

(P) = PRIORITY (Pf) =PRIORITY FOUNDATION
(*) = MORE THAN 1 DESIGNATION

2009 Food Code Inspection Guide

Revised February 2016

Chapter 1	Purpose and definitions
2	Management and Personnel
3	Food
4	Equip, Utensils, Linens
5	Water, Plumbing, Waste
6	Physical Facilities
7	Poisonous/Toxic Materials
8	Enforcement

Person-in-Charge

- 2-101.11^{Pf} No person-in-charge present/available
- 2-102.11^{Pf} Person-in-charge lacks knowledge regarding food safety/foodborne illness prevention/major food allergens
- 2-103.11^{Pf} Employees require more food safety training; Unauthorized person in kitchen/food-service area
- 8-402.11 Person-in-charge denies access to inspector to conduct inspection. **Note:** Supervisory consultation required.

Employee Health and Hygiene

- 2-201.11* Insufficient/Missing policy for employee illness/health; Big Five: Norovirus, Hep A, Shigella, E. coli, Salmonella (**Note:** see Food Code for requirements)
- 2-201.12^P Sick employee/employee with open wound not excluded/restricted from duties when required (**Note:** see Food Code for requirements)
- 2-302.11 Food employee has long fingernails; Nail-polish or artificial fingernails without intact glove
- 2-303.11 Food employee wearing jewelry on their hands or arms (**Exception:** plain wedding band)
- 2-304.11 Employee wearing soiled clothing (apron, chef's coat, hat)
- 2-401.11 Employee eating/smoking in unapproved area; Personal drink in improper container (20oz bottle, coffee mug); Personal drink/food improperly stored
- 2-401.12 Food employee sneezing or coughing excessively while working with food/food contact equipment
- 2-402.11 Employee working with exposed food/single use items/clean equipment not wearing full head covering (**Approved:** hat, hair net, visor w/hair net)
- 3-301.11* Employee using bare hands to contact cooked/ready-to-eat food^P; Bare hand contact not minimized with non ready-to-eat food^{Pf}
- 3-304.15* Improper glove use (single-use gloves re-used^P, slash resistant or cloth gloves used improperly)

Employee Personal Belongings

- 6-305.11 No designated area for employee personal belongings
- 6-403.11 Designated area for employee belongings provided BUT in an unapproved location
- 6-501.110 Approved designated area for employee belongings provided BUT not utilized (personal coat/purse/phone/cigarettes stored with food/food equipment)
- 7-207.11^P Medication (Tylenol, aspirin, Tums, prescription meds) stored improperly (not below and away from food/food equipment)
- 7-208.11^P First aid supplies (antiseptic spray, antibiotic ointment) stored improperly (not below and away from food/food equipment)
- 7-209.11 Employee personal care products (make-up, lotion, vitamins, hairspray, band-aids) stored improperly (not below and away from food/food equipment)

Handsink/Handwashing

- 2-301.12^P Employee washing hands using the incorrect method (cold water, no soap, not for 20 sec, no paper towel)
- 2-301.14^P Employee not washing hands after contamination (task change, touched hair/body/soiled dish/raw food, after restroom/smoking/eating, before gloves)
- 2-301.15^{Pf} Employees washing hands in sink other than designated handsink (3 comp sink, prep sink, mop sink)
- 5-202.12* Water less than 100°F at handsink^{Pf}; Water not through hot and cold mixing valve at handsink; Metered faucet on for less than 15 sec at handsink
- 5-204.11^{Pf} Handsink not conveniently located; Additional handsink required
- 5-205.11^{Pf} Blocked handsink; Improper use of handsink (items in/in front of handsink, equipment cleaned/rinsed in handsink, handsink used to dump food)
- 5-501.16 No trash can near handsink for paper towel disposal
- 6-301.12^{Pf} No paper towel at handsink
- 6-301.13 Hand soap or hand towels provided to prep sink/3 compartment sink/mop sink
- 6-301.14 No handwash sign posted at handsink
- 6-501.18 Handsink/knobs soiled

