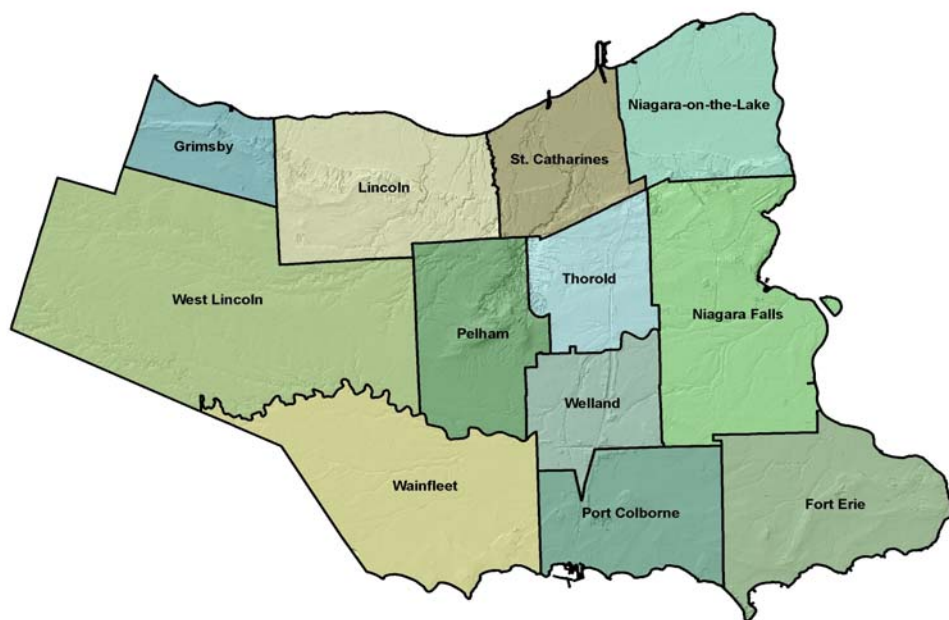


‘NiagaraInfoDine’

Food Safety

Disclosure Program



Operator Information Guide



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An Accredited
Public Health Department
www.regional.niagara.on.ca

February 2007

Dear Food Establishment Operator:

In the spring of 2007, the Niagara Region Public Health Department will introduce a website based Food Safety Disclosure Program called 'NiagaraInfoDine'. This program will post on the Niagara Region website the results of inspections performed in all retail food business establishments operating in the Niagara Region. To view this website visit

www.niagarainfodine.ca.

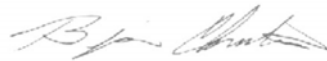
This Operators' Guide has been created to provide you with information about the new disclosure program. It includes a detailed explanation of the information that will be available on the website for the public to access. The guide also provides information that will assist the food facility operator in understanding:

- the inspection process
- developing a clearer understanding of good food handling practices
- identifying areas within their operation that have the greatest potential for the spread of foodborne illness
- enhancing safeguards that minimize the risk associated with the food supply

We hope you find this guide of value, so please take the time to read the information carefully. If you have any questions please contact the Niagara Region Public Health Department at one of our four offices.

The Niagara Region Public Health Department has always had a good working relationship with the vast majority of food service operators in the Region. We anticipate that with your cooperation, we can implement a disclosure program which will benefit both your business and your customers.

Sincerely,



Bjorn Christensen, MEd, B.A.A., C.P.H.I. (C)
Director, Health Protection and Promotion

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RESPONSIBILITY FOR RETAIL FOOD SAFETY

All retail food establishments must operate according to the minimum requirements of the Ontario Food Premises Regulation (O. Reg. 562) under the Health Protection and Promotion Act. It is the responsibility of food establishment operators to know and comply with the Regulation (see Appendix A or www.e-laws.gov.on.ca). Public Health Inspectors are mandated to regularly inspect retail food establishments to assess if they are being operated according to the requirements in the Regulation.

WHY A FOOD SAFETY DISCLOSURE PROGRAM?

The new program will have many benefits for the public and food operators. It is intended to help improve food safety standards, reduce the risk of foodborne illness, and raise consumer awareness of food safety. Research has demonstrated that disclosure systems improve compliance with food safety legislation and enhance food safety standards in retail food establishments.

FOOD SAFETY INSPECTIONS AND THE WEBSITE DISCLOSURE SYSTEM

The new program is based on compliance with the Ontario Food Premises Regulation. One food handling mistake, in even the best-operated food establishments, can lead to food poisoning. Therefore, the operator of every retail food establishment is responsible for knowing the risks associated with foodborne illness and for taking action in his/her establishment to minimize these risks. When a Public Health Inspector visits your retail food establishment, he/she will assess if your operation meets the requirements of the Ontario Food Premises Regulation and will then

complete a Food Safety Inspection Report (see Appendix B). You will receive a copy of the inspection report.

A summary of the results will be posted on the internet on a timely basis. Infractions found in any establishment, the date of inspection, the number of critical and non-critical infractions, and the infraction details will be posted on the website.

HOW TO PREPARE FOR THE FOOD SAFETY PERFORMANCE DISCLOSURE PROGRAM

To prepare for inspections under the program, the Niagara Region Public Health Department encourages all operators of retail food establishments to thoroughly review this Guide. It is important that you understand and follow the requirements of the Ontario Food Premises Regulation. The Food Safety Inspection Report (see Appendix B) can be used by the operator as a checklist to identify infractions in their operation that require correction.

FREQUENCY OF INSPECTIONS

Public Health Inspectors are required to assess all food establishments at least once per year to determine the frequency of inspections. Depending on the following factors, inspections may be conducted a minimum of once, twice, or three times per year.

A) High Risk Food Establishment

A High Risk Food Establishment is a premise which prepares hazardous foods and must meet at least one of the following criteria:

- Use processes involving many preparation steps and foods frequently implicated as the cause of foodborne illness (e.g. full menu restaurants, large banquet facilities, and large catering operations).
- Preparation of foods that involve multiple preparation steps (e.g. defrosting, cooking, cooling, storing, reheating, preparing, hot holding, slicing, de-boning, mixing, and serving).
- Effective Hazard Analysis Critical Control Point (HACCP) program not in place (see Appendix C), or
- Establishments associated in the past with foodborne illness.
- These types of establishments must be inspected at a minimum of 3 times per year.

B) Medium Risk

A Medium Risk Food Establishment is a premise which must meet one of the following criteria:

- Prepare hazardous foods that do not meet the criteria outlined in the High Risk category above, or
- Prepare non-hazardous foods with extensive handling and/or high volume of patrons (e.g. bakeries).
- These types of establishments must be inspected at a minimum of 2 times per year.

C) Low Risk (Minimum of one inspection per year)

A Low Risk Food Establishment is a premise which must meet one of the following criteria:

- Prepare and/or serve non-hazardous foods that do not meet the criteria outlined in the Medium Risk category above, or
- Serve prepackaged hazardous foods, or
- Use a food storage facility for non-hazardous foods only, and/or
- Have public health concerns that relate primarily to sanitation and maintenance.
- These types of establishments must be inspected once per year.

FOOD HANDLER TRAINING

It is important to ensure that food handlers know and practice basic food safety rules. The Niagara Region Public Health Department strongly recommends that managers and staff involved in food preparation complete food handler training and receive a Food Handler Certificate. The Niagara Region Public Health Department offers a Food Handler Certification Course. Participants must pass a certification test. Topics covered in the course include:

- Food safety legislation
- Introduction to food safety, microorganisms, and contamination
- Cross-contamination
- Understanding foodborne illness
- Receiving and storage of food
- Preparation, cooking, and service
- Hazard Analysis Critical Control Points system
- Personal hygiene
- Food allergies
- Cleaning and sanitizing
- Food establishment sanitation, design, and maintenance
- Pest control
- Healthy eating

At this time, the Food Handler Certification Course is not mandatory for retail food establishments in Niagara. However, the Ontario Ministry of Health and Long-Term Care may be changing the Ontario Food Premises Regulation to require establishments to have certified food handlers. In the near future the presence of at least one certified

food handler per shift in high and medium risk retail food establishments may become a factor assessed during a routine inspection. Research has shown that food handler training is one of the most effective ways of enhancing food safety. Therefore, the Niagara Region Public Health Department strongly encourages food handlers and management staff to become certified. To register for an upcoming Food Handler Certification Course (cost \$35.00 per person) call: 905-688-8248, ext. 7230 or toll free at 1-888-505-6074, ext. 7230. (see Appendix D for further details)

FREQUENTLY ASKED QUESTIONS

1) What are some examples of critical infractions?

- Hazardous foods (e.g. meat, poultry, fish, and shellfish) are not cooked to the internal temperature required to kill potentially harmful bacteria.
- Hazardous foods are not kept cold enough to prevent the growth of harmful bacteria.
- Contamination of ready-to-eat foods with raw foods/chemicals/pesticides.
- Food handling staff observed not washing their hands prior to handling food.
- Potential for food contamination due to the establishment being infested by insects or rodents.

Note: Items that pose an immediate risk of foodborne illness must be corrected at the time of inspection.

2) What are some examples of non-critical infractions?

