

3717-1-04                    **Equipment, utensils, and linens: materials for construction and repair.**

[Comment: For publication dates of the CFR referenced in this rule, see paragraph (B)(15)(b) of rule 3717-1-01 of the Administrative Code.]

(A) Multiuse utensils and food contact surfaces - material characteristics.

Materials that are used in the construction of utensils and food-contact surfaces of equipment may not allow the migration of deleterious substances or impart colors, odors, or tastes to food and under normal use conditions shall be:

- (1) Safe;
- (2) Durable, corrosion-resistant, and nonabsorbent;
- (3) Sufficient in weight and thickness to withstand repeated warewashing;
- (4) Finished to have a smooth, easily cleanable surface; and
- (5) Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition.

(B) Cast iron - use limitation.

Cast iron may not be used for utensils or food-contact surfaces of equipment except when used in the following manner,

- (1) As a surface for cooking; or
- (2) In utensils for serving food if the utensils are used only as part of an uninterrupted process from cooking through service.

~~(C) Lead in ceramic, china, and crystal utensils - use limitation.~~

~~Ceramic, china, crystal utensils, and decorative utensils such as hand painted ceramic or china that are used in contact with food shall be lead free or contain levels of lead not exceeding the limits of the following utensil categories:~~

Utensil Category	Description	Maximum Lead mg/L
Hot Beverage Mugs	Coffee Mugs	0.5
Large Hollowware	Bowls > 1.1 L (1.16 qt)	±

Small Hollowware	Bowls < 1.1 L (1.16 qt)	2.0
Flat Utensils	Plates, Saucers	3.0

(C) Lead, use limitation.

(1) Ceramic, china, crystal and decorative utensils such as hand painted ceramic or china that are used in contact with food shall be lead-free or contain levels of lead not exceeding the limits of the following utensil categories:

<u>Utensil Category</u>	<u>Ceramic Article Description</u>	<u>Maximum Lead mg/L</u>
<u>Beverage Mugs, Cups, Pitchers</u>	<u>Coffee Mugs</u>	<u>0.5</u>
<u>Large Hollowware (excluding pitchers)</u>	<u>Bowls greater than or equal to 1.16 quart (1.1 liter)</u>	<u>1.0</u>
<u>Small Hollowware (excluding cups and mugs)</u>	<u>Bowls less than 1.16 quart (1.1 liter)</u>	<u>2.0</u>
<u>Flat Tableware</u>	<u>Plates, Saucers</u>	<u>3.0</u>

(2) Pewter alloys containing lead in excess of 0.05 per cent may not be used as a food-contact surface.

(3) Solder and flux containing lead in excess of 0.2 per cent may not be used as a food-contact surface.

(D) Copper - use limitation.

Copper and copper alloys such as brass may not be used in contact with a food that has a pH below six such as vinegar, fruit juice, or wine or for a fitting or tubing installed between a backflow prevention device and a carbonator. This prohibition does not apply to copper and copper alloys that may be used in contact with beer brewing ingredients that have a pH below six in the prefermentation and fermentation steps of a beer brewing operation such as a brewpub or microbrewery.

(E) Galvanized metal - use limitation.

Galvanized metal may not be used for utensils or food-contact surfaces of equipment that are used in contact with acidic food.

(F) Sponges - use limitation.

Sponges may not be used in contact with cleaned and sanitized or in-use food-contact surfaces.

~~(G)~~ ~~Lead in pewter alloys - use limitation.~~

~~Pewter alloys containing lead in excess of 0.05 per cent may not be used as a food-contact surface.~~

~~(H)~~ ~~Lead in solder and flux - use limitation.~~

~~Solder and flux containing lead in excess of 0.2 per cent may not be used as a food-contact surface.~~

~~(H)~~(G) Wood - use limitation.

Wood and wood wicker may not be used as a food-contact surface. This provision does not apply to:

- (1) Hard maple or an equivalently hard, close-grained wood that may be used for:
  - (a) Cutting boards; cutting blocks; bakers' tables; and utensils such as rolling pins, doughnut dowels, salad bowls, and chopsticks; and
  - (b) Wooden paddles used in confectionery operations for pressure scraping kettles when manually preparing confections at a temperature of two hundred thirty degrees Fahrenheit (one hundred ten degrees Celsius) or above.
- (2) Wood shipping containers in which whole, uncut, raw fruits, and vegetables, and nuts in the shell are received if the fruits, vegetables, or nuts are kept in them until used.
- (3) Untreated wood containers or wood containers treated with a ~~perservative~~preservative that meets the requirements specified in 21 ~~C.F.R.~~CFR 178.3800 ~~Preservatives for wood~~, and the food that is stored in them is whole, uncut, raw food that requires removal of rinds, peels, husks, or shells before consumption.

~~(H)~~(H) Nonstick coatings - use limitation.

Multiuse kitchenware such as frying pans, griddles, sauce pans, cookie sheets, and waffle bakers that have a perfluorocarbon resin coating shall be used with nonscoring or nonscratching utensils and cleaning aids.

~~(K)~~(I) Nonfood-contact surfaces - materials.

Nonfood-contact surfaces of equipment that are exposed to splash, spillage, or other food soiling or that require frequent cleaning shall be constructed of a corrosion-resistant, nonabsorbent, and smooth material.

~~(L)~~(J) Single-service and single-use articles - characteristics.

Materials that are used to make single-service ~~or~~and single-use articles:

(1) May not:

- (a) Allow the migration of deleterious substances, or
- (b) Impart colors, odors, or tastes to food; and

(2) Shall be:

- (a) Safe, and
- (b) Clean.

Effective: 03/01/2009

R.C. 119.032 review dates: 07/21/2008 and 03/01/2014

CERTIFIED ELECTRONICALLY

---

Certification

10/17/2008

---

Date

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