•Food

- 3-101.11^P Moldy/spoiled food; Food past **manufacturer** expiration date; Cracked shell eggs; Food with direct contamination (chemical/raw meat drip/non-potable water)
- 3-302.11* Cross contamination (raw beef above milk^P, raw chicken above raw fish^P, frozen **non commercially** packaged raw beef above frozen vegetables^P, unwashed produce above butter)
- 3-302.15 Fruits and vegetables not washed thoroughly
- 3-306.14* Food items re-served (Potentially hazardous food^P - house made ranch dressing/salsa; Unprotected non potentially hazardous food- relish/chips/bread)
- 3-501.13 Potentially hazardous frozen food thawed improperly (out at room temperature, in standing water, in hot water)
- 3-501.15* Potentially hazardous food cooled using improper **methods** (deep pan^{Pf}, out at room temp^{Pf}, tightly covered in cooler) Note: still within allowed time frames
- 3-501.17^{Pf} Improper date marking (use by date more than 7 days including prep/open day, no date observed, no system in place) Note: see below for exemptions
- 3-501.18^P Food past use-by date provided by **facility**
- 3-502.11^{Pf} Variance requirement (Note: see Food Code for details)
- 3-502.12* Reduced oxygen packaging requirements (Note: see Food Code for details)
- 3-601.12 Misrepresented food (Tilapia offered as Red Snapper, MSG added to food when menu states "No MSG is used")
- 3-603.11^{Pf} Incorrect/Missing consumer advisory on menu for service of raw/undercooked items (exempt: whole muscle intact beef) Note: see below for wording from Food Law
- 3-401.11^{Pf} Undercooked comminuted meat offered on children's menu
- 3-701.11^P Food touched with contaminated bare hands requiring discard

•Shellfish

- 3-201.15^P Unapproved/unknown source of molluscan shellfish (clams, scallops, oysters, mussels)
- 3-202.17^{Pf} Shucked shellfish (missing 1 or both shells) found with incomplete source label or no label
- 3-202.18^{Pf} Shellstock (both shells intact) found with incomplete source label or no label
- 3-202.19 Shellstock (live shellfish) damaged/heavily soiled/dead
- 3-203.11 Molluscan shellfish removed from original container other than immediately before service (Note: see Food Code for exceptions)
- 3-203.12^{Pf} Shellstock tag not kept for 90 days from last date served in chronological order with last date served marked; Shellstock tag not attached to in-use container
- 4-502.14 Mollusk and crustacean shells re-used as food serving containers (clam/oyster/mussel/scallop/lobster shells)

•Food Storage

- 3-202.15^{Pf} Severely dented can, Damaged package/box of food, Hole/tear in bag of food
- 3-302.12 Working container of food not labeled (bulk bin of flour, oil squirt bottle, spray bottle of water)
- 3-303.11^P Food/equipment stored on/in ice that is used for consumption
- 3-303.12 Packaged food stored in contact with ice not in water-tight packaging
- 3-304.13 Linens in contact with food (towel lining tray of egg rolls, wiping cloths stored with buns, cloth covering container of produce)
- 3-305.11 Food stored improperly (on the floor, uncovered, exposed to splash/dust) Note: pressurized beverage containers, such as, soda bottles are exempt
- 3-305.12 Food stored in unapproved location (garbage/toilet/mechanical/locker room, under unshielded sewer line, under open stairwell)
- 3-305.14 Food not protected during prep (in-use produce box stored on trash can, employee handling food while sitting on floor OR at dining room table)
- 3-307.11 Food not protected from miscellaneous sources of contamination
- 4-101.11* Food stored in unapproved container (plastic shopping/trash bag^P, unapproved colored Rubbermaid/Sterilite container^P, re-used metal can^P, cardboard box, open original metal can)
- 4-204.120 Ice for consumption not in a self draining container
- 4-502.13 Single use articles re-used (sour cream tub, aluminum pans, salad dressing jars)