- Food processing equipment is poorly designed, or the arrangement of food preparation equipment in a kitchen prevents easy access for cleaning and maintaining clean and sanitary conditions.
- Food processing equipment and food contact surfaces are not maintained in a clean and sanitary manner, regardless of poor design or arrangement of equipment.
- Food handlers are not wearing clean outer garments.
- Hair restraints are not worn by food handlers while they are handling food.

- No approved testing method to check the sanitizer concentration in automatic dishwashers is available (e.g. test kit/test strips).
- Insect and vermin-proof containers are not provided where required.
- Garbage has not been removed to maintain the establishment in a sanitary condition.

3) When would my establishment require a re-inspection?

Follow-up inspections will take place at the discretion of the Public Health Inspector. Minor infractions observed in an establishment can often be followed up during the next regular inspection.

4) What type of legal action can be expected?

The appropriate legal action will be initiated at the discretion of the Public Health Inspector. Infractions, especially those seen repetitively or frequently, may result in the issuance of Provincial Offences Notices (tickets). Depending on the offence a ticket may carry a fine of up to \$370.00. Where warranted, charges may be laid requiring appearance in court or a closure order maybe issued (see below). When infractions are observed in a retail food establishment, it is the responsibility of the operator to ensure that these infractions are corrected as soon as possible. Items directly related to food safety must be corrected by the operator at the time of inspection and will be assessed again during a re-inspection within 24 hours. There is no fee for the follow-up inspections however, as previously noted, repetitive non-compliance will result in legal action being initiated. This can result in fines and/or written orders. Public Health Inspectors at the Niagara Region Public Health Department have been

designated as Provincial Offences Officers. This means that they have the authority to issue tickets or summonses to court when infractions are observed.

5) When would a food establishment be ordered closed by the Niagara Region Public Health Department?

A closure order is issued to the operator of a food establishment when the Public Health Inspector is of the opinion, upon reasonable and probable grounds, that an immediate health hazard exists. Under these conditions, an order to close the establishment under Section 13 of the Health Protection and Promotion Act will be issued. A Section 13 order is issued to eliminate or decrease the effect of the health hazard. An order is a legal document. Failure to comply with an order is an offence, which upon conviction, could result in a significant fine.

6) What are some examples of infractions leading to a closure order?

A health hazard can be any condition that will likely lead to a foodborne illness if the condition is not corrected. Examples include:

- Establishment is infested with insects or rodents.
- Evidence of food contamination and a lack of an effective pest control program to remove the infestation.
- The food establishment does not have sufficient potable water to operate in a sanitary manner.
- Sewage back-up into food preparation or storage areas.

Operators who do not comply with a closure order may be charged and required to appear in court. Public Health Inspectors will monitor closed establishments daily to ensure that they remain closed to the public. If the court finds the defendant guilty of

failing to comply with a closure order, the individual operator may be fined up to \$5,000.00, and a corporation up to \$25,000.00, for each day or part of a day. The operator or corporation has the right to appeal any order issued by the Niagara Region Public Health Department by requesting a hearing by the Health Services Appeal and Review Board.

APPENDIX A – Food Premises Regulation

Health Protection and Promotion Act R.R.O. 1990, REGULATION 562 *Amended to O. Reg. 308/06*

FOOD PREMISES

Notice of Currency:* This document is up to date. *This notice is usually current to within two business days of accessing this document. For more current amendment information, see the [Table of Regulations - Legislative History Overview](#) .

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PART I INTERPRETATION

1. (1) In this Regulation,

- "catering vehicle" means an itinerant food service premise in which no food is prepared other than hot beverages and french fried potatoes;
- "corrosion-resistant material" means any material that maintains its original surface characteristics after,
- (a) repeated exposure to food, soil, moisture or heat, or
 - (b) exposure to any substance used in cleansing and sanitizing;
- "egg grading station" means an egg grading station registered under the *Canada Agricultural Products Act* ;
- "egg processing station" means an egg product processing station registered under the *Canada Agricultural Products Act* ;
- "eggs" means raw eggs in the shell;
- "employee" means any person who,
- (a) is employed in a food premise, and
 - (b) handles or comes in contact with any utensil or with food during its preparation, processing, packaging, service, storage or transportation;
- "farmers' market" means a central location at which a group of persons who operate stalls or other food premises meet to sell or offer for sale to consumers products that include, without being restricted to, farm products, baked goods and preserved foods, and at which the majority of the persons operating the stalls or other food premises are producers of farm products who are primarily selling or offering for sale their own products;
- "farmers' market food vendor" means the operator of a stall or other food premise that is located at a farmers' market;
- "farm products" means products that are grown, raised or produced on a farm and intended for use as food and include, without being restricted to, fruits and vegetables, mushrooms, meat and meat products, dairy products, honey products, maple products, fish, grains and seeds and grain and seed products;
- "food contact surface" means any surface that food comes in contact with in a food premise;
- "food service premise" means any food premise where meals or meal portions are prepared for immediate consumption or sold or served in a form that will permit immediate consumption on the premises or elsewhere;
- "Grade `C' eggs" means eggs that are graded "Canada C" as defined in the regulation under the *Canada Agricultural Products Act* ;
- "hazardous food" means any food that is capable of supporting the growth of pathogenic organisms or the production of the toxins of such organisms;
- "locker plant" means any food premise in which individual lockers are rented or offered for rent to the public for the storage of frozen foods;
- "manufactured meat product" means food that is the product of a process and that contains meat as an ingredient and includes meat that is processed by salting, pickling, fermenting, canning, drying or smoking or otherwise applying heat or to which edible fats, cereals, seasonings or sugar have been added;
- "mobile preparation premises" means a vehicle or other itinerant food premise from which food prepared therein is offered for sale to the public;
- "multi-service article" means any container or eating utensil that is intended for repeated use in the service or sale of food;
- "official method" means a method used by a laboratory established under section 79 of the Act for the laboratory examination of food;
- "pre-packaged foods" means food that is packaged at a premise other than the premises at which it is offered for sale;
- "sanitizing" means antimicrobial treatment, and "sanitize" has a corresponding meaning;
- "selling" includes automatic vending;
- "serving" includes self-service;
- "single-service article" means any container or eating utensil that is to be used only once in the service or sale of food;

"single-service towel" means a towel that is to be used only once before being discarded or laundered for reuse;

"utensil" means any article or equipment used in the manufacture, processing, preparation, storage, handling, display, distribution, sale or offer for sale of food except a single-service article;

"vending machine" means any self-service device that upon insertion of a coin, coins or tokens, automatically dispenses unit servings of food either in bulk or in package form. R.R.O. 1990, **Reg. 562**, s. 1 (1); O. Reg. 308/06, s. 1.

(2) A reference in this Regulation to the medical officer of health or the public health inspector means the medical officer of health or the public health inspector, as the case may be, of the board of health in the health unit in which the food premise referred to is situate. R.R.O. 1990, **Reg. 562**, s. 1 (2).

PART II ESTABLISHMENT

EXEMPTIONS

2. (1) This Regulation applies to all food premises except,

(a) boarding houses that provide meals for fewer than ten boarders;

(b) a food premise to which Regulation 554 or 568 of the Revised Regulations of Ontario, 1990 applies;

(c) food premises owned, operated or leased by religious organizations, service clubs and fraternal organizations where the religious organization, service club or fraternal organization,

(i) prepares and serves meals for special events, and

(ii) conducts bake sales; and

(d) farmers' market food vendors. R.R.O. 1990, **Reg. 562**, s. 2 (1); O. Reg. 308/06, s. 2 (1).

(2) No person shall operate or maintain a food premise to which this Regulation applies except in accordance with this Regulation. R.R.O. 1990, **Reg. 562**, s. 2 (2); O. Reg. 586/99, s. 1.

(3) The exemption provided for in clause (1) (c) is subject to the conditions set out in paragraphs 1 and 2 if a religious organization, service club or fraternal organization mentioned in that clause prepares and serves meals for a special event to which the general public is invited, and hazardous food that originates from a food premise that is not inspected under this Regulation is included in such a meal:

1. Patrons attending the special event shall be notified in writing as to whether or not the food premise has been inspected in accordance with this Regulation. The notice shall be posted in a conspicuous place at the entrance to the food premise at which the special event meal is held.

2. The operator must keep a list of all persons who donate hazardous food for the special event meal and must provide a copy of that list to a public health inspector on request. The list must contain each donor's name, address and telephone number in full. O. Reg. 308/06, s. 2 (2).

3. (1) The following retail food premises are exempt from the provisions of clauses 20 (1) (b) and (c) and sections 68 to 81 where they meet the requirements of subsection (2):

1. Premises where only cold drinks are sold in or from the original container.

2. Premises where only frozen confections are sold in the original package or wrapper.

3. Premises where only hot beverages are prepared and sold.

4. Farms selling only their own farm products in the form of honey, maple syrup, or unprocessed fruits, vegetables and grains.

