

1 Department of Health

2

3 Adopted Permanent Rules Relating to Food and Beverage

4 Establishments

5

6 Rules as Adopted

7

REQUIREMENTS FOR FOOD AND

8

BEVERAGE ESTABLISHMENTS

9 4625.2401 DEFINITIONS.

10 Subpart 1. Scope. For purposes of parts 4625.2401 to
11 4625.7801, the following terms have the meanings given them.

12 Subp. 2. Adulterated. "Adulterated" means the condition
13 of a food if it bears or contains any poisonous or deleterious
14 substance for which no safe tolerance has been established or in
15 excess of such tolerance if one has been established; if it
16 consists in whole or in part of any filthy, putrid, or
17 decomposed substance, or if it is otherwise unfit for human
18 consumption; if it has been processed, prepared, packed, or held
19 under insanitary conditions, where it may have been rendered
20 injurious to health; if it is in whole or in part the product of
21 a diseased animal, or an animal which has died otherwise than by
22 slaughter; or if its container is composed in whole or in part
23 of any poisonous or deleterious substance which may render the
24 contents injurious to health.

25 Subp. 3. Approved. "Approved" means acceptable to the
26 commissioner according to applicable standards in parts
27 4625.2401 to 4625.7801 and good public health practices.

28 Subp. 4. Clean. "Clean" means free from insects, vermin,
29 and debris and free from physical, chemical, and microbial
30 substances discernible by ordinary sight or touch, by
31 ultraviolet light, by artificial light, and by the safranin-o
32 dye test or by microscopic or microbiological examination.

33 Subp. 5. Closed. "Closed" means fitted snugly together
34 leaving no openings large enough to permit the entrance of
35 vermin.

Approved
by Revisor



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1 Subp. 6. Commissary. "Commissary" means a catering
2 establishment, restaurant, or any other place in which food,
3 containers, or supplies are kept, handled, prepared, packaged,
4 or stored.

5 Subp. 7. Commissioner. "Commissioner" means the
6 commissioner of health or a designee.

7 Subp. 8. Corrosion-resistant materials.
8 "Corrosion-resistant materials" means materials which maintain
9 their original surface characteristics under prolonged influence
10 of the food to be contacted, the normal use of cleaning
11 compounds and bactericidal solution, and other conditions-of-use
12 environment.

13 Subp. 9. Department. "Department" means the Minnesota
14 Department of Health.

15 Subp. 10. Easily cleanable. "Easily cleanable" means
16 surfaces which are readily accessible and made of such materials
17 and finish and so fabricated that residue may be effectively
18 removed by ordinary cleaning methods.

19 Subp. 11. Embargo. "Embargo" means the withholding of
20 food, equipment, utensils, or clothing from sale or use in any
21 establishment licensed as a restaurant, boarding house, or place
22 of refreshment until approval is given by the commissioner for
23 such sale or use.

24 Subp. 12. Employee. "Employee" means a person working in
25 a food or beverage service establishment who transports food or
26 food containers, who engages in food preparation or service, or
27 who comes in contact with any food utensils or equipment.

28 Subp. 13. Equipment. "Equipment" means stoves, ovens,
29 ranges, hoods, slicers, mixers, meatblocks, tables, counters,
30 refrigerators, freezers, ice machines, sinks, dishwashing
31 machines, steam tables, and similar items other than utensils
32 used in the operation of a food or beverage service
33 establishment.

34 Subp. 14. Food. "Food" means any raw, cooked, or
35 processed edible substance, ice, beverage, or ingredient used or
36 intended for use or for sale in whole or in part for human

1 consumption.

2 Subp. 15. Food and beverage service establishments. "Food
3 and beverage service establishments" means establishments
4 defined in Minnesota Statutes, chapter 157, and includes
5 drive-ins, bars, taverns, drive-in cafes, clubs, lodges, eating
6 facilities at resorts, schools, day care facilities, children's
7 camps, fairs, circuses, carnivals, churches, and public
8 buildings, except as exempted by Minnesota Statutes, section
9 157.14, and all other businesses and establishments where meals,
10 lunches, or drinks are served.

