

Basic Health Department Food Service Regulations

This is NOT the entire food rule (410 IAC 7-24)

The entire food rule can be found online at www.in.gov/isdh/files/410_iac_7-24.pdf

C – Critical violation

NC – Non-critical violation

Employees – Sections 106 – 138

128	C	Must wash hands as required per Sec. 129 of the Food Code
133a	NC	Nails trimmed, filed
133b	NC	No nail polish or artificial nails unless wearing gloves
133c	C	Cuts, lesions on hands/arms covered with impermeable covering
134	NC	No jewelry except for simple wedding band. No watches, bracelets
135	NC	Clean clothing
136a	C	No eating, drinking, chewing gum, using tobacco except in designated areas
136b	C	Employee's cups must have lid and straw
137	C	Employees experiencing persistent sneezing, coughing, runny nose or other discharges from eyes, nose or mouth may not work with exposed food, clean equipment or utensils, or unwrapped single-service articles (napkins, plastic forks, etc.)
138	NC	Hair properly restrained – pulled back plus hairnet, hat, or scarf

Food – Sections 139 – 204

142	C	Must be from an approved source (ex. USDA, FDA inspected). May not use raw milk or farm eggs
140	NC	Food must be honestly presented (ex. cannot serve Pollock and call it cod)
142	C	Food may not be prepared in a private home
144	C	Packaging must be in good condition and protect contents from contamination (may NOT use Wal-Mart bags as food contact bags – NOT food-safe)
154 155	C	Fish and shellfish must be commercially harvested
162	C	Sushi/sashimi shall be frozen throughout to -4°F for 7 days or -31°F for 15 hours before serving to kill parasites
164	C	Mushrooms cannot be picked in the wild and sold
165	C	Hunter harvested meat cannot be sold
166	C	Refrigerated food must be received <41°F
170	NC	Ice used as an exterior coolant cannot be used as food (cannot place drinks, container of lemons, etc. in ice bin)
171	C	May NOT touch ready-to-eat food with bare hands. Must use deli tissue, tongs, gloves,

		etc.
172	C	May not re-use utensil used for tasting without washing it
173	C	Foods must be protected from cross-contamination
174	NC	Food removed from its original container must be labeled unless it is unmistakably recognizable
175	NC	Raw fruits/vegetables must be washed before they are cut
177	NC	Food must be stored at least 6" above the floor unless the container is impermeable – C or NC, depending on type of possible contamination
178	NC	Food may not be stored in restrooms, mechanical rooms, garbage rooms, etc. or under dripping lines
181	C/ NC	Buffets/salad bars must be monitored by an employees trained in safe operating procedures
182	C	Food shall be cooked to proper internal temperatures – see Sec. 182 of the Food Code
183	C	Raw animal food that is microwaved shall be properly cooked per Sec. 183
187	C	Hot holding temperature is at least 135 °F
187	C	Cold holding temperature is 41 °F, maximum
188	C	Potentially hazardous food that is cooked, cooled and reheated must be reheated so all parts of the food reach at least 165 °F
189	C	Cooked potentially hazardous food must be cooled from 135 °F to 70 °F within 2 hours, then from 70 °F to 41 °F within 4 additional hours
191	C	Ready-to-eat potentially hazardous refrigerated food shall be properly date marked per Sec. 191
192	C	Food that is not properly date-marked must be discarded
193	C	Time may be used as a public health control only as specified under Sec. 193
196	C	A consumer advisory must appear on the menu, etc. if food of animal origin is served raw or undercooked
199	NC	Frozen food may be thawed only as specified under Sec. 199
200	C	Food may only contact surfaces that are clean and sanitized
201	C	Returned food may not be offered for re-sale

203	NC	Unpackaged food shall be protected from environmental sources of contamination (i.e. cooking outside)
204	NC	Food shall be protected from misc. sources of contamination not herein specified

Equipment, Utensils, Linens, Single-Use & Single-Service Items – Sections 205 – 319

205	C	Food contact surfaces of utensils must be safe, durable, non-absorbent, smooth, easily cleanable, resistant to pitting, chipping, etc.
208 209	C	Galvanized metal, copper may not be used for utensils, pots, used with acidic foods
210	NC	Sponges may not be used in contact with food contact surfaces
213	NC	Wood may not be used as a food contact surface except in cutting boards, rolling pins, salad bowls, chopsticks, wooden paddles used in confectionary operations
214	NC	Cutting surfaces (cutting boards) must be discarded if they cannot be properly cleaned or resurfaced
216	NC	Non-food contact surfaces exposed to splash, spill, or soiling that needs frequent cleaning must be smooth, easily cleanable, non-absorbent, corrosion resistant
217	NC	Equipment & utensils must be durable under normal use
218	NC	Equipment must be kept in a state of good repair. Door seals, hinges, fasteners, kick plates must be kept intact, tight & adjusted properly
224	NC	Beverage tubing may not be installed in contact with ice for human consumption
229	C	Food-contact surfaces must be smooth, free of cracks, chips, pits, seams, free of sharp internal corners, etc.
233	NC	A food dispensing utensil shall be available for each item at a buffet, salad bar, etc.
234	NC	Food dispensing utensils may only be stored in one of the following ways: -- in the food with the handle above the top of the food -- on a clean area if the utensil and the area have been cleaned and sanitized -- in running water (as an ice cream dipper well) -- in a clean protected area (as for an ice scoop) if only used with food that is not potentially hazardous -- in clean water of at least 135 °F
235	NC	Utensils must be maintained in a good state of repair (ex: beaters/whips cannot have broken wires/blades)

