

CHAMBERS COUNTY

FOOD ESTABLISHMENT PROCEDURES AND REQUIREMENTS

The Chambers County Environmental Health and Permitting Department is the local agency designated to enforce the law and rules under Chapters 437, 341 and 343 of the Texas Health and Safety Code, Texas Food Establishment Rules (T.F.E.R.), and Local Orders approved by Commissioners Court. The objective of this program is to prevent food borne illness and associated health hazards by regulating the location, design, construction, operation, and maintenance of Food Service Establishments.

PROCEDURES FOR OPENING A FOOD ESTABLISHMENT

Submit plans drawn to scale, blueprints or contractor's drawing for the renovation of an existing food establishment or repurposing of an existing structure for a food establishment. Plans must be submitted to the Environmental Health and Permitting Department for approval. Plans should show the layout (identifying equipment and provide an equipment list), arrangement and construction material of the entire proposed food establishment operations, including food preparation, storage and service areas, dining area and outside garbage storage area.

- A menu or list of foods and beverages to be served shall be submitted.
- A description of the operation, in writing, of how you plan to operate your establishment shall also be submitted (Will it be hand out orders only, catering, manufacturing, etc.?)
- A food establishment plan review must be conducted prior to starting construction of a renovated food establishment or the repurposing of a structure to be utilized for a food establishment. A copy of the floor plans, menu, and a description of the operation must be submitted for review and approval at this time. A plan review fee from **\$25.00** for low risk classified establishments to **\$50.00** for medium and high risk classified establishments will be assessed.
- A pre-opening inspection of your establishment (upon request) must be conducted by the Environmental Health and Permitting Department once all construction is completed and equipment is in place. An appointment for this inspection should be scheduled at least 72 hours in advance. This inspection will list all corrections to be made prior to the final inspection.
 - A minimum of one employee must have a valid Food Manager Certification during all hours of operation of the food establishment. This certification will be verified during the pre-opening inspection. The permit application and operation of the establishment will be delayed if this requirement is not met. Only establishments that handle prepackaged food and do not prepare or package food are exempted from the requirement. If you wish to obtain this certification online you can do so at the following web address:
<http://www.dshs.state.tx.us/food-managers/default.aspx>
 - The following food establishments are **exempt** from employing a Certified Food Manager:

- Establishments that handle only prepackaged food and do not prepare or package food;
 - Establishments that do not prepare or handle exposed potentially hazardous foods;
 - Nonprofit organizations as defined in 25 TAC §229.371(9).
- A final inspection is conducted for the purpose of approving the application for a Food Establishment permit. Before this inspection is conducted, the establishment must be in complete compliance with the Texas Food Establishment Rules 25 *Texas Administrative Code* §228. This inspection is made upon your request and should be scheduled at least 24 hours in advance.
 - A final inspection will not be conducted until the Fire Marshal has inspected and approved the facility.
 - Additional inspections may incur a re-inspection fee.

Note: We suggest that you do not advertise an opening date until after the inspection has been conducted and the food establishment permit is issued. Food and beverages should not be stored on the premises until your establishment had been approved for a food establishment permit. After the application for the food establishment permit has been approved, you may purchase your food establishment permit.

Permits are non-transferable. If purchasing an existing food establishment facility, a change of ownership inspection must be conducted and a new permit and applicable fees must be processed. Permits must be renewed on an annual basis. Failure to obtain a permit before the expiration date may result in temporary closure of the business. It is the responsibility of the permit holder to contact the Environmental Health and Permitting Department before the expiration date of the current Food Establishment Permit.

Once you have purchased your food establishment permit, you may operate your establishment. The food establishment permit must be posted in a conspicuous place which can be viewed by the public.

Risk Categories for Food Establishments

- **High Risk** – An establishment that prepares and sells/serves potentially hazardous food, such as, but not limited to; restaurants, cafeterias, fast-food restaurants, hospitals, mobile food units, schools, daycares, and grocery stores that prepackage potentially hazardous food on site.
- **Medium Risk** – An establishment that sells/serves pre-packaged potentially hazardous food and/or prepares limited types of food such as, but not limited to: grocery stores; convenience stores that heat and serve deli type food (hot dogs, sausage, etc.) and/or package ice.
- **Low Risk** - An establishment that sells/serves only prepackaged no-potentially hazardous food or whole uncut produce such as, but not limited to; convenience stores, bars, farmers markets, and establishments that serve only prepackaged, non-potentially hazardous food.