5. Premises preparing and selling only popped corn, roasted nuts or french fried potatoes.

6. Premises selling only pre-packaged food that is not a hazardous food.

7. Catering trucks. R.R.O. 1990, **Reg. 562**, s. 3 (1).

(2) A food premise referred to in subsection (1) shall,

(a) use only single-service articles;

(b) provide a supply of single-use commercially packaged moist hand towelettes for the personal hygiene of its employees; and

- (c) where it has an eating or drinking area, have an eating or drinking area that does not exceed fifty-six square metres. R.R.O. 1990, **Reg. 562**, s. 3 (2).

CATERING VEHICLES

4. (1) All food offered for sale from a catering vehicle shall be pre-packaged except for hot beverages and french fried potatoes. R.R.O. 1990, **Reg. 562**, s. 4 (1).

(2) Every catering vehicle shall be equipped with mechanically refrigerated storage and display facilities that shall be used for holding hazardous foods. R.R.O. 1990, **Reg. 562**, s. 4 (2).

(3) Subsection (2) does not apply to vehicles from which only frozen confections in the original package or wrapper are sold. R.R.O. 1990, **Reg. 562**, s. 4 (3).

MOBILE PREPARATION PREMISES

5. (1) Mobile preparation premises are exempt from the provisions of sections 68 and 69, but where a mobile preparation premises provides sanitary facilities for its employees the sanitary facilities shall be in compliance with sections 68 and 69. R.R.O. 1990, **Reg. 562**, s. 5 (1).

(2) In every mobile preparation premises,

(a) food shall be prepared within the premises and served to the public by persons working within the premises;

(b) only single-service articles shall be used;

(c) service doors and windows to the preparation area shall be screened and, when the premise is in motion, tightly closed with a solid material to prevent the entrance of dust and fumes into the food preparation area;

(d) the driver's compartment shall be completely partitioned from the food preparation area and, where the partition has an access door, the door shall be solid and self-closing;

(e) separate holding tanks shall be provided for toilet and sink wastes; and

(f) every waste tank and water supply tank shall be equipped with an easily readable gauge for determining the waste or water level in the tank. R.R.O. 1990, **Reg. 562**, s. 5 (2).

(3) Mobile preparation premises where food preparation is limited to the reheating of pre-cooked meat products in the form of wieners or similar sausage products to be served on a bun are exempt from the provisions of clause (2) (a) with respect to the preparation and serving of food to the public by persons positioned within the premises. R.R.O. 1990, **Reg. 562**, s. 5 (3).

VENDING MACHINES

6. Every vending machine shall be so constructed that,

(a) it is sealed to the floor or is mounted on legs not less than 15 centimetres in height or on casters or rollers that permit ease of movement for cleaning purposes;

(b) service connections through the exterior of the machine are sealed and are such as to prevent or discourage unauthorized disconnection;

(c) door and panel access openings to product and container storage spaces are tight-fitting to prevent the entrance of any contaminating substance or thing;

(d) ventilation louvers and openings are screened against insects by means of screening material of not less than 16 mesh to each 2.54 square centimetres;

(e) any condenser unit forming part of the machine is sealed from product and container storage spaces;

(f) openings by which food is delivered are protected by means of self-closing and tight-fitting doors or covers;

(g) food storage compartments in which spillage may occur are self-draining;

(h) openings into all containers used for the storage of food are provided with covers suitable to prevent contamination from reaching the interior of the container; and

(i) containers and fittings may be disassembled to permit cleaning and sanitizing or so arranged that cleaning and sanitizing solutions can be circulated throughout the fixed system. R.R.O. 1990, **Reg. 562**, s. 6.

7. Every vending machine shall be provided with,

- (a) a potable water supply piped into the machine under pressure where water is an automatically admixed ingredient;
- (b) a device that will protect against the entrance of carbon dioxide or carbonated liquid into the water supply system;
- (c) automatic controls that will prevent the vending of hazardous foods where,
 - (i) the temperature of a refrigerated compartment exceeds 7° Celsius, or
 - (ii) the temperature of a heated compartment falls below 60° Celsius; and
- (d) an automatic shut-off control that will prevent the overflow of liquid waste where such wastes are collected inside the vending machine. R.R.O. 1990, **Reg. 562**, s. 7.

8. The components of a vending machine that come into contact with food shall be cleaned and sanitized in the manner prescribed for utensils under section 71, 72, 73, 74, 75 or 76, as the case may be, and for this purpose mobile or remote cleaning and sanitizing facilities may be used. R.R.O. 1990, **Reg. 562**, s. 8.

9. The name and telephone number of the operator of the vending machine shall be prominently displayed at vending sites where an employee is not in full-time attendance. R.R.O. 1990, **Reg. 562**, s. 9.

LOCKER PLANTS

10. (1) Every locker plant shall be equipped with,

- (a) a facility for the freezing of food prior to storage; and
- (b) a locker room for the storage of frozen foods. R.R.O. 1990, **Reg. 562**, s. 10 (1).

(2) The following temperatures shall be maintained in each of the following rooms or compartments:

1. Room or compartment used only for freezing, minus 18° Celsius or lower with a tolerance up to minus 12° Celsius during the initial stage of freezing food.
2. Locker room, not above minus 18° Celsius with a tolerance up to minus 15° Celsius during periods of public access. R.R.O. 1990, **Reg. 562**, s. 10 (2).

(3) The temperatures prescribed in subsection (2) shall not prohibit such variations as are necessary during the time required for defrosting operations. R.R.O. 1990, **Reg. 562**, s. 10 (3).

(4) Every locker room in a locker plant shall be provided with an accurate self-recording thermometer and temperature records shall,

- (a) not be used for a period that will exceed one complete rotation of the graph; and
- (b) be properly dated and signed by the operator and preserved at the plant for a period of at least one year. R.R.O. 1990, **Reg. 562**, s. 10 (4).

(5) The locker room or freezing facility of a locker plant shall be used only for the processing or storage of food. R.R.O. 1990, **Reg. 562**, s. 10 (5).

(6) Every locker plant operator shall keep an accurate record of the name and address of each person renting a locker in a locker plant operated by the operator. R.R.O. 1990, **Reg. 562**, s. 10 (6).

(7) Every locker room in a locker plant shall be equipped with a conveniently located properly functioning noise alarm for operation by patrons from within the locker room. R.R.O. 1990, **Reg. 562**, s. 10 (7).

(8) The access door of every locker room shall be fitted with a properly functioning safety lock release so that it can be operated from inside the locker room. R.R.O. 1990, **Reg. 562**, s. 10 (8).

(9) The records referred to in subsections (4) and (6) shall be made available upon request to the medical officer of health or a public health inspector. R.R.O. 1990, **Reg. 562**, s. 10 (9).

PART III GENERAL

BUILDING MAINTENANCE

11. Every food premise shall be operated and maintained such that,

- (a) the premises are free from every condition that may,

- (i) be a health hazard,
- (ii) adversely affect the sanitary operation of the premises, or
- (iii) adversely affect the wholesomeness of food therein;
- (b) no room where food is manufactured, handled, displayed, distributed, sold or offered for sale, prepared, processed, served, transported or stored is used for sleeping purposes;
- (c) a separate room, compartment, locker or cupboard is provided for keeping wearing apparel of employees;
- (d) the floor or floor coverings are tight, smooth and non-absorbent in rooms where,
 - (i) food is manufactured, handled, displayed, distributed, sold or offered for sale, prepared, processed, served, transported or stored,
 - (ii) utensils are washed, or
 - (iii) washing fixtures and toilet fixtures are located; and
- (e) the walls and ceilings of rooms and passageways may be readily cleaned and may be maintained in a sanitary condition.
- (f) Revoked: O. Reg. 586/99, s. 3 (3).
- (g) Revoked: O. Reg. 586/99, s. 3 (3).

R.R.O. 1990, **Reg. 562**, s. 11; O. Reg. 586/99, s. 3.

12. Despite clause 11 (d), carpeting may be used in areas where food is served where the carpeting is maintained in a clean and sanitary condition. R.R.O. 1990, **Reg. 562**, s. 12.

LIGHTING

13. The levels of illumination required under the Ontario Building Code shall be maintained during all hours of operation of a food premise. O. Reg. 586/99, s. 4.

14. Revoked: O. Reg. 586/99, s. 4.

VENTILATION

15. The ventilation system in every food premise shall be maintained so that the premise does not become a health hazard. O. Reg. 586/99, s. 4.

16. Revoked: O. Reg. 586/99, s. 4.

17. Revoked: O. Reg. 586/99, s. 4.

EQUIPMENT

18. Any article or piece of equipment that is used for the manufacture, distributing, sale or offering for sale, preparation, processing, handling, transportation, storage or display of food shall be,

- (a) of sound and tight construction;
- (b) kept in good repair; and
- (c) of such form and material that it can be readily cleaned and sanitized. R.R.O. 1990, **Reg. 562**, s. 18.

19. (1) Equipment and utensils with which food comes in direct contact shall be,

- (a) corrosion-resistant and non-toxic; and
- (b) free from cracks, crevices and open seams. R.R.O. 1990, **Reg. 562**, s. 19 (1).

(2) Despite subsection (1), cutting boards, blocks, tables, bowls, platters and churns of hardwood or other materials may be used where,

- (a) such equipment is maintained in a clean and sanitary condition; and
- (b) the manner and conditions of their use are not a health hazard. R.R.O. 1990, **Reg. 562**, s. 19 (2).