11 Subp. 16. Food-contact surface. "Food-contact surface"
12 means surfaces of equipment and utensils with which food
13 normally comes in contact, and surfaces from which food may
14 drain, drip, or splash back onto surfaces normally in contact
15 with food.

16 Subp. 17. Garbage. "Garbage" means discarded material
17 resulting from the handling, processing, storage, preparation,
18 serving, and consumption of food.

19 Subp. 18. Hermetically sealed container. "Hermetically
20 sealed container" means a container designed and intended to be
21 secure against the entry of micro-organisms and to maintain the
22 commercial sterility of its content after processing.

23 Subp. 19. Itinerant food service. "Itinerant food service"
24 means a food service establishment that is disassembled and
25 moved from location to location, remaining no more than 14
26 consecutive days at any one place.

27 Subp. 20. Kitchenware. "Kitchenware" means all multi-use
28 utensils other than tableware.

29 Subp. 21. Law. "Law" includes federal regulations, state
30 statutes and rules, and local ordinances.

31 Subp. 22. Limited food service establishment. "Limited
32 food service establishment" means a food establishment serving
33 only prepackaged food for example, frozen pizza and sandwiches
34 which receive no more than heat treatment.

35 Subp. 23. Mobile food service. "Mobile food service"
36 means a food service establishment that is a vehicle mounted

1 unit, either motorized or trailered, and readily movable without
2 disassembling, for transport to another location and remaining
3 for no more than 14 consecutive days at any one place.

4 Subp. 24. National sanitation foundation standard.

5 "National sanitation foundation standard" means a standard
6 issued and recommended by the National Sanitation Foundation for
7 equipment used in food establishments. The standards are
8 published by the National Sanitation Foundation, 3475 Plymouth
9 Road, P.O. Box 1468, Ann Arbor, Michigan 48106. The standards
10 listed in parts 4625.3701, subpart 2, item A, and 4625.3801,
11 subpart 6, items D and F, are incorporated by reference and are
12 available through the Minitex interlibrary loan system. The
13 standards are not subject to frequent change.

14 Subp. 25. Packaged. "Packaged" means bottled, canned,
15 cartoned, or securely wrapped.

16 Subp. 26. Perishable food. "Perishable food" means a food
17 of the type or in the condition that may spoil.

18 Subp. 27. Person in charge. "Person in charge" means the
19 individual present in a food service establishment who is the
20 apparent supervisor of the food service establishment at the
21 time of inspection. If no individual is the apparent
22 supervisor, then an any employee present is the person in charge.

23 Subp. 28. Potable water. "Potable water" means water of a
24 quality and from a source of supply and system operated,
25 located, and constructed in accordance with the department rules
26 relating to public water supplies, water wells, and plumbing
27 installations.

28 Subp. 29. Potentially hazardous food. "Potentially
29 hazardous food" means any food that consists in whole or in part
30 of milk or milk products, eggs, meat, poultry, fish, shellfish,
31 mollusk, edible crustacea, or other ingredients, including
32 synthetic ingredients, in a form capable of supporting rapid and
33 progressive growth of infectious or toxigenic micro-organisms.
34 The term does not include clean, whole, uncracked, odor-free,
35 shell eggs or foods which have a pH level of 4.6 or below or a
36 water activity (aW) value of 0.85 or less.

1 Subp. 30. Push cart. "Push cart" means a
2 nonself-propelled vehicle limited to serving nonpotentially
3 hazardous foods or commissary-wrapped food maintained at proper
4 temperatures, or limited to the preparation and serving of
5 frankfurters and other precooked ready-to-eat link sausages.

