

3717-1-03.2

**Food: protection from contamination after receiving.****(A) Preventing contamination from hands.**

- (1) Food employees shall wash their hands as specified under paragraph (B) of rule 3717-1-02.2 of the Administrative Code.
- (2) Except when washing fruits and vegetables as specified under paragraph (G) of this rule or ~~when otherwise approved as specified in paragraph (A)(3) of this rule~~, food employees may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment.
- (3) Food employees not serving a highly susceptible population, may contact exposed, ready-to-eat food with their bare hands provided the retail food establishment or food service operation has received prior approval from their licensor.
- ~~(3)~~(4) Food employees shall minimize bare hand and arm contact with exposed food that is not in a ready-to-eat form.

**(B) Preventing contamination when tasting.**

A food employee may not use a utensil more than once to taste food that is to be sold or served.

**(C) Packaged and unpackaged food - preventing contamination by separation, packaging, and segregation.**

Food shall be protected from cross contamination by:

- (1) Separating raw animal foods during storage, preparation, holding, and display from:
  - (a) Raw ready-to-eat food including other raw animal food such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as vegetables, and
  - (b) Cooked ready-to-eat food;
- (2) Except when combined as ingredients, separating types of raw animal foods from each other such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by:

- (a) Using separate equipment for each type, or
  - (b) Arranging each type of food in equipment so that cross contamination of one type with another is prevented, and
  - (c) Preparing each type of food at different times or in separate areas;
- (3) Cleaning equipment and utensils as specified under paragraph (B)(1) of rule 3717-1-04.5 of the Administrative Code and sanitizing as specified under paragraph (C) of rule ~~3717-1-04.6~~ 3717-1-04.6 of the Administrative Code;
  - (4) Cleaning hermetically sealed containers of food of visible soil before opening;
  - (5) Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened;
  - (6) Storing damaged, spoiled, or recalled food being held in the food service operation or retail food establishment as specified under paragraph (D) of rule 3717-1-06.3 of the Administrative Code;
  - (7) Separating fruits and vegetables, before they are washed as specified under paragraph (G) of this rule from ready-to-eat food; and
  - (8) Storing the food in packages, covered containers, or wrappings. This provision does not apply to:
    - (a) Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption;
    - (b) Primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks;
    - (c) Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks;
    - (d) Food being cooled as specified under paragraph (E)(2)(b) of rule 3717-1-03.4 of the Administrative Code; or
    - (e) Shellstock.

(D) Food storage containers - identified with common name of food.

Working containers holding food or food ingredients that are removed from their original packages for use in a food service operation or retail food establishment, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the food except that containers holding food that can be readily and unmistakably recognized such as dry pasta need not be identified.

(E) Pasteurized eggs - substitute for raw shell eggs for certain ~~recipes~~recipes.

Pasteurized eggs or egg products shall be substituted for raw shell eggs in the preparation of foods such as Caesar salad, hollandaise or ~~Bearnaise~~Béarnaise sauce, mayonnaise, meringue, eggnog, ice cream, and egg-fortified beverages that are not:

(1) Cooked as specified under paragraph (A)(1)(a) or (A)(1)(b) of rule 3717-1-03.3 of the Administrative Code; or

(2) Included in paragraph (A)(1)(e) of rule 3717-1-03.3 of the Administrative Code.

(F) Protection from unapproved additives.

(1) Food shall be protected from contamination that may result from the addition of, as specified in paragraph (I) of rule 3717-1-03.1 of the Administrative Code:

(a) Unsafe or unapproved food or color additives; and

(b) Unsafe or unapproved levels of approved food and color additives.

(2) A food employee may not:

(a) Apply sulfiting agents to fresh fruits or vegetables intended for raw consumption or to a food considered to be a good source of vitamin B<sub>1</sub>; or

(b) Serve or sell food specified under paragraph (F)(2)(a) of this rule that is treated with sulfiting agents before receipt by the food service operation or retail food establishment, except that grapes need not meet this provision.

(G) Washing fruits and vegetables.

Raw fruits and vegetables shall be thoroughly washed in water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, served, or offered for human consumption in ready-to-eat form except:

- (1) Fruits and vegetables may be washed by using chemicals as specified under paragraph (F) of rule 3717-1-07.1 of the Administrative Code; and
- (2) Whole, raw fruits and vegetables that are intended for washing by the consumer before consumption need not be washed before they are sold.

(H) Ice used as exterior coolant - prohibited as ingredient.

After use as a medium for cooling the exterior surfaces of food such as melons or fish, packaged foods such as canned beverages, or cooling coils and tubes of equipment, ice may not be used as food.

(I) Storage or display of food in contact with water or ice.