20. (1) Every food premise shall be provided with,

- (a) a supply of potable water adequate for the operation of the premises;
- (b) hot and cold running water under pressure in areas where food is processed, prepared or manufactured or utensils are washed;
- (c) a separate handwashing basin in a location convenient for employees in each processing, preparation and manufacturing area, together with supplies of hot and cold water, soap or detergent in a dispenser, and,
 - (i) clean single-service towels, or
 - (ii) a continuous cloth roller towel in a mechanical device and a supply of paper towels;
- (d) refrigerated space adequate for the safe storage of perishable and hazardous food; and
- (e) containers of durable, leakproof and non-absorbent material with tight-fitting or self-closing lids sufficient for storing all garbage and waste in a sanitary manner. R.R.O. 1990, **Reg. 562**, s. 20 (1).

(2) The basin referred to in clause (1) (c) shall be used only for the handwashing of employees. R.R.O. 1990, **Reg. 562**, s. 20 (2).

21. Temperature controlled rooms and compartments used for the storage of hazardous foods shall be provided with accurate indicating thermometers that may be easily read. R.R.O. 1990, **Reg. 562**, s. 21.

22. Racks, shelves or pallets shall be provided for the storage of food and no rack or shelf shall be placed less than fifteen centimetres above the floor. R.R.O. 1990, **Reg. 562**, s. 22.

23. All food shall be stored on the racks, shelves or pallets referred to in section 22. R.R.O. 1990, **Reg. 562**, s. 23.

24. Tongs, spoons and scoops of corrosion-resistant and non-toxic material shall be used, wherever possible, to avoid direct hand contact with food. R.R.O. 1990, **Reg. 562**, s. 24.

25. Revoked: O. Reg. 586/99, s. 5.

FOOD HANDLING

26. All food shall be protected from contamination and adulteration. R.R.O. 1990, **Reg. 562**, s. 26.

27. All hazardous food displayed for sale or service shall be protected against contamination by means of enclosed containers, cabinets, shields or shelves. R.R.O. 1990, **Reg. 562**, s. 27.

28. Food transported by an operator shall be enclosed in containers or in such other manner as to prevent contamination of the food and to maintain the food at the temperature prescribed in section 32, 33, 34 or 35, as the case may be. R.R.O. 1990, **Reg. 562**, s. 28.

29. Food containers that are multi-service articles shall,

- (a) be constructed of such materials and in such a manner as to be readily cleaned and sanitized; and
- (b) not be used for any purpose other than the packaging of food. R.R.O. 1990, **Reg. 562**, s. 29.

30. (1) Milk served as a beverage shall be offered for sale or served in or from the original container as filled by the processor. R.R.O. 1990, **Reg. 562**, s. 30 (1).

(2) Subject to subsection (3), milk, cream and edible oil substitutes that are to be used with beverages and cereals shall be added to the beverages and cereals from the original container as filled by the processor. R.R.O. 1990, **Reg. 562**, s. 30 (2).

(3) A container other than the original may be used when milk, cream or an edible oil substitute accompanies a beverage or cereal in the service of a seated patron, provided that,

- (a) the container is filled from the original container immediately prior to serving;
- (b) portions remaining at the end of each service are discarded; and
- (c) the container is cleaned and sanitized in accordance with section 73, 74, 75, 76 or 77, as the case may be, after each service. R.R.O. 1990, **Reg. 562**, s. 30 (3).

31. (1) Ice used in the preparation and processing of food or drink shall be made from potable water and shall be stored and handled in a sanitary manner. R.R.O. 1990, **Reg. 562**, s. 31 (1).

(2) Steam that contacts food during processing or preparation shall be from a potable supply and free of toxic substances. R.R.O. 1990, **Reg. 562**, s. 31 (2).

32. Hazardous foods in hermetically sealed containers that have not been subjected to a process sufficient to prevent the production of bacterial toxins or the survival of spore-forming pathogenic bacteria shall,

(a) have "Keep Refrigerated" prominently marked on the container; and

(b) be maintained, transported, displayed, stored or offered for sale at an internal temperature not higher than 4 degrees Celsius. R.R.O. 1990, **Reg. 562**, s. 32; O. Reg. 101/06, s. 1.

33. (1) The cooking, reheating, freezing and holding temperatures of food shall be in accordance with the requirements of this section. O. Reg. 74/04, s. 1.

(2) Except as otherwise provided in subsection (3), a hazardous food shall be distributed, maintained, stored, transported, displayed, sold and offered for sale only under conditions in which the internal temperature of the food is,

(a) 4 degrees Celsius, or lower; or

(b) 60 degrees Celsius, or higher. O. Reg. 74/04, s. 1.

(3) Subsection (2) does not apply,

(a) to a hazardous food during those periods of time that are necessary for the preparation, processing and manufacturing of the food; or

(b) to a hermetically sealed food that has been subjected to a process sufficient to prevent the production of bacterial toxins or the survival of spore-forming pathogenic bacteria. O. Reg. 74/04, s. 1.

(4) Whole poultry shall be cooked to reach an internal temperature of at least 82 degrees Celsius for at least 15 seconds. O. Reg. 74/04, s. 1.

(5) A food mixture containing poultry, egg, meat, fish or another hazardous food shall be cooked to reach a temperature of at least 74 degrees Celsius for at least 15 seconds in all parts of the mixture. O. Reg. 74/04, s. 1.

(6) The following shall be cooked to reach an internal temperature of at least 74 degrees Celsius for at least 15 seconds:

1. Poultry, other than whole poultry.

2. All parts of ground poultry.

3. All parts of ground meat that contains poultry. O. Reg. 74/04, s. 1.

(7) The following shall be cooked to reach an internal temperature of at least 71 degrees Celsius for at least 15 seconds:

1. Pork.

2. Pork products.

3. All parts of ground meat, other than ground meat that contains poultry. O. Reg. 74/04, s. 1.

(8) Fish shall be cooked to reach an internal temperature of at least 70 degrees Celsius for at least 15 seconds. O. Reg. 74/04, s. 1.

(9) Subsection (8) does not apply to fish that is intended to be consumed raw, including raw-marinated and partially cooked fish. O. Reg. 173/05, s. 1.

(10) Except as otherwise provided in subsection (11), a hazardous food that is cooked, cooled and reheated for hot holding must reach an internal temperature for at least 15 seconds during the reheating process that is at least as high as the minimum internal temperature the food must reach under this section during cooking. O. Reg. 74/04, s. 1.

(11) Whole poultry that is cooked, cooled and reheated for hot holding must reach an internal temperature for at least 15 seconds during the reheating process that is at least 74 degrees Celsius. O. Reg. 74/04, s. 1.

(12) The process of reheating a hazardous food in accordance with subsection (10) or (11) shall not take more than two hours. O. Reg. 74/04, s. 1.

(13) The operator of a food premise is exempt from the requirements of subsection (4), (5), (6), (7), (8), (9), (10) or (11) in respect of a hazardous food if,

- (a) the medical officer of health is satisfied that cooking or reheating the hazardous food, as the case may be, to a different temperature or for a different length of time, or both, is sufficient to prevent the growth of pathogenic organisms, to prevent the production of toxins from pathogenic organisms and to destroy parasites; and
- (b) the operator of the food premise ensures that the hazardous food is cooked or reheated, as the case may be, to the temperature and for the length of time required by the medical officer of health. O. Reg. 74/04, s. 1.

(14) An accurate thermometer that can be easily read shall be used to measure the internal temperature of hazardous foods. O. Reg. 74/04, s. 1.

34. Despite clause 33 (2) (a), eggs may be transported at an internal temperature of 13° Celsius or lower where the eggs are being transported from an egg grading station to,

- (a) a wholesaler of eggs;
- (b) a retailer of eggs; or
- (c) an egg product processing station. R.R.O. 1990, **Reg. 562**, s. 34; O. Reg. 74/04, s. 2.

35. Food that is intended to be transported, displayed, stored, sold or offered for sale in a frozen state shall be frozen to a temperature of minus 18° Celsius or lower and maintained thereafter at a temperature of minus 18° Celsius or lower until sold or prepared for use. R.R.O. 1990, **Reg. 562**, s. 35.

36. (1) Cans, containers or wrappings of hazardous food shall bear,

- (a) a permanent code marking of the manufacturer or processor designating the plant where the food was manufactured or processed; and
- (b) the date on which the food was manufactured or an expiry date. R.R.O. 1990, **Reg. 562**, s. 36 (1).

(2) Subsection (1) does not apply where hazardous food is packaged and sold at retail on the same food premise. R.R.O. 1990, **Reg. 562**, s. 36 (2).

MEAT AND MEAT PRODUCTS

37. Manufactured meat products that are customarily eaten without further cooking shall be subjected to a process sufficient to destroy pathogenic bacteria, parasites and the cystic forms of parasites. R.R.O. 1990, **Reg. 562**, s. 37.

38. (1) Every operator of a premise in which meat products are manufactured shall maintain records of meats received for processing in the premise and the records shall include the kinds of meats, the names and addresses of suppliers, weights and the dates of receipt. R.R.O. 1990, **Reg. 562**, s. 38 (1).