****Potentially Hazardous Food*** is any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, shellfish, edible crustacean, or other ingredients including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious

or toxigenic microorganisms. The term does include clean, whole uncracked, odor-free shell eggs. The term does not include foods, which have a pH level of 4.6 or below, or a water activity (Aw) value of 0.85 or less.

*All food employees are required to hold a Food Handlers certification within (60) days of employment. Here is a website of vendors that offer online certification:

<https://www.dshs.state.tx.us/food-handlers/training/online.aspx>

REQUIREMENTS FOR FOOD ESTABLISHMENTS

FLOORS: The floors of all food preparation, food storage, and utensil washing areas, dressing rooms and vestibules shall be constructed of smooth, durable materials. Floor drains shall be provided in floors that are water flushed for cleaning, or in areas where pressure spray methods of cleaning equipment are used. Such floors shall be constructed only of sealed concrete, terrazzo, ceramic tile or similar materials and shall be graded to drain. In all new or remodeled establishments where water flush cleaning methods are used, the junctions between walls and floors shall be covered and sealed. In all new or remodeled establishments, installation of exposed utility lines and pipes on the floor is prohibited.

WALLS AND CEILINGS: The walls and ceilings of food preparation areas, food storage areas, equipment and utensil washing areas, toilet rooms and vestibules shall be light colored, smooth, non-absorbent and easily cleanable. Studs, joists and rafters shall not be exposed in those areas listed above. Utility service lines and pipes shall not be exposed on walls or ceilings in those areas listed above.

TOILETS: Toilet facilities shall be conveniently located and shall be accessible to employees at all times. Toilet rooms shall be completely enclosed and shall have tight fitting, self-closing solid doors.

LAVATORIES: Lavatories shall be located to permit convenient use by all employees in food preparation areas and utensil washing areas. Lavatories shall be accessible to employees at all times. Lavatories shall also be located in toilet rooms or vestibules. Each lavatory shall be provided with hot and cold water tempered by means of mixing valve or combination faucet.

CLEANING AND SANITIZATION: A three-compartment sink shall be used if washing, rinsing, and sanitation of equipment or utensils is done manually. The absence of a three-compartment sink for warewashing must be approved by the Environmental Health and Permitting Department. Sinks shall be large enough to permit the complete immersion of the utensils and equipment. Drain boards of adequate size shall be provided. Cleaning and sanitization may be done by spray type or immersion dishwashing machines. Drain boards shall be provided and be of adequate size.

PLUMBING: The potable (drinking) water system shall be installed to preclude the possibility of backflow. A hose shall not be attached to a faucet unless a backflow prevention device is installed.

GREASE TRAPS: Every commercial food preparation and food service establishment, including, but not limited to, abattoirs, bakeries, boardinghouses, butcher shops, cafes, clubhouses, delicatessens, ice cream parlors, hospitals, hotels, restaurants, schools or similar

places where meat, poultry, seafood, dairy products or fried food are prepared or served shall discharge all wastes from sinks, dishwashers and drains into an approved and properly sized, maintained and functioning grease trap before entering the sanitary sewer or an on-site sewage facility (septic system). No frying vats shall discharge into a grease trap. The grease traps shall be located to be easily accessible for cleaning, shall be installed as close as possible to the grease source, and shall be equipped with a sample well for ease in sampling unless the construction of such a trap makes the sample well unnecessary. Grease traps shall be located outside the food preparation area unless otherwise approved by the regulator authority.

All grease traps shall be sized in accordance with the most current edition of the Uniform Plumbing Code.

1. Maintenance requirements
 - a. All commercial food preparation and food service establishment operators shall cause the grease trap to be completely cleaned when full. Every grease trap shall be completely cleaned not less than once every 3 months.
 - b. The operator shall post trip invoices with his food establishment permit. The trip invoices shall contain the name and address of the food establishment; the name of the licensed waste carrier; the name and address of the licensed disposal site; the signature of the operator of the establishment, the waste carrier and the disposal site; and the quantity and date of grease removal and disposal.

SEWAGE: The following is required for all establishments utilizing private On-Site Sewage Facilities (OSSF):

1. All commercial establishments using more than 5000 gallons of water per/day must be approved and permitted by the Texas Commission on Environmental Quality (TCEQ). For all State requirements contact the TCEQ at 713-767-3650. A copy of TCEQ's On-Site Operating permit must be submitted prior to the food establishment inspection.
2. Commercial establishments using 5000 gallons or less per/day must obtain an OSSF Permit from this department.
3. All OSSFs for food establishments must be designed by a Professional Engineer or Professional Sanitarian. Note: The establishment will not be allowed to open until the OSSF's "Notice of Approval" is issued.
4. All OSSFs for food establishments require a visual and audible alarm which shall be located and installed inside the facility, located in an area conspicuous to view by the employees or management.