- (1) Packaged food may not be stored in direct contact with ice or water if the food is subject to the entry of water because of the nature of its packaging, wrapping, or container or its positioning in the ice or water.
- (2) Unpackaged food may not be stored in direct contact with undrained ice, except that:
  - (a) Whole, raw fruits or vegetables; cut, raw vegetables such as celery or carrot sticks or cut potatoes; and tofu may be immersed in ice or water; or
  - (b) Raw chicken and raw fish that are received immersed in ice in shipping containers may remain in that condition while in storage awaiting preparation, display, service, or sale.

(J) Food contact with equipment and utensils.

Food shall only contact the surfaces of equipment and utensils that are cleaned as specified under rule 3717-1-04.5 of the Administrative Code and sanitized as specified under rule 3717-1-04.6 of the Administrative Code.

(K) In-use utensils - between-use storage.

During pauses in food preparation or dispensing, food preparation and dispensing utensils shall be stored:

- (1) Except as specified under paragraph (K)(2) of this rule, in the food with their handles above the top of the food and the container;
- (2) In food that is not potentially hazardous with their handles above the top of the food within containers or equipment that can be closed, such as bins of sugar, flour, or cinnamon;
- (3) On a clean portion of the food preparation table or cooking equipment only if the in-use utensil and the food-contact surface of the food preparation table or cooking equipment are cleaned and sanitized at a frequency specified under paragraph (B) of rule 3717-1-04.5 of the Administrative Code and paragraph (B) of rule 3717-1-04.6 of the Administrative Code;
- (4) In running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes;
- (5) In a clean, protected location if the utensils, such as an ice scoops, are used only with a food that is not potentially hazardous; or
- (6) In a container of water if the water is maintained at a temperature of at least one hundred ~~forty~~thirty-five degrees Fahrenheit (~~sixty~~fifty-seven degrees Celsius) and the container is cleaned at a frequency specified under paragraph (B)(2)(g) of rule 3717-1-04.5 of the Administrative Code.

(L) Linens and napkins - use limitation.

Linens and napkins may not be used in contact with food unless they are used in the dough raising process or to line a container for the service of foods, and the linens and napkins are maintained clean and replaced after each use.

(M) Wiping cloths - use limitation.

- (1) Cloths that are in use for wiping food spills shall be used for no other purpose.
- (2) Cloths used for wiping food spills shall be:

- (a) Dry and used for wiping food spills from tableware and carry-out containers; or
  - (b) Wet and cleaned as specified under paragraph (B)(4) of rule 3717-1-04.7 of the Administrative Code, stored in a chemical sanitizer at a concentration specified in paragraph (N) of rule 3717-1-04.4 of the Administrative Code, and used for wiping spills from food-contact and nonfood-contact surfaces of equipment.
- (3) Dry or wet cloths that are used with raw animal foods shall be kept separate from cloths used for other purposes, and wet cloths used with raw animal foods shall be kept in a separate sanitizing solution.
- (4) Wet wiping cloths used with a freshly made sanitizing solution and dry wiping cloths shall be free of food debris and visible soil.
- (5) Working containers of sanitizing solutions for storage of in-use wiping cloths may be placed above the floor and used in a manner to prevent contamination of food, equipment, utensils, linens, single-service or single use articles.

(N) Gloves - use limitation.

- (1) If used, single-use gloves shall be used for only one task such as working with ready-to-eat food or with raw animal food, used for no other purpose, and discarded when damaged or soiled, or when interruptions occur in the operation.
- (2) Slash-resistant gloves that are used to protect the hands during operations requiring cutting shall be used in direct contact only with food that is subsequently cooked as specified under rule 3717-1-03.3 of the Administrative Code such as frozen food or a primal cut of meat. This does not prohibit the use of slash-resistant gloves with ready-to-eat food that will not be subsequently cooked if the slash-resistant gloves have a smooth, durable, and nonabsorbent outer surface; or if the slash-resistant gloves are covered with a smooth, durable, nonabsorbent glove, or a single-use glove.
- (3) Cloth gloves may not be used in direct contact with food unless the food is subsequently cooked as required under rule 3717-1-03.3 of the Administrative Code such as frozen food or a primal cut of meat.

(O) Using clean tableware for second portions and refills.

- (1) Except for refilling a consumer's drinking cup or container without contact between the pouring utensil and the lip-contact area of the drinking cup or container, food employees may not use tableware, including single-service articles, soiled by the consumer, to provide second portions or refills.
- (2) Self-service consumers may not be allowed to use soiled tableware, including single-service articles, to obtain additional food from the display and serving equipment; except that drinking cups and containers may be reused by self-service consumers if refilling is a contamination-free process as specified under paragraphs (P)(1), (P)(2), and (P)(4) of rule 3717-1-04.1 of the Administrative Code.

(P) Refilling returnables.