•Food Source

- 3-201.11* Food from unapproved source (home canned vegetables^P, baked goods from home^P, ice from home^P, food container missing source label^{Pf})
- 3-201.14^P Unapproved/unknown source of fish/frogs/eels/sea cucumber
- 3-201.16^P Unapproved/unknown source of wild mushrooms
- 3-201.17^P Unapproved/unknown source of game animals (deer, rabbit, elk)
- 3-402.11^P Undercooked fish has not undergone proper parasite destruction (several Tuna species and farm raised products are exempt, see Food Code)
- 3-402.12^{Pf} No/Incomplete documentation of parasite destruction/farm raised provided for ALL fish offered raw/undercooked (from supplier OR facility if frozen on-site)

•Food Temperature

- 3-202.11* Potentially hazardous food received at improper temperature from supplier OR commissary (cold/hot food^P, frozen food^{Pf}, temp abuse evidence^{Pf})
- 3-401.11* Raw animal based foods not cooked to proper temperature (165°F chicken^P, 155°F ground/tenderized meats^P, 145°F whole meats/fish/eggs^P) for 15 sec
- 3-401.12 Raw animal based foods cooked in microwave not cooked throughout to 165°F
- 3-401.13^{Pf} Fruits and vegetables cooked for hot holding not cooked to 135°F
- 3-401.14^P Improper non-continuous cooking procedures (Note: see Food Code for specific requirements)
- 3-403.11^P Reheated food for hot holding not reheated to 165°F within 2 hours for 15 seconds, to 135°F for commercially processed items
- 3-501.14^P PHF not properly cooled 135°F-70°F w/in 2 hrs AND/OR 70°F-41°F w/in 4 hrs; w/in 4 hrs from ambient temp items Note: Should also cite 3-501.15
- 3-501.16^P Potentially hazardous food not holding ≤41°F or ≥135°F
- 3-501.19* Time as a Public Health Control improperly used {no pre-written SOP^{Pf}, time marked is past OR more than 4 hours from time removed from temp control^P (6 hrs if food remains under 70°F), no discard time marked^{Pf}} Note: Food is to be discarded if time limit is exceeded OR if food is not marked with a time

•Food Display (self-service/buffet)

- 3-303.12 Packaged food stored in contact with ice not in water-tight packaging
- 3-304.16 Employee OR customer improperly re-using soiled tableware for refill/second portion
- 3-306.11^P Food on display not covered or protected from overhead contamination (salad bar, free samples, buffet)
- 3-306.12 Condiments for self service/re-service in container that does not prevent contamination (relish in open bowl)
- 3-306.13^{Pf} No employee available as buffet monitor
- 3-602.11 No/Incomplete label on Grab-N-Go container (Note: see Food Code for requirements)
- 4-302.11^{Pf} No/Improper utensil provided at buffet/salad bar