6 Subp. 31. Reconstituted. "Reconstituted" means dehydrated
7 food products recombined with water or other liquids.

8 Subp. 32. Safe material. "Safe material" means articles
9 manufactured from or composed of materials that may not
10 reasonably be expected to result, directly or indirectly, in
11 becoming a component or otherwise affecting the characteristics
12 of any food. If materials used are food additives or color
13 additives as defined in the Federal Food, Drug and Cosmetic Act,
14 United States Code, title 21, section 321, they are safe only if
15 they are used in conformity with regulations established
16 pursuant to the act, as provided by United States Code, title
17 21, section 348 or 376. Other materials are safe only if, as
18 used, they are not food additives or color additives as defined
19 in United States Code, title 21, section 321, and are used in
20 conformity with all applicable regulations of the United States
21 Food and Drug Administration.

22 Subp. 33. Safe temperatures. "Safe temperatures" as
23 applied to potentially hazardous food, means temperatures of 40
24 degrees Fahrenheit (four degrees centigrade) or below, and 150
25 degrees Fahrenheit (66 degrees centigrade) or above.

26 Subp. 34. Sanitization. "Sanitization" means effective
27 bactericidal treatment by a process that provides enough
28 accumulative heat or concentration of chemicals for enough time
29 to reduce the bacterial count, including pathogens, to a safe
30 level on utensils and equipment.

31 Subp. 35. Sealed. "Sealed" means free of cracks or other
32 openings that permit the entry or passage of moisture.

33 Subp. 36. Single-service articles. "Single-service
34 articles" means cups, containers, lids, closures, plates,
35 knives, forks, spoons, stirrers, paddles, straws, placemats,
36 napkins, doilies, wrapping materials, toothpicks, and similar

1 articles intended for one-time, one-person use and then
2 discarded.

3 Subp. 37. Smooth. "Smooth" means having an even surface,
4 free of cracks, chips, open seams, rust, corrosion, breaks,
5 pits, checks, and ridges.

6 Subp. 38. Special event food stand. "Special event food
7 stand" means a food service used in conjunction with
8 celebrations or special events, used not more than twice
9 annually, and remaining no more than 14 consecutive days at any
10 one location.

11 Subp. 39. Tableware. "Tableware" means multi-use eating
12 and drinking utensils, including flatware.

13 Subp. 40. Utensils. "Utensils" means any kitchenware,
14 tableware, dishes, glassware, cutlery, pots, pans, and
15 containers used in the storage, preparation, transportation, or
16 service of food.

17 Subp. 41. Wholesome. "Wholesome" means sound, healthful,
18 clean, unadulterated, and in all ways fit for human consumption.

19 4625.2501 SCOPE.

20 Parts 4625.2401 to 4625.7801 apply to all food and beverage
21 service establishments, such as restaurants, boarding houses,
22 and places of refreshment, as defined in Minnesota Statutes,
23 chapter 157, and in parts 4625.2401 to 4625.7801, whether or not
24 a license is required under Minnesota Statutes, section 157.03.

25 4625.2601 ADMINISTRATION.

26 Subpart 1. Food samples. Samples of food may be collected
27 without cost and examined by the commissioner as often as may be
28 necessary for the enforcement of parts 4625.2401 to 4625.7801.

29 ~~The commissioner may condemn and forbid the sale of, or cause to~~
30 ~~be removed or destroyed, any food that is unwholesome or~~
31 ~~adulterated, prepared, processed, handled, packaged,~~
32 ~~transported, or stored in an unwholesome manner, unfit for human~~
33 ~~consumption, or otherwise prohibited by law.~~

34 Subp. 2. Embargo. The commissioner may embargo and forbid
35 the sale of, or cause to be removed or destroyed, any food that

1 is unwholesome or adulterated; prepared, processed, handled,
2 packaged, transported, or stored in an unwholesome manner; unfit
3 for human consumption; or otherwise prohibited by law.

4 Equipment and utensils, which do not meet the requirements of
5 parts 4625.2401 to 4625.7801, may be embargoed. Equipment and
6 utensils must be released from the embargo upon notification of
7 the commissioner by the person in charge of modification of the
8 equipment or utensils to meet the requirements of parts
9 4625.2401 to 4625.7801 and after inspection of the utensils and
10 equipment by the commissioner.