- (1) A take-home food container returned to a food service operation or retail food establishment may not be refilled at a food service operation or retail food establishment with a potentially hazardous food.
- (2) A take-home food container refilled with food that is not potentially hazardous shall be cleaned as specified under paragraph (K)(1), of rule 3717-1-04.5 of the Administrative Code. This paragraph does not apply to personal take-out beverage containers, such as thermally insulated bottles, nonspill coffee cups, and promotional beverage glasses, that may be refilled by employees or the consumer if refilling is a contamination-free process as specified under paragraphs (P)(1), (P)(2), and (P)(4) of rule 3717-1-04.1 of the Administrative Code.

(Q) Food storage - preventing contamination from the premises.

Except as hereinafter provided in this rule, food shall be protected from contamination by storing the food:

- (1) In a clean, dry location;
- (2) Where it is not exposed to splash, dust, or other contamination; and
- (3) At least six inches (fifteen centimeters) above the floor.

~~Food in packages and working containers may be stored less than six inches (fifteen centimeters) above the floor on case lot handling equipment as specified under paragraph (II) of rule 3717-1-04.1 of the Administrative Code; and pressurized beverage containers, cased food in waterproof~~

~~containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.~~

Food in packages and working containers may be stored less than six inches (fifteen centimeters) above the floor on case lot handling equipment as specified under paragraph (II) of rule 3717-1-04.1 of the Administrative Code; and pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.

(R) Food storage - prohibited areas.

Food may not be stored:

- (1) In locker rooms;
- (2) In toilet rooms;
- (3) In dressing rooms;
- (4) In garbage rooms;
- (5) In mechanical rooms;
- (6) Under sewer lines that are not shielded to intercept potential drips;
- (7) Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed;
- (8) Under open stairwells; or
- (9) Under other sources of contamination.

(S) Vended potentially hazardous food - original container.

Potentially hazardous food dispensed through a vending machine shall be in the package in which it was placed at the food service operation, retail food establishment, or food processing plant at which it was prepared.

(T) Food preparation - preventing contamination from the premises.



During preparation, unpackaged food shall be protected from environmental sources of contamination.

(U) Food display - preventing contamination by consumers.

Except for nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling, or washing by the consumer before consumption, food on display shall be protected from contamination by the use of packaging; counter, service line, or salad bar food guards; display cases; or other effective means.

(V) Condiments - protection.

(1) Condiments shall be protected from contamination by being kept in dispensers that are designed to provide protection, protected food displays provided with the proper utensils, original containers designed for dispensing, or individual packages or portions.

(2) Condiments at a vending machine location shall be in individual packages or provided in dispensers that are filled at an approved location, such as the food service operation or retail food establishment that provides food to the vending machine location on its premises, a food processing plant ~~that is regulated by the agency that has jurisdiction over the operation~~, or a properly equipped facility that is located on the site of the vending machine location.

(W) Consumer self-service operations.

(1) Raw, unpackaged animal food, such as beef, lamb, pork, poultry, and fish may not be offered for consumer self-service. This paragraph does not apply to: ~~consumer self-service of ready-to-eat foods at buffets or salad bars that serve foods such as sushi or raw shellfish; ready-to-cook individual portions for immediate cooking and consumption on the premises such as consumer-cooked meats or consumer-selected ingredients for Mongolian barbecue; or raw, frozen, shell-on shrimp or lobster.~~

(a) Consumer self-service of ready-to-eat foods at buffets or salad bars that serve foods such as sushi or raw shellfish;

(b) Ready-to-cook individual portions for immediate cooking and consumption on the premises such as consumer-cooked meats or consumer-selected ingredients for Mongolian barbecue; or

(c) Raw, frozen, shell-on shrimp or lobster.

- (2) Consumer self-service operations for ready-to-eat foods shall be provided with suitable utensils or effective dispensing methods that protect the food from contamination.
- (3) Consumer self-service operations such as buffets and salad bars shall be monitored by food employees trained in safe operating procedures.

(X) Returned food and reservice of food.

After being served or sold and in the possession of a consumer, food that is unused or returned by the consumer may not be offered as food for human consumption; ~~except if not prohibited under paragraph (B) of rule 3717-1-03.7 of the Administrative Code~~; a container of food that is not potentially hazardous may be transferred from one consumer to another if:

- (1) The food is dispensed so that it is protected from contamination and the container is closed between uses, such as a narrow-neck bottle containing catsup, steak sauce, or wine; or
- (2) The food, such as crackers, salt, or pepper, is in an unopened original package and is maintained in sound condition.

(Y) Miscellaneous sources of contamination.

Food shall be protected from contamination that may result from a factor or source not specified under paragraphs (A) to (X) of this rule.

Replaces: 901:3-2-02, 901:3-2-03, 901:3-1-05, 3701-21-05, 3701-21-42

Effective:

R.C. 119.032 review dates: 07/26/2004

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3717.05  
Rule Amplifies: 3717.05  
Prior Effective Dates: 3/1/2001