POTABLE (DRINKING) WATER SUPPLY: All food establishment must obtain water from an approved source. If your facility is receiving water from a water well the following is required:

* All water wells must be registered by the TCEQ. For all State and Federal water system requirements, contact the TCEQ at (713-767-3650)

*A copy of the TCEQ's final approval of the water system must be submitted to this department prior to opening.

Note: The establishment will not be permitted by this department until the TCEQ approval is submitted.

* TCEQ requires all commercial water wells be tested for bacteria once every 4 (four) weeks. Records of these test results must be kept on site and available for review by all regulating authorities.

*Water wells utilizing chlorine as a disinfectant shall maintain a minimum chlorine residual of 0.2 Mg /L at all times during normal operating hours. Failure to maintain the minimum chlorine residual will result in the immediate closure of your establishment.

* An approved chlorine test kit is required and shall be on establishment site at all times of operating hours. (A pool test kit is NOT appropriate).

DRESSING ROOMS AND LOCKER AREAS: If employees routinely change clothes within the establishment, rooms shall be designated and used for that purpose. These designated rooms shall not be used for food preparation, storage, service, or for utensil washing or storage. Enough lockers or other suitable facilities shall be provided and used for the storage of employees' clothing and belongings. Lockers may be located in food storage rooms containing only completely packaged food or packaged single service articles.

EQUIPMENT: Equipment shall be located in a way that facilitates cleaning the establishment and prevents food contamination. Floor mounted equipment, unless readily movable, shall be: sealed to the floor; or installed on a raised platform of concrete; or elevated on legs to provide at least a six inch clearance between floor and equipment. Unless sufficient space is provided for easy cleaning between and behind each unit of floor mounted equipment, the space between it and adjoining equipment units and between it and adjacent walls shall be closed or, if exposed to seepage, the equipment shall be sealed to the adjoining equipment or adjacent walls. Aisles and working spaces between units of equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties readily without contamination of food or food contact surfaces by clothing or personal contact.

REFRIGERATION: Adequate refrigeration facilities must be available. All refrigeration and freezers must be provided with an approved and easily readable dial or gauge thermometer (not glass covered or liquid filled).

BUILDINGS AND DOORS: Shall be sealed to make them insect and rodent proof. Screens shall be installed on a doors and windows that are not self-closing.

NO UNFINISHED WOOD SURFACES: All surfaces in the food preparation and storage areas must be of a smooth, no-absorbent, easily cleanable material.

UTILITY FACILITIES: In new or remodeled establishments at least one utility sink (mop sink) or curbed cleaning facility with a floor drain shall be provided and used for the cleaning of mops or similar wet floor cleaning tools.

VENTILATION: All rooms should have sufficient ventilation to keep them free of excessive heat, odors, smoke, and fumes. In all new or remodeled establishments, all rooms from which obnoxious odors, vapors or fumes originate shall be mechanically vented to the outside. When such ventilation may result in the deposition of particular matter or liquids within the ventilation system, ventilation hoods and ventilation equipment shall be equipped with effective, easily removable easily cleanable filters.

LIGHTING: At least 50 foot-candles of light shall be provided at all working surfaces and at least 30 foot-candles shall be provided to the surfaces and equipment in food preparation, utensil washing and hand washing areas, and in toilet rooms. At least 20 foot-candles at a distance of 30 inches from the floor shall be provided in all other areas. Protective shielding shall be provided for all artificial lighting fixtures located over, by or within food storage, preparation, service and display facilities and facilities where utensils and equipment are cleaned and stored.

GARBAGE: Garbage and refuse containers, dumpsters and compactor systems shall be stored on or above a smooth surface of nonabsorbent materials, such as concrete or machine laid asphalt.

LAUNDRY FACILITIES: Laundry facilities, if provided, shall be restricted to washing and drying of items necessary to the operation. If a washer is provided, then a dryer must also be provided. Separate rooms shall be provided for laundry facilities.

HAND WASHING SIGNAGE: A sign or poster that notifies your food employees to wash their hands shall be provided at all hand washing sinks used by your food employees and shall be clearly visible.

FIRST AID KITS: First aid kits will be inspected. They must be labeled and stored in a location to prevent the contamination of food, equipment, utensils, linens and single-service and single-use articles.