11 Subp. 3. **Condemnation.** The commissioner may condemn and
12 cause to be removed any food, equipment, clothing, or utensils
13 found in a food establishment, the use of which would not comply
14 with parts 4625.2401 to 4625.7801, or which is being used in
15 violation of parts 4625.2401 to 4625.7801 and also may condemn
16 and cause to be removed any equipment, clothing, or utensils
17 which by reasons of dirt, filth, extraneous matter, insects,
18 corrosion, open seams, or chipped or cracked surfaces is unfit
19 for use.

20 Subp. 4. **Tag.** The commissioner may place a tag to
21 indicate the embargo or the condemnation upon food, equipment,
22 utensils, or clothing. No person shall remove the tag except
23 under the direction of the commissioner.

24 4625.2650 VARIANCES AND WAIVERS.

25 Subpart 1. **Procedures to request a variance or waiver.** A
26 licensee may request that the commissioner grant a variance or
27 waiver from the provisions in parts 4625.2401 to 4625.7801. All
28 requests for a variance or waiver must be submitted to the
29 department in writing. Each request shall contain:

30 A. the specific language in the rule from which the
31 variance or waiver is requested;

32 B. the reasons for the request;

33 C. the alternative measures that will be taken if a
34 variance or waiver is granted;

35 D. the length of time for which the variance or

1 waiver is requested; and

2 E. other relevant information necessary to properly
3 evaluate the request for the variance or waiver.

4 Subp. 2. Criteria for decision. The decision to grant or
5 deny a variance or waiver shall be based on the commissioner's
6 evaluation that:

7 A. the variance or waiver will not adversely affect
8 the environment;

9 B. the alternative measures to be taken, if any, are
10 equivalent to or superior to those prescribed in the rule; and

11 C. compliance with the rule would impose an undue
12 burden on the applicant.

13 Subp. 3. Notification of variance. The commissioner shall
14 notify the applicant in writing of the decision to grant or deny
15 a variance or waiver. If a variance or waiver is granted, the
16 notification shall specify the period of time for which the
17 variance or waiver will be effective and the alternative
18 measures or conditions, if any, the applicant must meet.

19 Subp. 4. Effect of alternative measures or conditions.

20 All alternative measures or conditions attached to a variance or
21 waiver have the force and effect of the applicable rule and are
22 subject to the issuance of correction orders and penalties as
23 provided by law.

24 Subp. 5. Renewal. A request for the renewal of a variance
25 or waiver must be submitted in writing before its expiration
26 date. Renewal requests shall contain the information in subpart
27 1. The commissioner shall renew a variance or waiver if the
28 applicant continues to satisfy the criteria in subpart 1, and
29 demonstrates compliance with the alternative measures or
30 conditions imposed when the original variance or waiver was
31 granted.

32 Subp. 6. Denial, revocation, or refusal to renew. The
33 commissioner shall deny, revoke, or refuse to renew a variance
34 or waiver if the commissioner determines that the criteria in
35 subpart subparts 1 and 2 are not met. The commissioner shall
36 notify the applicant in writing of the decision to deny, revoke,

1 or refuse to renew the variance or waiver. The notice must
2 describe the reasons for the denial, revocation, or refusal to
3 renew, and inform the applicant of the right to appeal the
4 decision.

5 Subp. 7. Appeal procedure. An applicant may contest the
6 denial, revocation, or refusal to renew a variance or waiver by
7 requesting a contested case hearing under the Administrative
8 Procedure Act, Minnesota Statutes, chapter 14. The applicant
9 shall submit, within 15 days after receiving the commissioner's
10 decision, a written request for a hearing. The request for a
11 hearing shall state, in detail, the reasons why the decision of
12 the commissioner should be reversed or modified. At the
13 hearing, the applicant bears the burden of proving that the
14 applicant has satisfied the criteria specified in subpart 1.

15 4625.2701 PLAN REVIEW OF FUTURE CONSTRUCTION.