•Equipment

- 3-304.12 In-use utensils stored improperly (between equipment, not in running water, bowl used as scoop, handle resting in food, not in water ≥135°F)
- 4-101.17 Unapproved wood as food-contact surface (cutting board, bagel board, cedar plank) Note: may be cited under 4-202.11 if in unsafe condition
- 4-101.19 Unapproved material used as a non-food contact surface (exposed/untreated/bare wood shelving/pallets)
- 4-202.11^{Pf} Food contact surface in disrepair (broken food container, broken/torn utensils, chipped knife, damaged strainer)
- 4-202.16 Non-food contact surface not easily cleanable (cloth under cutting board, shelf/equipment lined with cardboard/contact paper/foil, duct tape on gasket)
- 4-204.11 Ventilation hood filters installed horizontally, Drip tray for hood filters missing
- 4-204.16 Soda lines/cooling lines in direct contact with ice for consumption
- 4-301.14 Ventilation provided above required equipment BUT not functioning properly or turned on
- 4-402.11 Equipment not sealed to wall, Caulking missing
- 4-402.12 Fixed equipment not 6" off the ground; fixed equipment not 4" off the table
- 4-501.11 Equipment in poor repair (broken cooler gasket/handle, broken hot/cold holding unit, condenser/fan cover missing, frost build-up in freezer)
- 4-501.12 Cutting boards noted with large grooves or pits, OR heavily stained
- 4-502.13 Milk dispensing tube not cut at an angle or longer than 1"
- 4-803.11 Soiled linens stored improperly (in cardboard box, outside facility in uncovered bucket, hanging above food, with food or clean items)
- 4-903.11 Clean equipment, linens, single service articles, utensils stored improperly (exposed to splash/dust, on the floor, not covered/inverted)
- 4-903.12 Clean equipment, linens, single service articles stored in locker/toilet/garbage/mechanical room, under unshielded sewer lines, under open stairwell
- 4-904.11 Utensils handled/displayed improperly (handles facing various directions, food contact portion up-right)
- 4-904.13 Preset tableware not protected from airborne contamination (glass not inverted, utensil not covered/wrapped OR extra setting not removed before/after service)
- 6-202.12 Missing filter/spacer in the ventilation hood
- 6-304.11 No ventilation provided above equipment when required (Note: See equipment specification for guidance)

•**Cleaning of Equipment**

- 3-304.14 Wiping cloth stored on counter OR solution at incorrect concentration/soap added to solution OR no cloth bucket available OR bucket stored on floor
- 4-302.14^{Pf} Chemical test strips not provided (for ALL sanitizers utilized)
- 4-602.11* Soiled food contact surface (can opener blade^P, interior top of microwave^P, mixer^P, slicer^P, blender^P, interior of ice machine, soda/beer nozzles) Note: Priority if used for contact with a potentially hazardous food
- 4-602.12 Soiled food contact surface of cooking/baking equipment (stove, oven, fryer, steamer, panini)
- 4-602.13 Soiled non-food contact surface of equipment (gaskets, shelves, cabinet, WIC fan covers)
- 6-501.14 Ventilation hood filters soiled
- 6-501.18 Soiled plumbing fixtures (exterior/end of equipment drain line, sinks, pipes, floor drain, etc.)

•**Thermometer**

- 4-203.11^{Pf} Metal stem thermometer not accurate/calibrated; Metal stem thermometer not scaled in the intended range of use for specific facility operations
- 4-203.12^{Pf} Unit thermometer not accurate; not scaled for intended range of use (thermometer scaled 50-500°F in RIC)
- 4-204.112* Unit thermometer not provided OR Unit thermometer at the incorrect location
- 4-302.12^{Pf} No metal stem food thermometer available/functioning
- 4-502.11* Metal stem thermometer calibrated using wrong method^{Pf} (calibrating at 0°F in ice water) OR Unit thermometer broken