(2) A record referred to in subsection (1) shall be maintained at the premise for not less than one year from the date of entry of the record. R.R.O. 1990, **Reg. 562**, s. 38 (2).

39. (1) Except as provided in subsections (2) and (3), every manufactured meat product that is transported, handled, distributed, displayed, stored, sold or offered for sale at a food premise shall be identified as to the meat processing plant of origin by a tag, stamp or label affixed to the product. R.R.O. 1990, **Reg. 562**, s. 39 (1).

(2) A bulk packed manufactured meat product that cannot be individually identified under subsection (1) because of its size, shape or consistency may be removed from its container for the purpose of display or sale where the container bears the plant identification referred to in subsection (1). R.R.O. 1990, **Reg. 562**, s. 39 (2).

(3) Subsection (1) does not apply to a manufactured meat product stored, sold or offered for sale in a retail outlet at the plant of origin. R.R.O. 1990, **Reg. 562**, s. 39 (3).

40. (1) The only meat permitted at a food premise is meat that has been obtained from an animal inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act* (Canada) and that has been stamped and labelled or otherwise identified in accordance with that regulation or that Act. O. Reg. 101/06, s. 2 (1).

(2) Despite subsection (1), a food premise where meat is sold, other than a food service premise, may have uninspected meat obtained through hunting that is at the food premise for the purposes of custom-cutting, wrapping and freezing it for its owner if,

- (a) the uninspected meat is custom-cut, wrapped, frozen and stored in such a manner that it does not come into contact with inspected meat;
- (b) each quarter or larger section of the carcass bears a tag showing the name and address of the owner of the uninspected meat; and
- (c) each quarter or larger section of the carcass is legibly stamped "Consumer Owned, Not for Sale" on each of the primal cut areas, using ink made from non-toxic edible ingredients and in letters at least 1.25 centimetres in height. O. Reg. 74/04, s. 3.

(3) Despite subsection (1), a food premise located at the Sioux Lookout Meno-Ya-Win Health Centre may have on the premises uninspected meat from wild moose, wild duck, wild goose, wild caribou, wild muskrat, wild rabbit, wild deer, wild beaver, wild elk and wild muskox if the animal or bird was killed in the course of hunting and if the following conditions are met:

- 1. The uninspected meat is handled, prepared, processed and stored for the sole purpose of serving it to patients, visitors and staff at the Health Centre.
- 2. The uninspected meat is handled, prepared, processed and stored so that it does not come into contact with other food before the other food is served.
- 3. Patients, visitors and staff at the Health Centre are informed in writing each time before they are served uninspected meat that the meat has not been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act* (Canada) and that meat that has been inspected is available for consumption.
- 4. Patients, visitors and staff at the Health Centre are informed in writing that meat that has been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act* (Canada) is always available to be served on the premises. O. Reg. 502/01, s. 1; O. Reg. 101/06, s. 2 (2).

(4) Despite subsection (1), a food premise may have on the premises uninspected meat obtained through hunting that is handled, prepared and stored for the sole purpose of serving it at a wild game dinner held under the authority of an authorization granted under subsection 52 (1) of the *Fish and Wildlife Conservation Act, 1997*, if the following conditions are met:

- 1. The uninspected meat is handled, prepared and stored so that it does not come into contact with other food before the other food is served.
- 2. Patrons and staff are notified in writing each time before they are served uninspected meat that the meat has not been inspected in accordance with either Ontario Regulation 31/05 (Meat) made under the *Food Safety and Quality Act, 2001* or the *Meat Inspection Act* (Canada). The notice shall be clearly printed on each ticket issued to a patron of a wild game dinner and also be posted in a conspicuous place at the entrance to the venue at which the wild game dinner is held.
- 3. The operator must keep a list of all patrons that attend the wild game dinner and must provide a copy of the list to a public health inspector upon request. The list must contain each patron's name, address and telephone number in full.
- 4. The operator must keep a list of all persons who donate uninspected meat for a wild game dinner and must provide a copy of the list to a public health inspector upon request. The list must contain,
 - i. each donor's name, address and telephone number in full, and
 - ii. with respect to each donor, the name of the species from which the donated meat was obtained. O. Reg. 101/06, s. 2 (3).

41. In a food premise, utensils, equipment and food contact surfaces used in connection with uninspected meat shall be washed and sanitized in accordance with sections 73, 74, 75, 76, 77 and 81, whichever apply in the circumstances, before being used in connection with any other food, including inspected meat. O. Reg. 502/01, s. 1.

MILK AND MILK PRODUCTS

42. (1) Milk products shall be pasteurized or made from milk that has been pasteurized by heating the milk product to a temperature of at least,

- (a) 63° Celsius and holding it at that temperature for not less than thirty minutes;

- (b) 72° Celsius and holding it at that temperature for not less than sixteen seconds; or
- (c) such temperature other than a temperature referred to in clause (a) or (b) for such period of time that will result in the equivalent destruction of pathogenic organisms and phosphatase. R.R.O. 1990, **Reg. 562**, s. 42 (1).

(2) A milk product shall be sterilized by heating the milk product to a temperature of 135° Celsius and holding it at that temperature for not less than two seconds, or to such other temperature for such period of time that will result in sterilization. R.R.O. 1990, **Reg. 562**, s. 42 (2).

43. (1) Milk products other than butter and goat milk shall be deemed to have been pasteurized if the product is negative when tested for the presence of alkaline phosphatase as determined by the official method. R.R.O. 1990, **Reg. 562**, s. 43 (1).

(2) A milk product shall be deemed to have been sterilized if a sample of the product is free of living organisms as determined by an official method. R.R.O. 1990, **Reg. 562**, s. 43 (2).

44. Despite subsection 43 (1),

- (a) butter shall be deemed to have been made from pasteurized milk or cream if it is negative when tested for the presence of peroxidase as determined by an official method; and
- (b) goat milk shall be deemed to have been pasteurized if the recording thermometer chart indicates the milk was heated as required in section 42. R.R.O. 1990, **Reg. 562**, s. 44.

45. Subsection 18 (2) of the Act does not apply to cheese made from unpasteurized milk if the cheese has been stored at a temperature not lower than 2° Celsius for a period of not less than sixty days following the time of manufacture. R.R.O. 1990, **Reg. 562**, s. 45.

46. (1) Milk products shall be cooled immediately after pasteurization to a temperature of at least 5° Celsius or less. R.R.O. 1990, **Reg. 562**, s. 46 (1).

(2) Subsection (1) does not apply to a milk product that,

- (a) is to be further processed prior to packaging, then cooled to 5° Celsius, or less;
- (b) has been sterilized and is to be or is aseptically packaged; or
- (c) is processed by drying. R.R.O. 1990, **Reg. 562**, s. 46 (2).

47. (1) Every pasteurizer used for milk products shall be equipped with indicating and recording thermometers that are accurate and may be easily read. R.R.O. 1990, **Reg. 562**, s. 47 (1).

(2) Every high temperature short time pasteurizer used for milk products shall be equipped with a properly functioning flow diversion valve. R.R.O. 1990, **Reg. 562**, s. 47 (2).

(3) Recording thermometers shall be moisture proof and easily read. R.R.O. 1990, **Reg. 562**, s. 47 (3).

48. The temperature of a milk product in a pasteurizer at any time shall be taken as the temperature shown on the indicating thermometer and not the temperature shown by the recording thermometer. R.R.O. 1990, **Reg. 562**, s. 48.

49. The temperature shown by the recording thermometer shall be checked daily by the operator against the temperature shown by the indicating thermometer and shall be adjusted to read no higher than the temperature shown by the indicating thermometer. R.R.O. 1990, **Reg. 562**, s. 49.

50. (1) A recording thermometer chart shall not be used for a period that will exceed one complete rotation of the graph. R.R.O. 1990, **Reg. 562**, s. 50 (1).

(2) A recording thermometer chart shall have the following information noted thereon:

1. The date of operation.
2. The number of the pasteurizer, if more than one is in use, to which the recorder was attached.
3. The temperature of the indicating thermometer at some time corresponding with a marked point in the holding period.
4. The name of product being pasteurized.

5. The signature of the operator. R.R.O. 1990, **Reg. 562**, s. 50 (2).

(3) Where more than one recording thermometer is in use, each chart shall be numbered in such a manner as to indicate the recording thermometer that was used for the chart. R.R.O. 1990, **Reg. 562**, s. 50 (3).

(4) A recording thermometer chart shall be kept by an operator for at least three months after it is used. R.R.O. 1990, **Reg. 562**, s. 50 (4).

51. Sterilized fluid milk products shall be sold in or from containers that bear the words "STERILIZED" or "STERILE" and "REFRIGERATE AFTER OPENING". R.R.O. 1990, **Reg. 562**, s. 51.

52. (1) A food premise that repackages milk products not produced in that food premise, shall identify the original processor, packing date and batch number on the containers of repackaged milk products. R.R.O. 1990, **Reg. 562**, s. 52 (1).