16 Whenever a food or beverage service establishment is
17 constructed or extensively remodeled and whenever an existing
18 structure is converted to use as a food or beverage service
19 establishment under Minnesota Statutes, section 157.03, properly
20 prepared plans and specifications for the construction,
21 remodeling, or conversion must be submitted to the commissioner
22 for review and approval before construction, remodeling, or
23 conversion is begun. The plans and specifications must indicate
24 the proposed layout, arrangement, plumbing specifications,
25 construction materials of work areas, and the type and model
26 number of proposed fixed equipment and facilities. The plans
27 and specifications, submitted in duplicate and drawn to scale,
28 must be legible and complete in all details.

29 The commissioner shall approve the plans and specifications
30 if they meet the requirements of parts 4625.2401 to 4625.7801
31 and report the findings within 30 days of the date that plans
32 are received.

33 The facility must be constructed and finished in
34 conformance with the approved plans.

35 The department shall inspect the food or beverage service

1 establishment before the start of operation to determine
2 compliance with the approved plans and specifications.

3 4625.2801 MISREPRESENTATION OF FOOD.

4 The person in charge of any food or beverage service
5 establishment shall not in any way misrepresent food or
6 beverages offered to the public. Practices which constitute
7 misrepresentation include:

8 A. the sale of adulterated food;

9 B. the substitution of food items of lesser quality,
10 or food different from items as advertised;

11 C. making statements giving incorrect or deceptive
12 points of origin;

13 D. making misleading statements of size, number,
14 weight, or price; and

15 E. not meeting standards of identity prescribed by
16 law for certain foods.

17 4625.2901 EMERGENCY FIRST AID FOR CHOKING.

18 A food service establishment which is not an itinerant,
19 mobile, special event, or limited food service establishment
20 must post a chart illustrating the use of an emergency first aid
21 procedure approved by the commissioner, to relieve a patron with
22 a restricted airway. The illustration must be posted in the
23 food preparation area where all employees may easily see it.

24 4625.3001 MINNESOTA CLEAN INDOOR AIR ACT.

25 The person in charge of a food and beverage establishment
26 shall make adequate provisions to meet the requirements of the
27 Minnesota Clean Indoor Air Act, Minnesota Statutes, sections
28 144.411 to 144.417, and chapter 4620.

29 4625.3101 ITINERANT, MOBILE FOOD SERVICES OR PUSHCARTS, AND
30 SPECIAL EVENT FOOD STANDS.

31 Itinerant, mobile food services or pushcarts, and special
32 event food stands must comply with all provisions of parts
33 4625.2401 to 4625.7801 which are applicable to their operation.
34 The establishments and units must be operated in an approved

1 manner. If necessary to protect the public health, the
2 commissioner may shall impose additional requirements to protect
3 against health hazards related to the conduct of their operation
4 and may shall prohibit the sale or giveaway of some or all
5 potentially hazardous foods. When no health hazard is likely to
6 result, the commissioner may modify specific requirements for
7 physical facilities.

8 4625.3201 FOOD AND FOOD HANDLING.

9 Subpart 1. **Food sources and supplies.** Food must be in a
10 sound condition, free from spoilage, filth, or other
11 contamination and must be safe for human consumption. Food must
12 be obtained from sources that comply with laws relating to food
13 and food labeling and approved by the commissioner of health or
14 agriculture. The use, storage, or serving of food in
15 hermetically sealed containers not prepared in a food processing
16 plant licensed by the United States Department of Agriculture,
17 Food and Drug Administration, or Minnesota Department of
18 Agriculture, and other food not prepared in a licensed food
19 establishment is prohibited.

20 Subp. 2. **Special requirements.** Fluid milk and fluid milk
21 products used or served must be pasteurized and must meet the
22 Grade A quality standards in Minnesota Statutes, chapter 32.
23 Fluid milk and fluid milk products must be served to the
24 consumer in individual, unopened, commercially filled original
25 containers not exceeding one pint in capacity, or drawn from a
26 commercially filled container stored in a mechanically
27 refrigerated bulk milk dispenser. Where a bulk dispenser for
28 milk and milk products is not available and portions of less
29 than one-half pint are required for mixed drinks, cereal, or
30 dessert service, milk and milk products may be poured from a
31 commercially filled container of not more than one-half gallon
32 capacity. Nondairy creaming or whitening agents must be
33 provided in an individual service container or drawn from a
34 refrigerated dispenser designed for such service. Dry milk, dry
35 milk products, and nondairy product substitutes may be used in

1 instant dessert and whipped products or for cooking, baking,
2 manufacturing, and processing purposes only.