236	NC	Linens may not be used except to line a container (ex: a bread basket) and must be replaced each time container is refilled for a new customer
239	NC	Clean equipment, linens, utensils must be stored with handles inverted, at least 6" above floor, in clean, dry areas where they will not be contaminated
241	C	Single-use articles (napkins, cups, plastic utensils, etc) must be used if no dishwashing/sanitizing facilities are available
242	NC	Single-use items may not be re-used
243	NC	Single-use items must be stored at least 6" above the floor in a clean, dry location away from drips, splash, contamination, etc.
244	NC	Utensils, linens, single-use items may not be stored in restrooms, garbage rooms, mechanical rooms, etc.
245	NC	Wiping cloths used for food spills shall be used for no other purpose. Wet wiping cloths must be stored in sanitizer
246	C/ NC	Gloves shall be used for one task, discarded when damaged or soiled or interruptions occur in the operation (ex: must quit prepping food and go to cash register)
249	NC	Consumers cannot refill their own dirty plates (ex. at a buffet)
250	NC	Silverware not pre-wrapped must be presented handle up. Can't touch lip-contact surfaces of cups with bare hands
251	NC	Soiled tableware must be removed from consumer eating/drinking areas so clean tableware is not contaminated
252	NC	Preset tableware must be wrapped, covered, or inverted
253	C	Food thermometers may not be glass unless encased in a shatterproof coating
254	NC	Thermometers must be accurate to within 2 °F +/-
257	NC	Thermometers for measuring the temperature of food shall be provided and readily accessible
259	NC	Must have enough equipment for heating and cooling food
269	C	Must have a 3-compartment sink and/or a proper warewashing machine that complies with code
271 287	C/ NC	See Sections 271 – 287 for dishwashing info regarding water temps, sanitizing methods, etc.
288 289	NC	Drain boards must be self-draining (no towels on them) and large enough
291	NC	Must have sanitizer test strips
293	NC	Dishwashing sink must not be used for hand washing or as a mop sink

294	C	Dishwasher temp, pH, sanitizer strength
295a 295b	C	Equipment food-contact surfaces and utensils must be clean to the sight and touch. Pans must be kept free of encrusted grease and other accumulations
295c	NC	Nonfood-contact surfaces of equipment must be kept free of dust, dirt, food residue, etc.
296 to 303	C NC	Other washing, rinsing, sanitizing info – see Secs. 296 – 303
304	NC	Air drying of dishes is required – no towel drying
305	NC	Vent hood/filters must be removable for cleaning
306	NC	Vent hoods may not drip grease or condensation onto food, equipment, utensils, etc.
307	NC	Vent hoods must meet all fire and building codes and be adequate to prevent grease or condensation from collecting on walls and ceilings
308	NC	Vents cannot cause contamination of food or equipment
309	NC	Vents must be adequate to remove excessive heat, steam, condensation, obnoxious odors, smoke, fumes, etc.
310	NC	Intake and exhaust ducts shall be cleaned and filters changed so they are not a source of contamination. If vented to outside they cannot create a nuisance, hazard or unlawful discharge.

Water, Plumbing, Water Fixtures and Waste – Sections 320 – 398

320	C	Drinking water must come from an approved source
321	C	The water system shall be flushed and disinfected after construction, repair, or modification or after an emergency such as a flood
322	C	The plumbing system must meet all plumbing codes and meet the capacity needs of the food establishment
324	C	The plumbing system shall be repaired according to the law and be maintained in good repair
325	C	Bottled drinking water must come from an approved source
326	C	Non-drinking water can only be used for non-culinary purposes
327	NC	If use a well, water must be tested by an approved lab at least 1x per year
329	C	Water source and hot water capacity must be sufficient to meet the needs of the food