(2) Despite subsection (1), the operator of the food premise may show on the containers of repackaged milk products,

(a) the operator's name and address or code marking; and

(b) the operator's "Best Before" or repackaging date,

provided that records are maintained by the operator that identify the original processor, packing date and batch number of the milk products. R.R.O. 1990, **Reg. 562**, s. 52 (2).

(3) Subsections (1) and (2) do not authorize the repackaging of fluid milk products. R.R.O. 1990, **Reg. 562**, s. 52 (3).

53. Despite section 23, cases of fluid milk products may be stored directly on the floor of refrigerated rooms provided that such cases are designed for re-use and do not permit direct contact between the floor and the fluid milk container. R.R.O. 1990, **Reg. 562**, s. 53.

EGGS

54. (1) No operator of a food premise shall store, handle, serve, process, prepare, display, distribute, transport, offer for sale or sell ungraded or Grade "C" eggs. R.R.O. 1990, **Reg. 562**, s. 54 (1).

(2) Despite subsection (1), the operator of an egg grading station may store and handle ungraded eggs for the purpose of grading and may sell and transport Grade "C" eggs to an egg processing station. O. Reg. 518/93, s. 1.

(3) Revoked: O. Reg. 518/93, s. 1.

55. Revoked: O. Reg. 518/93, s. 2.

MAINTENANCE

56. Furniture, equipment and appliances in any room or place where food is manufactured, stored, handled, displayed, distributed, sold or offered for sale, prepared, processed or served shall be so constructed and arranged as to permit thorough cleaning and the maintaining of the room or place in a clean and sanitary condition. R.R.O. 1990, **Reg. 562**, s. 56.

57. (1) Garbage and wastes shall be removed from a food premise at least twice weekly or as often as is necessary to maintain the premise in a sanitary condition. R.R.O. 1990, **Reg. 562**, s. 57 (1).

(2) Garbage receptacles in a room or place where food is manufactured, prepared, handled, processed, displayed, sold or offered for sale, served or stored shall be,

(a) cleaned and sanitized after each use;

(b) removed from the room when full; and

(c) except where a daily collection service is provided, placed in a separate room or place, compartment or bin so constructed and maintained as to exclude insects and vermin and prevent odours and health hazards on the premises. R.R.O. 1990, **Reg. 562**, s. 57 (2).

(3) All liquid waste from the operation of a food premise shall be disposed of in a sanitary manner. R.R.O. 1990, **Reg. 562**, s. 57 (3).

58. Cooking equipment shall be,

(a) provided with a shield, canopy or other device of corrosion-resistant, non-absorbent and readily cleanable material; or

(b) placed so as to protect walls, ceilings and equipment from grease and food particles. R.R.O. 1990, **Reg. 562**, s. 58.

59. Every operator of a food premise shall ensure that in respect of the food premise,

- (a) the food premise is swept and cleaned in such a manner as to prevent contamination of food;
- (b) no cup, glass, dish or utensil that is chipped or cracked is used in the preparation, service or storage of food;
- (c) containers, caps, covers and wrapping materials used in the packaging of food shall be made from materials that,
 - (i) are non-toxic, and
 - (ii) will prevent contamination or adulteration of the food or milk;
- (d) single-service containers and single-service articles are kept in such a manner and place as to prevent contamination of the containers or articles;
- (e) every room where food is manufactured, prepared, processed, handled, served, displayed, stored, sold or offered for sale is kept free from,
 - (i) materials and equipment not regularly used in the room, and
 - (ii) subject to section 60, live birds and animals;
- (f) dispensing scoops and dippers for ice cream, frozen confections or desserts are kept in a dipper-well with running water between servings, or in any other manner that will prevent bacterial growth;
- (g) the surface of equipment and facilities other than utensils that come in contact with food are washed and sanitized as often as is necessary to maintain such surfaces in a sanitary condition; and
- (h) the floors, walls and ceilings of every room where food is manufactured, handled, displayed, prepared, processed, served or stored, sold or offered for sale are kept clean and in good repair. R.R.O. 1990, **Reg. 562**, s. 59.

60. (1) Subclause 59 (e) (ii) does not apply to,

- (a) a service dog serving as a guide for a blind person or for a person with another medical disability who requires the use of a service dog, if the service dog is in an area of the food premise where food is served, sold or offered for sale;
 - (b) live birds or animals offered for sale on food premises other than food service premises where the medical officer of health has given approval in writing for the keeping of the birds or animals on the premises; or
 - (c) live aquatic species displayed or stored in sanitary tanks on food premises. R.R.O. 1990, **Reg. 562**, s. 60; O. Reg. 74/04, s. 4 (1).
- (2) A dog other than a guide dog for the blind is a service dog for the purposes of clause (1) (a) if,
- (a) it is readily apparent to an average person that the dog functions as a service dog for a person with a medical disability; or
 - (b) the person who requires the dog can provide on request a letter from a physician or nurse confirming that the person requires a service dog. O. Reg. 74/04, s. 4 (2).

61. Table covers, napkins or serviettes used in the service of food shall be clean and in good repair and multi-service napkins and serviettes shall be laundered before each use. R.R.O. 1990, **Reg. 562**, s. 61.

62. Cloths and towels used for washing, drying or polishing utensils or cleaning tables shall be,

- (a) in good repair;
- (b) clean; and
- (c) used for no other purpose. R.R.O. 1990, **Reg. 562**, s. 62.

63. Toxic and poisonous substances required for maintenance of sanitary conditions shall be,

- (a) kept in a compartment separate from food so as to preclude contamination of any food, working surface or utensil;
- (b) kept in a container that bears a label on which the contents of the container are clearly identified; and

- (c) used only in such manner and under such conditions that the substances do not contaminate food or cause a health hazard. R.R.O. 1990, **Reg. 562**, s. 63.

PERSONNEL

64. Revoked: O. Reg. 586/99, s. 5.

65. (1) Every operator or employee who handles or comes in contact with food or with any utensil used in the manufacture, storage, display, sale or offering for sale, preparation, processing or service of food shall,

- (a) not use tobacco while so engaged;
- (b) be clean;
- (c) wear clean outer garments;
- (d) subject to subsection (2), wear headgear that confines the hair;
- (e) wash his or her hands before commencing or resuming work and after each use of a toilet, urinal or privy;
- (f) be free from any infectious agent of a disease that may be spread through the medium of food; and
- (g) submit to such medical examinations and tests as are required by the medical officer of health to confirm the absence of an infectious agent mentioned in clause (f). R.R.O. 1990, **Reg. 562**, s. 65 (1).

(2) Clause (1) (d) does not apply to servers, hosts, server's assistants, bartenders or other employees whose activities are usually confined to the serving of food to customers. R.R.O. 1990, **Reg. 562**, s. 65 (2).

66. A person who has a skin disease shall not perform any work that brings him or her into contact with food unless he or she has obtained the approval of the medical officer of health in writing before handling food. R.R.O. 1990, **Reg. 562**, s. 66.

67. Every operator of a food premise shall, in respect of the food premise, ensure the availability of the clean outer garments and headgear prescribed in subsection 65 (1) and shall ensure compliance with sections 65 and 66. R.R.O. 1990, **Reg. 562**, s. 67.

PART IV SANITARY FACILITIES

GENERAL

68. (1) Every food premise shall provide at least one sanitary facility for each sex in accordance with this section but nothing in this section applies with respect to a vehicle that is used for the transporting of food or a catering vehicle. O. Reg. 586/99, s. 6.

(2) Every sanitary facility in a food premise shall,

- (a) have a sign clearly indicating the sex for which it is intended;
- (b) be kept clean, sanitary and in good repair at all times. O. Reg. 586/99, s. 6.

(3) Every sanitary facility in a food premise shall be equipped with,

- (a) a supply of toilet paper;
- (b) a constant supply of hot and cold running water;
- (c) a supply of soap or detergent in a dispenser;
- (d) a durable, easy-to-clean receptacle for used towels and other waste material; and
- (e) a continuous cloth roller towel in a mechanical device, a supply of paper towels, a supply of clean single service towels or a hot air dryer. O. Reg. 586/99, s. 6.

(4) Washbasins, urinals and toilets shall be cleaned and sanitized at least once every work day and as often as is necessary to maintain them in a sanitary condition. O. Reg. 586/99, s. 6.

(5) Washbasins may be equipped with a tepid water supply from a single tap. O. Reg. 586/99, s. 6.

(6) Access doors to sanitary facilities and toilet cubicles shall not be locked or equipped with coin or token operated unlocking devices except that cubicles with toilets in excess of the minimum number of toilets required by the Ontario Building Code may be equipped with such locking devices. O. Reg. 586/99, s. 6.

(7) A food premise where water-flush toilets could not be installed is exempt from the requirements of clauses (3) (b), (c) and (e) if, pursuant to a permit issued under the *Building Code Act, 1992*, non-flush toilets or privies completely separate from the food premise were constructed, and such facilities are lighted and provided with commercially-packaged single-use moist towelettes. O. Reg. 586/99, s. 6.

EMPLOYEES

69. No operator of a food premise shall alter the floor space, number of toilets or washbasins in a sanitary facility without first receiving approval in writing from a Public Health Inspector having jurisdiction in the municipality in which the food premise is located. O. Reg. 586/99, s. 6.