•**Warewashing**

- 4-101.16 Sponges used in contact with cleaned/sanitized or in-use food contact surfaces
- 4-204.119 Sinks and drain boards not self-draining
- 4-301.12^{Pf} Insufficient means provided to clean equipment (equipment too large to fit into 3-compartment sink/dish machine, unapproved use of 2-compartment sink)
- 4-301.13 Insufficient storage capacity for clean/soiled equipment in warewashing area (soiled/clean dishes stored in mop sink or on floor)
- 4-501.11 Drain plugs not available for filling 3-compartment sink
- 4-501.14 3-compartment sink/Dish machine/Prep sink/Drain boards not cleaned prior to use or after contamination
- 4-501.17^{Pf} No detergent available at the 3-compartment sink or dish machine
- 4-501.18 Wash/rinse/sanitize solutions soiled
- 4-501.19^{Pf} Wash solution water temperature less than 110°F at 3-compartment sink
- 4-501.110^{Pf} Wash water temperature incorrect at mechanical dish machine (Note: see Food Code for required temps)
- 4-501.114^P Chemical sanitizer utilized BUT concentration too low at 3-comp sink/dish machine or sanitizer bucket empty (see Food Code/Manufacturer Label for concentrations)
- 4-603.12 Dishes not pre-cleaned prior to placing in 3-compartment sink OR dish machine if necessary
- 4-603.13 Equipment (utensils, pans, plates) loaded into dish machine incorrectly
- 4-603.16 No rinse step performed after the wash step (sinks set-up as wash, sanitize, rinse; OR wash and sanitize only)
- 4-703.11^P No sanitizing step performed (high temp machine not 160°F at plate surface; no sanitizing step at 3-compartment sink; no sanitizer bucket hooked up at dish machine; no sanitizer available in facility) Note: No sanitizing step intended
- 4-901.11 Clean equipment (dishes, utensils, pans) not air dried; Items being towel dried OR stacked wet
- 4-904.14 Clean equipment rinsed after being washed, rinsed, and sanitized
- 7-204.11^P Chemical sanitizer utilized BUT concentration too high at 3-compartment sink or dish machine (Note: see Food Code/Manufacturer Label for concentrations)

•Plumbing

- 4-204.120 Drain line at food equipment not sloped to drain properly (ice bin/machine, steam table, steamer, re-thermalizer)
- 5-102.11^P MCL (maximum contaminant level) exceeded (Type II wells)
- 5-102.13^{Pf} Water samples not submitted as required (Type II wells)
- 5-102.14 Most recent water sample report for well not available (Type II wells)
- 5-103.11^{Pf} Hot water tank broken or undersized, No hot water available throughout facility
- 5-202.11^P Drain line from ice bin/machine connected to drain line from other equipment (Note: cite under Food Law 289.6125)
- 5-202.13^P Insufficient air gap (<1") between water supply inlet and flood level rim of equipment (spray arm, dipper well inlet, toilet tank)
- 5-203.12 No toilet available for food employee use
- 5-203.14^P Backflow prevention device missing/improper device installed (shut off valves downstream of AVB at mop sink/garbage disposal; No ASSE 1022 on beverage machine
Note: see memo's for exemptions; No PVB ASSE 1056/1020 on wok; No AVB ASSE 1011/1001 at mop sink with hose)
- 5-203.15 Soda carbonator missing backflow device OR installed improperly (No ASSE 1022; device downstream of carbonator OR upstream from copper line)
- 5-205.15* Plumbing system in poor repair (leaking pipe/faucet/AVB, broken faucet handle, missing AVB protective cap) OR Improperly repaired^P (Screw inside vent of ASSE 1022)
- 5-402.11^P Insufficient air gap (2X pipe diameter or at least 1") provided b/w floor drain and drain line of food equip (prep sink, ice bin, ice machine, dipper well, steam table, walk-in cooler/freezer condenser, etc.) Note: see Food Code for exemptions regarding 3-comp sink and dish machine
- 5-402.13^P Sewage back-up at floor drains, Floor/equipment drains clogged
- 6-501.18 Soiled plumbing fixtures (exterior/end of equipment drain line, sinks, pipes, floor drain, toilet, urinal, etc.)

•Restroom

- 5-501.17 No covered trash can in restroom used by female employees
- 6-202.14 No self-closing restroom door (Note: see Food Code for exemptions)
- 6-302.11^{Pf} No toilet tissue available
- 6-501.19 Restroom door propped open (has self closing unit, but not utilizing it)

•Dumpster Area

- 5-501.11 Dumpster on grass/sand/gravel
- 5-501.15 Dumpster lid/door missing
- 5-501.16 Additional dumpster necessary
- 5-501.19 Storage area for recyclables/returnables/refuse located near food/food equipment
- 5-501.110 Recyclables/returnables/refuse stored outside and exposed to pests
- 5-501.113 Dumpster lid/door open
- 5-501.115 Dumpster area contains unnecessary items; Dumpster area excessively soiled/trash on the ground
- 5-502.11 Dumpster not emptied at necessary frequency; Refuse not removed from inside facility as needed
- 6-202.110 Dumpster area not sloped/graded to drain properly (ponded water with-in enclosure)