		establishment
330	NC	Water pressure must be adequate
334	C	An air gap between the faucet (etc.) and the sink rim may not be less than 1 inch
335 to 338	C	The plumbing system must not allow backsiphonage of solids, liquids, or gases into the water supply system
342a	NC	A hand washing sink must provide water of at least 100 °F
342c	NC	An automatic faucet must run for at least 15 seconds without reactivation
343 344	C	At least one handwashing sink shall be provided and accessible at all times in food prep, food dispensing, and dishwashing areas as well as in the restroom
345	C	A handwashing sink must be kept clean at all times for employee use and may not be used for any other purpose
346 347	NC	Each handsink must have soap and disposable towels, continuous loop towels, or an air dryer
348	NC	A food prep sink or mop sink may not be provided with soap and hand drying aids
349	NC	There must be a trash can near the handsink for towel disposal
350	C	At least one toilet must be provided
351	NC	A toilet room used by females must have a covered trash can for sanitary needs
352	NC	A toilet room shall be completely enclosed and have a tight, self-closing door which shall be kept closed
353	NC	Toilet rooms must be accessible to employees during all hours of operation
354	NC	Each toilet must have toilet tissue
355	NC	There must be at least one mop sink that has hot (>100 °F) and cold water
377	C	A direct connection may not exist between the sewage system and a drain originating from equipment in which food, utensils, or portable equipment are placed
382	NC	An outdoor trash area must be constructed of nonabsorbent material such as asphalt or concrete
383 384	NC	Trash cans/dumpsters must be durable, cleanable, insect- and rodent-resistant, leak-proof and nonabsorbent
385	NC	Trash cans/dumpster areas must be kept clean and be cleanable; the unit must not sit directly on the pad (must be raised on wheels or legs)
390	NC	Storage areas, enclosures, receptacles must be kept in good repair
391	NC	Prohibited– receptacles that are not rodent-resistant, unprotected paper or plastic bags
392	NC	Receptacles must be kept covered INSIDE if

		they contain food residue and are not in continuous use or after they are full, and OUTSIDE with tight-fitting doors or lids
393	NC	Drain plugs must be kept in place in dumpsters

Physical Facilities – Sections 399 – 436

399	NC	Floors, walls, ceilings must be smooth, durable, easily cleanable, non-absorbent
401	NC	Floor covering may not be used in food prep areas, walk-ins, dishwashing areas, restrooms, near handsinks, or in garbage areas
408	NC	Attachments to walls and ceilings such as lights, vents, fans, etc. must be easily cleanable
409	NC	Studs, joists, and rafters may not be exposed in areas subject to moisture
410	NC	Light bulbs must be shielded, coated, or otherwise shatter-resistant in areas where there is exposed food
412	NC	Insect control devices must keep the insect within the device. Can't be over food, insects can't fall in food prep areas, utensils, linens, single-use items
413	NC	Outer openings must be protected from the entrance of insects and rodents with closed, tight-fitting windows and tight, self-closing doors. May use screening of 16 mesh to 1 inch, air curtains or other effective means. This section does not apply if insects/pests are absent due to weather, etc.
415	C/NC	Insects, rodents, pests must be controlled
419	C	Medicines for employee's use must be labeled and located to prevent contamination of food, equipment, utensils, etc.
421	C/NC	First aid supplies must be labeled and kept so as not to contaminate food, equipment, utensils, etc.
422	NC	Personal care items must be stored in lockers or a place where contamination of food, equipment, utensils, etc., cannot occur
423	NC	A private home may not be used as a food establishment
424	NC	Sleeping rooms must be separated from areas used for food operations by complete partitioning and solid, self-closing doors
425	NC	Maintenance tools (mops, brooms, etc.) must be stored so they do not contaminate food, equipment, utensils, etc.

426	NC	The premises must be kept free of unnecessary items, broken equipment and litter
430	NC	The physical facilities must be kept in good repair
432	C	Food prep sinks, handwashing sinks, and dishwashing equipment may not be used for cleaning of mops, brooms; holding of maintenance materials, or disposal of mop water, etc.
433	NC	Mops must be air-dried so as not to soil the walls, equipment, or supplies
435	C	Food employees may not care for or handle service animals that may be present. If they clean an aquarium, they must wash their hands
436	C	Live animals are not allowed in the operational areas of a food establishment

Poisonous or Toxic Items – Sections 437 – 452

437	C	Containers of toxic items or personal care items must bear a legible manufacturer's label
438	C	Cleaners taken from bulk supplies must be clearly and individually labeled with the common name of the material
439	C	Toxic materials must be stored so they cannot contaminate food, equipment, utensils, linens, single-use items, etc.
440	C	Only those toxic materials required for the operation and maintenance of a food establishment are allowed in the establishment (ex: gasoline for lawn mowers is NOT allowed IN the restaurant)
441	C	Toxic materials must be used according to their labeling only. Toxic materials must be applied so that contamination of food, equipment, etc. does not occur
442	C	A container previously used to store toxic items must not be used to store or dispense food
443	C	Sanitizers must meet the requirements in 21 CFR 178.1010 & ≤ 200 ppm
449	C	Rodent bait must be contained in a covered, tamper-resistant station
450	C	Toxic tracking powder pesticide may not be used in a food establishment
451	C	Toxic materials must be stored and displayed so they cannot contaminate food, utensils, equipment, etc.