PATRONS OF FOOD SERVICE PREMISES

70. If a food service premise is operated in conjunction with an exhibition, fair, carnival, sports meeting or amusement park located in the same building or on the same grounds, public sanitary facilities may be used as an alternative to facilities that are part of a food service premise as long as the facilities are open when the premise is open. O. Reg. 586/99, s. 6.

CLEANING AND SANITIZING OF UTENSILS

71. (1) Multi-service articles shall be cleaned and sanitized after each use. R.R.O. 1990, **Reg. 562**, s. 71 (1).

(2) Utensils other than multi-service articles shall be cleaned and sanitized as often as is necessary to maintain them in a clean and sanitary condition. R.R.O. 1990, **Reg. 562**, s. 71 (2).

(3) Equipment for pasteurization, sterilization and subsequent handling of milk and milk products shall be sanitized immediately prior to use. R.R.O. 1990, **Reg. 562**, s. 71 (3).

72. (1) Equipment and facilities for the cleaning and sanitizing of utensils shall consist of,

(a) mechanical equipment; or

(b) equipment for washing by hand consisting of,

(i) a three compartment sink or three sinks, of corrosion-resistant material of sufficient size to ensure thorough cleaning and sanitizing of utensils, or

(ii) a two-compartment sink or two sinks, of corrosion-resistant material for the cleaning and sanitizing of utensils where washing and rinsing can be done effectively in the first sink and the second sink is used for sanitizing as described in subsection 75 (1), and

(iii) drainage racks of corrosion-resistant material. R.R.O. 1990, **Reg. 562**, s. 72 (1); O. Reg. 586/99, s. 7 (1).

(2) Revoked: O. Reg. 586/99, s. 7 (2).

(3) Subclause (1) (b) (ii) does not apply to the cleaning and sanitizing of multi-service articles. R.R.O. 1990, **Reg. 562**, s. 72 (3).

73. Utensils shall be,

(a) scraped or rinsed;

(b) cleaned;

(c) rinsed; and

(d) sanitized. R.R.O. 1990, **Reg. 562**, s. 73.

74. Where equipment for washing by hand is used, utensils shall be,

(a) cleaned in a sink in a detergent solution capable of removing soil;

(b) rinsed in a second sink in clean water at a temperature not lower than 43° Celsius; and

(c) sanitized in a third sink. R.R.O. 1990, **Reg. 562**, s. 74.

75. (1) Utensils shall be sanitized by,

- (a) immersion in clean water at a temperature of at least 77° Celsius, or more, for at least forty-five seconds;
- (b) immersion in a clean chlorine solution of not less than 100 parts per million of available chlorine at a temperature not lower than 24° Celsius for at least forty-five seconds;
- (c) immersion in a clean quaternary ammonium compound solution of not less than 200 parts per million at a temperature not lower than 24° Celsius for at least forty-five seconds;
- (d) immersion in a clean solution containing not less than twenty-five parts per million of available iodine at a temperature not lower than 24° Celsius for at least forty-five seconds; or
- (e) immersion in any solution containing a sanitizing agent that is non-toxic and that provides a bactericidal result not less than the result provided by clause (a), (b) or (c) and for which a convenient test reagent is available. R.R.O. 1990, **Reg. 562**, s. 75 (1).

(2) A test reagent for determining the concentration of sanitizer and an accurate thermometer to determine the temperature of the sanitizing solution shall be readily available where the sanitizing takes place. R.R.O. 1990, **Reg. 562**, s. 75 (2).

76. Despite sections 74 and 75, utensils, other than utensils that come into direct contact with a milk product or ready to eat food, may be cleaned and sanitized in one operation provided that,

- (a) the chemical product used is designed for that purpose;
- (b) the product container bears directions for use indicating optimum temperature and exposure times;
- (c) the product is used in accordance with the directions for use;
- (d) a test reagent is readily available on the premises to determine the concentration of the sanitizing agent; and
- (e) the utensils so treated are completely rinsed with clean water. R.R.O. 1990, **Reg. 562**, s. 76.

77. Mechanical equipment shall be,

- (a) so constructed, designed and maintained that,
 - (i) the wash water is sufficiently clean at all times to clean the dishes and is maintained at a temperature not lower than 60° Celsius or higher than 71° Celsius, and
 - (ii) the sanitizing rinse is,
 - (A) water that is maintained at a temperature not lower than 82° Celsius and is applied for a minimum of ten seconds in each sanitizing cycle, or
 - (B) a chemical solution described in clause 75 (1) (b), (c), (d) or (e); and
- (b) provided with thermometers that show wash and rinse temperatures and that are so located as to be easily read. R.R.O. 1990, **Reg. 562**, s. 77.

78. A food premise is exempt from the provisions of section 77 where the medical officer of health is satisfied that the use of any other machine or device will effectively clean and sanitize utensils and result in a bacterial count on the utensils within the limit prescribed by section 80. R.R.O. 1990, **Reg. 562**, s. 78.

79. Where food processing equipment is cleaned and sanitized in place without disassembling the equipment, the operator shall ensure that instructions respecting,

- (a) the chemicals used for cleaning and sanitizing;
- (b) the strength of the chemical solutions used;
- (c) the length of time the equipment was exposed to the chemicals; and
- (d) the procedures used for cleaning and sanitizing the equipment,

are posted in a place accessible to the person carrying out the cleaning and sanitizing. R.R.O. 1990, **Reg. 562**, s. 79.

80. The standard plate count from a multi-service article shall not exceed 100 bacterial colonies after cleaning and sanitizing and prior to re-use when tested by an official method in accordance with the standard plate test, utilizing the swab technique. R.R.O. 1990, **Reg. 562**, s. 80.

81. Utensils that have been cleaned and sanitized shall be transported and stored in such a manner as to prevent contamination. R.R.O. 1990, **Reg. 562**, s. 81.

82. Where a utensil is so large as to preclude washing and sanitizing by means of sinks or other machines, it shall be washed or scrubbed with a detergent solution, rinsed with clean water and,

- (a) sprayed or rinsed with hot water or steam in a manner that creates a temperature of not less than 82° Celsius on the treated surface; or
- (b) sprayed or rinsed with a chemical solution of a type described in subsection 75 (1) at double the strength that is set out in the product directions. R.R.O. 1990, **Reg. 562**, s. 82; O. Reg. 74/04, s. 5.

APPENDIX B – Food Safety Inspection Report

Niagara Region Public Health Department

2201 St. David's Rd., Campbell East Thorold, ON L2V 0A2

Phone Number: (905) 688-3762 Fax Number: (905) 641-4994

Food Services Inspection Report

Facility Information: Caper's Down Home Pub Kym Morris 564 Front St. Grimsby, ON K5R 7Y7 Site Phone: (905) 342-6545		Facility Number: FG-01-00096 Report Number: FG-19-00489-2 Inspection Date: January 22, 2007 Community: Fonthill	
Facility Category: General Food, Restaurant Inspection Type: Routine: Compliance Action(s) Taken: No Action Required, Consultation / Technical Assistance Delivery Method: Regular Mail			
Opening Comments and Observations:			

Compliance Category

Compliance

Food Safety

Refrigerated & Frozen Storage of Hazardous Food / Cold Holding

- | | | |
|---|----------------------------------|---|
| 1 | Cold holding: 4°C (40°F) or less | C |
| 2 | Freezing: -18°C (0°F) or less | C |

Refrigerated & Frozen Storage of Hazardous Food / Cooling

- | | | |
|---|---|---|
| 3 | Cooling: 60°C to 20°C within 2 hours (exclude large cuts of meat) | C |
| 4 | Cooling: 20°C to 4°C within 4 hours (exclude large cuts of meat) | C |

Cooking/Hot Holding/Reheating of Hazardous Food / Internal Temperature

- | | | |
|----|---|---|
| 5 | Thermometers used to verify food preparation and storage temperatures | C |
| 6 | Thorough cooking to minimum internal food temperatures for at least 15 seconds: Whole poultry 82°C (180°F) | C |
| 7 | Thorough cooking to minimum internal food temperatures for at least 15 seconds: Poultry pieces at 74°C (165°F) | C |
| 8 | Thorough cooking to minimum internal food temperatures for at least 15 seconds: Ground poultry 74°C (165°F). | C |
| 9 | Thorough cooking to minimum internal food temperatures for at least 15 seconds: Pork and pork products at 71°C (160°F) | C |
| 10 | Thorough cooking to minimum internal food temperatures for at least 15 seconds: Ground beef 71°C (160°F) | C |
| 11 | Thorough cooking to minimum internal food temperatures for at least 15 seconds: Fish 70°C (158°F) | C |
| 12 | Thorough cooking to minimum internal food temperatures for at least 15 seconds: Mixtures containing poultry, egg, meat, fish or other hazardous foods at 74°C (165°F) | C |

Cooking/Hot Holding/Reheating of Hazardous Food / Hot Holding

Compliance Legend: C = In Compliance, X = Not in Compliance, N = Not Observed

FG-01-00096 (FG-19-00489-2)

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Caper's Down Home Pub
 Facility Contact: Kym Morris
 Community: Pelham
 Report Date: January 22, 2007