•Maintenance

- 5-203.13 No mop or utility sink provided (Note: variance required)
- 5-403.11^P Mop water dumped out the back door OR in storm drain
- 6-501.15^{Pf} Disposing of mop water OR cleaning of trash cans/floor mats/maintenance items/mops in prep sink/handsink/3-comp sink
- 6-501.16 Wet mops not hung/inverted
- 6-501.113 Maintenance tools (vacuums, brooms, ladder, light bulbs, hammer, mops) stored improperly in food/clean equipment prep/storage area

•Physical Facility

- 6-201.11 Walls, floors, or ceiling not smooth and easily cleanable (concrete wall, cement floor, acoustic ceiling tile, wood ceiling, cardboard on floor)
- 6-201.13 Coved base molding missing at floor/wall juncture
- 6-201.14 Carpet used in food area, dishwashing area, walk-in etc.
- 6-202.11 Lights not shielded/shatterproof in food/equipment areas; Heat lamps not properly shielded
- 6-202.15 Back/front door open; Weather-stripping missing; Holes found in screen; No screen on open window/door; Back door not self-closing
- 6-303.11 Inadequate lighting provided
- 6-501.11 Physical facility in poor repair (broken floor tile, missing ceiling tile, hole in wall)
- 6-501.12 Physical facility soiled (soiled floor, dusty ceiling, food debris on wall)
- 6-501.14 Air duct/vent soiled
- 6-501.114 Unnecessary items found within or outside of facility (old equipment that is no longer used, unused dishes, holiday decorations, bike/golf clubs)
- 6-501.115^{Pf} Live animals allowed in facility (dog/cat/turtle/fish/bird/hamster as pet/visitor) Note: see Food Code and OCHD Memo for exemptions or variances

•Pests

- 6-202.13 Insect control device (bug zapper, glue board, fly tape) located above food/clean equipment or in prep/storage area
- 6-501.111* Pests observed (mice, flies, cockroaches, birds) Note: If pest control operator is properly used, violation may be a core
- 6-501.112 Dead pests not removed from facility (bugs in light shield, flies on fly tape, mouse on glue board)
- 7-206.12^P Pest bait station/trap not covered (home-use mouse trap)

•Chemicals/Toxic Materials

- 7-102.11^{Pf} Chemicals not labeled with common name
- 7-201.11^P Chemicals not stored properly (spray bottle on food shelf, sanitizer cloth bucket on prep table, bleach above sanitize sink, food/equipment with cleaners, utensils stored inside wiping cloth sanitizer bucket b/w uses)
- 7-202.12* Unapproved chemicals/pesticides observed (Raid^P, flying insect spray^P)
- 7-203.11^P Food items stored in container previously used for paint, soap, etc.
- 7-204.11^P Unapproved sanitizer used on food contact surfaces (scented bleach, no EPA listing for approved sanitizer)
- 7-205.11^P Unapproved lubricant used on food contact surface (WD-40 used on food slicer)
- 7-301.11^P Chemicals/toxic materials (cigarettes, Lysol, pain meds) for retail sale stored improperly (not below and away from food/equipment)

Chlorine	50-100 ppm (per manufacturer label)
Quat	200-400 ppm (per manufacturer label)
Iodine	12.5-25 ppm (per manufacturer label)

Poultry	165°F
Ground/Injected/Mech Tenderized meat	155°F
Pooled shell eggs	155°F
Whole pork/beef/lamb	145°F
Seafood	145°F
Shell eggs	145°F
Whole meat roast	130°F for 112 minutes

Enforcement Action/Fee:

P/Pf- Repeat X2 or more
C- Repeat X3 or more

Important Points:

Are all handsinks stocked and accessible?
Who is required to wear gloves/BHC policy?
Where/how do employees eat/drink/smoke?
What is the policy on employee illness?
Is the consumer advisory correct on the menu?
Who is the pest control operator and how often do they visit?
How/where is food reheated/thawed/cooled?
Is there a certified manager?
Is the food-service license posted? (Food Law sec 4119) Is there an anti-choking poster? (Food Law sec 6141)
Are air gaps provided where required? Are all water supply lines protected?

