

- Improperly stored work apparel (chef's smock stored on food storage shelf).
- Personal items (e.g., jacket, purse, keys, cell phone, medicines, radio or TV) stored in the food preparation/storage area.
- First aid kit is missing.
- 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, equipment, and utensils.
- Open doors/pass-thru window left open.
- Missing/torn window screens.
- Air curtain ineffective, non-functional, or turned off at open door.
- Pass-thru window exceeds 432 square inches and missing an air curtain.
- Entrance door has a gap at the bottom greater than ¼".
- Washing floor mats at the exterior of the vehicle.
- Mops/brooms stored in food preparation area.
- No designated area or cabinet for the storage of cleaning equipment and supplies, separate from food preparation/storage area.
- Missing a second means of exit from the vehicle with an unobstructed passage of at least 24 inches by 36 inches.

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**California Retail Food Code, Sections: 114123, 114256, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114303(a), 114323(a), 114323(f)**

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**45. Floors, walls and ceiling: properly built, maintained and clean**

This subcategory is marked **OUT** for violations involving the condition (cleanliness/repair/unapproved type) of walls, ceilings, and floors.



Violations include:

- Unapproved floor material (carpet/vinyl tiles) installed in food preparation/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.
- Cardboard or unapproved floor boards used on floors.
- Dirty and not easily removable floor mats and duckboards.
- Unapproved or missing floor surfaces on an unenclosed MFF where cooking processes are conducted.
- Less than a 74 inch ceiling height over the aisle-way portion of the vehicle.
- Less than 30 inches of aisle space inside the vehicle.
- Accumulated food debris, grease, mold, or dirt on floors, walls, ceilings.
- Cockroach fecal spots, rodent droppings/rub marks/urine on floors, walls, or ceilings.
- MFF not cleaned or serviced daily.
- MFF not operating in conjunction with a commissary, mobile support unit, or other approved MFF.

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**California Retail Food Code, Sections: 114257, 114301(h), 114301(i), 114321, 114326(i), 114327(b)(1)**

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#### **46. Sleeping quarters**

This subcategory is marked **OUT** for violations related to sleeping and living quarters inside the MFF.

Violation include:

- Bedding in food storage area.

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**California Retail Food Code, Sections: 114303(b)**

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### **SIGNS/REQUIREMENTS**

#### **47. 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 MFF or made available upon request.
- The required signs are not posted (e.g., hand washing, no smoking).
- The grade/score card has not been properly posted as required by Ordinance #97-0071.
- The public notice is not posted at the MFF.
- Missing or improper display of the business name or name of the operator, city, state, zip code and name of the permittee, if different from the name of the MFF.

Exception:

- Missing gulf oyster warning signs shall be marked in *subcategory #18 (Compliance with Gulf Oyster Regulations)*.

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**California Retail Food Code, Sections: 113725.1, 113953.5, 113978, 114381(e)**

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**48. Permits available**

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

- MFF is open for business and does not have a valid Public Health Permit.
- MFF does not have a soft serve license.
- Permit is not posted in a conspicuous location.
- Missing annual certification sticker or the sticker is not affixed to the MFF or mobile support unit.
- The Business Code listed on the PHP is not consistent with the MFF's current operation.
- The County Business License is not available or posted. A referral shall be made to the County Business License department.

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**California Retail Food Code, Sections: 114381, 114387**

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<b>COMPLIANCE &amp; ENFORCEMENT</b>
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**49. Plan Review**

This item is marked **OUT** when complete, easily readable plans drawn to scale, for new construction or remodel of a MFF are not submitted prior to construction, or construction of a new MFF or remodel of an existing MFF begins prior to plan approval; and when an enclosed MFF does not have required insignia issued by the Department of Housing and Community Development.

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**California Retail Food Code, Sections: 114294(c), 114380**

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**50. Sample Collection**

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

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**California Retail Food Code, Section: 114390**

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**51. Impoundment**

This item is marked **OUT** when 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) shall commence proceedings to release the impounded materials or to seek administrative or legal remedy for its disposition.

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**California Retail Food Code, Section: 114393**

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## **52. Permit Suspension**

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

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**California Retail Food Code, Sections: 114405, 114409**

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