<u>Compliance Category</u>	<u>Compliance</u>
13 Hot holding: minimum of 60°C (140°F) after cooking/rapid re-heating	C
Cooking/Hot Holding/Reheating of Hazardous Food / Re-heating	
14 Re-heating: to original cooking temperature within 2 hours	C
Protection from Contamination by Food Handlers / Hand Washing	
15 Washing hands thoroughly before and after handling food	C
Protection from Contamination by Food Handlers / Food Handling	
16 Food handlers use proper utensils to minimize direct hand contact with cooked or prepared foods	C
Protection from Adulteration and Contamination / Cross-contamination	
17 Separate raw foods from ready-to-eat foods during storage and handling	C
18 Maintain separation of ready-to-eat foods from raw food preparation surfaces or utensils	C
Protection from Adulteration and Contamination / Water Supply	
19 Constant supply of hot and cold potable running water where applicable	C
Protection from Adulteration and Contamination / Food Protection	
20 Food protection from potential contamination (e.g. food covered, labelled, off floor, sneeze guard)	C
21 Chemicals/pesticides to be stored separately from food	C
Sanitation, Design and Maintenance	
Equipment and Utensils / Utensils	
22 Food dispensing utensils available for use by patrons	C
23 Proper storage of clean utensils	C
24 Single-service utensils properly stored and dispensed	C
Equipment and Utensils / Equipment	
25 Thermometers to verify food preparation and storage temperatures	C
26 Food contact surfaces properly designed, constructed, installed, located (smooth, non-absorbent, cleanable, corrosion resistant and non-toxic)	C
27 Non-food contact surfaces and equipment properly designed, constructed, installed, maintained (accessible for cleaning)	C
Foodhandler Hygiene and Activities / Hygiene	
28 Clean outer garments	C
29 Prohibited use of tobacco/smoking	C
30 Hair suitably confined	C
Equipment and Utensils Sanitation / Mechanical Dishwashing	
31 Mechanical dishwashing: Wash-rinse water clean	C
32 Mechanical dishwashing: Proper water temperature	C

Compliance Legend: C = In Compliance, X = Not in Compliance, N = Not Observed

Caper's Down Home Pub
 Facility Contact: Kym Morris
 Community: Pelham
 Report Date: January 22, 2007

<u>Compliance Category</u>	<u>Compliance</u>
33 Mechanical dishwashing: Proper timing of cycles	C
34 Mechanical dishwashing: Sanitizer for low temperature	C
Equipment and Utensils Sanitation / Manual Dishwashing	
35 Manual dishwashing: Wash-rinse sanitize technique	C
Equipment and Utensils Sanitation / Dishwashing	
36 Sanitize test kit/thermometer readily available for verifying dishwashing and sanitizing temperatures	C
Equipment and Utensils Sanitation / Sanitation	
37 Food contact surfaces washed-rinsed-sanitized after each use and following any operations when contamination may have occurred	C
38 Wiping cloths handled properly (sanitizing solution used)	C
Sanitary Facilities and Controls / Hand Wash Basin	
39 Separate handwashing basin in each preparation area with the required supplies	C
Sanitary Facilities and Controls / Sanitary Facility	
40 Sanitary maintenance of and provision of required supplies in staff/public washroom facilities	C
41 Approved municipal/private sewage disposal provided where required	C
Garbage and Waste Management / Waste Management	
42 Insect and vermin-proof containers provided where required	C
43 Frequency of garbage removal adequate to maintain the premises in a sanitary condition	C
44 Liquid wastes handled and collected in sanitary manner	C
Pest Control / Vector	
45 Adequate protection against the entrance of insects, vermin, rodents, dust and fumes	C
Sanitary Maintenance and Construction / Maintenance	
46 Floor, walls, and ceiling clean/in good repair	C
47 Mechanical ventilation operable where required	C
48 Lighting adequate for food preparation and cleaning	C
49 General housekeeping satisfactory	C
Sanitary Maintenance and Construction / Live Animals	
50 Exclusion of live animals on the premises, subject to exemptions	C
Other / Miscellaneous Items	
51 Institutional food sampling	C
52 Food source	C

Compliance Legend: C = In Compliance, X = Not in Compliance, N = Not Observed

Caper's Down Home Pub
Facility Contact: Kym Morris
Community: Pelham
Report Date: January 22, 2007

Owner or Agent Acknowledgement	Inspector
I have read and understood this report.	David Carey, BSc, BASc, CPHI(C), Public Health Inspector

Compliance Legend: C = In Compliance, X = Not in Compliance, N = Not Observed

APPENDIX C

H.A.C.C.P. (Hazard Analysis Critical Control Point)

HACCP is a food safety system which allows you to:

1. Look at the foods and practices in your establishment which could cause foodborne illness. (Hazard Analysis)
2. Develop food safety procedures which will reduce the risk of FBI. (Critical Control Points)
3. Develop monitoring procedures.

Hazards

- Pathogens and/or toxins that can grow or survive in food.
- Chemicals or Physical objects in food.

Analysis

Analysis is the process of examining the flow of food to identify the points that may cause food borne illness.

Critical Control Point

A step in the preparation of a food where any unsafe situation that may lead to food borne illness is eliminated, prevented or controlled.

- For example, a burger must be cooked to a minimum internal temperature of 71°C (160°F) to destroy pathogens, such as E.coli 0157:H7, that may cause serious illness. The CCP in this example is cooking – ensuring that the burger is cooked to the minimum safe internal temperature.

6 Steps to a HACCP System

1. Review recipes and assess their risk.

- Review recipes listing each step and its level of hazard, paying special attention to food with high risk ingredients
- Breakdown recipes into the seven steps of food flow.
- Use a flow chart diagram to show each step, the equipment used, the personnel involved, the location of the process and other processes in the same area.

2. Identify Critical Control Points (CCP)

- On the flow chart, record the expected time, temperature and amount of handling involved in each step according to the recipe
- Break down each step and look for the possibility of contamination and growth of micro-organisms.

3. Make a plan to use preventive and control measures

- Good personal hygiene
- Avoid cross contamination
- Follow time and temperature requirements
- Plan how the recipe can be changed in case monitoring reveals problems
- Provide education to all employees so the process can be done properly by anyone

4. Monitor and Record CCP's

- Watch food preparation and ensure the actual time, temperature and amount of handling at all the steps and record this information on the flow chart.
- All steps must be monitored to make sure the planned control and preventative measures work.

5. Take immediate action to correct any problems

- Action must be taken when monitoring shows that there are unsafe food handling practices

6. Keep a Log of Recipes

- This log will contain the recipe, its flow chart, time, temperature and amount of handling at each step
- Review the procedures often and record the proper preparation steps and handling concerns

APPENDIX D

Food Handler Certification Course

What is it?

The Food Handler Certification Program is designed to teach food handlers the general principles of safe food handling. This course will provide food handlers with the basic knowledge to identify risk factors associated with foodborne illness and the skills necessary to handle food in a manner that will prevent illness from occurring.

The course is based on the principles of sanitary food service and Hazard Analysis Critical Control Point (HACCP) procedures.

Upon successful completion, a Safe Food Handling Certificate will be issued. This certificate meets the Ontario Ministry of Health and Long-Term Care food safety training requirements and is recognized by health units throughout Ontario.

Course Outline

- Public Health Legislation and the Local Health Department
- Understanding Foodborne Illness (Food Poisoning)
- Safe Food Handling
- The Importance of Personal Hygiene
- Food Premises Sanitation
- Healthy Eating Chapter

Where and When?

The nine hour course is taught in three sessions. Please contact the Niagara Region Public Health Department at the phone number below for available dates.

Cost

\$35.00 per person (includes manual and certificate).

To register please call 905-688-8248, ext. 7230, or toll free at 1-888-505-6074, ext 7230.

APPENDIX E



Ontario's Healthy Restaurant Program

Did you know?

Sixty-nine percent of people in Niagara say that an award of excellence would influence their choice of restaurant.

If you have a healthy restaurant, we want to promote it for free!

Eat Smart! Ontario's Healthy Restaurant Program recognizes restaurants with high standards in healthy food choices, food safety and non-smoking seating.

Joining is quick & easy with no added costs!

Why participate?

Your restaurant will receive **free direct promotion** including . . .

- ✓ Listing in *Eat Smart!* Dining Guide
- ✓ Local advertisements
- ✓ Listing on local and provincial websites
- ✓ Promotions at community events

Other Benefits . . .

- Recognition as a leader in Niagara's restaurant industry
- Participation in a province-wide program

Quick Facts:

- The average Canadian spends more than 1/3 of their food budget dollar on dining out and on take-out meals.
- 85% of Canadians consider nutrition important when making food choices.

The Eat Smart! Award will set you apart from your competition!

Provincial Partners include



*Local partners of the Eat Smart! program includes the Niagara Region Public Health Department, Healthy Living Niagara, Community Health and Wellness Fort Erie, the Heart and Stroke Foundation of Ontario, and the Canadian Cancer Society. July 2006



For more information please call the Niagara Region Public Health Department at
905-688-3762 or 1-800-263-7248

Niagara Region Public Health Department
2201 St. David's Road, Campbell East
Thorold, ON
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2007