CLOSURE WORDING: "Under the provisions of Act 92, P.A. 2000, as amended, section 2113 relating to food service sanitation and in order to protect the public health and safety, you are hereby ordered to cease all food service operations until such time that the above listed violations are corrected as verified by an inspection by members of this division and written permission is given to reopen this establishment."

Potentially Hazardous Foods Include: feta cheese, garlic/oil mixtures, cottage cheese, cream cheese, deli meat, sliced melon, animal based products, raw seed sprouts, heat-treated plant food, sour cream, milk, tofu, shell and liquid eggs, sliced tomatoes, cut leafy greens, fresh mozzarella

Potentially Hazardous Foods Exempt from Date Marking: 1) Several hard and semi-soft cheese- cheddar, parmesan, blue, monterey jack, etc. 2) Cultured dairy products- yogurt, buttermilk, sour cream 3) Commercially manufactured deli salads- chicken, egg, seafood, potato, pasta, etc.

Major Food Allergens Include: Milk, Egg, Peanuts, Tree nuts, Fish, Shellfish, Soy, Wheat, and any item containing a protein derived from this list.

Symptoms of a Reaction Include: Hives, Flushed skin or rash, Tingling or itchy sensation in the mouth, Face/tongue/lip swelling, Vomiting and/or diarrhea, Abdominal cramps, Coughing or wheezing, Dizziness and/or lightheadedness, Swelling of the throat and vocal cords, Difficulty breathing, Loss of consciousness

Consumer Advisory Wording from Food Law: "Ask your server about menu items that are cooked to order or served raw. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness" **Note:** See Food Law section 289.6149

Smoking Law Language: Section 6127 of the food law of 2000, 2000 PA 92, MCL 289.6127 is repealed. Part 129 of Act 188, PA of 2009, section 12905. (5) states, in part: A food service establishment shall comply with section 12603(2) which reads as follows: 12603(2). The owner, operator, manager, or person having control of a public place, a food service establishment, or a casino subject to section 12606b shall do all of the following: (a) Clearly and conspicuously post "no smoking" signs or the international "no smoking" symbol at the entrances to and in every building or other area where smoking is prohibited under this act. b) Remove all ashtrays and other and other smoking paraphernalia from anywhere smoking is prohibited under this act. (c) Inform individuals smoking in violation of this act that they are in violation of state law and subject to penalties. (d) If applicable, refuse to serve an individual smoking in violation of this act. (e) Ask an individual smoking in violation of this act to refrain from smoking and, if the individual continues to smoke in violation of this act, ask him or her to leave the public place, food service establishment, or nonsmoking area of the casino.

Plan Review (8-201.11^{Pf}): 1) Stop Work Order- issued when a facility is actively working on OR have not begun to utilize changes/additions to a licensed/unlicensed facility and plan review approval has not been provided. 2) Cease & Desist Order- is issued when a facility has been given plan review approval, but a site visit to issue operational approval has not been conducted **OR** when an unlicensed facility is found operating without plan review approval and/or operational approval **OR** when a licensed facility is found utilizing a change/addition to the facility without plan review approval and/or operational. **Note: Requires supervisory consultation.**

Type II Well Review: Items to inspect include- condition of the well cap, condition of the well casing including exposed wires, condition of the protective screen on underside of well cap, grading of ground around well casing to prevent ponded water. **Note:** Contact Type II sanitarians with questions/concerns.