3 Subp. 3. Variance for certain establishments. A variance
4 covering dispensing of milk or milk products to the consumer in
5 food services such as day care centers, boarding and lodging
6 houses, and children's camps may be granted to permit milk to be
7 poured from a commercially filled container of not more than one
8 gallon capacity into the drinking vessel.

9 Subp. 4. Frozen foods. All frozen dairy foods such as ice
10 cream, frozen custards, ice milk, milk sherbet, fruit or ice
11 sherbet, yogurt, and frozen malted milk must meet requirements
12 in Minnesota Statutes, chapter 32.

13 Subp. 5. Shellfish. Fresh and frozen shucked shellfish,
14 like oysters, clams, or mussels, must be packed in nonreturnable
15 packages identified with the name and address of the original
16 shell stock processor, shucker-packer, or repacker, and the
17 interstate certification number issued according to United
18 States Code, title 42, section 243, and Code of Federal
19 Regulations, title 21, section 1240.60. Shell stock and shucked
20 shellfish must be kept in the container in which they were
21 received until they are used. Each container of unshucked shell
22 stock, like oysters, clams, or mussels, must be identified by an
23 attached tab that states the name and address of the original
24 shell stock processor, the kind and quality of shell stock, and
25 an interstate certification number issued by the state or
26 foreign shellfish control agency.

27 Subp. 6. Meat. All meat and meat products received, kept,
28 or used in any manner in a food establishment must be officially
29 identified as having been inspected by the United States
30 Department of Agriculture in accordance with the Federal Meat
31 Inspection Act, United States Code, title 21, sections 601 to
32 691. Products upon which any official identification is lost by
33 reason of processing must be identified by the name and location
34 of the processor.

35 Subp. 7. Poultry. All poultry and poultry meat products
36 must be clean, wholesome, free from spoilage and adulteration,

1 and must be processed in a food establishment meeting the
2 requirements established in the Poultry Products Inspection Act,
3 United States Code, title 21, sections 451 to 469. Only clean
4 whole eggs, with shell intact and without cracks or checks, or
5 pasteurized liquid, frozen, or dry eggs or pasteurized dry egg
6 products must be used, except that hard-boiled, peeled eggs,
7 commercially prepared and packaged may be used. Liquid, frozen,
8 and dry eggs and egg products may be used only for cooking,
9 baking, manufacturing, and processing purposes.

10 Subp. 8. Lubricants. Only food grade lubricants of a safe
11 material must be used on equipment designed to receive
12 lubrication of bearings and gears on or within food-contact
13 surfaces.

14 4625.3301 FOOD PROTECTION.

15 Subpart 1. Protection generally. Food must be protected
16 from potential contamination including:

- 17 A. dusts, insects, rodents, and other vermin;
18 B. unclean equipment, work surfaces, utensils, and
19 facilities;
20 C. unnecessary or improper handling;
21 D. coughs and sneezes;
22 E. flooding, drainage, and overhead leakage or
23 drippage; and
24 F. utensils or equipment which have not been given
25 bactericidal treatment.

26 Adequate and approved protection of all food must be
27 provided after delivery and while being stored, prepared,
28 displayed, served, or sold in food establishments or transported
29 between establishments.

30 Subp. 2. Emergency occurrences. In the event of a fire,
31 flood, power outage, or other event that might result in the
32 contamination of food, or that might prevent potentially
33 hazardous food from being held at required temperatures, the
34 person in charge shall immediately contact the department. Upon
35 receiving notice of this occurrence, the department may must

1 take action that is necessary to protect the public health.

2 4625.3401 TEMPERATURE MAINTENANCE.

3 Subpart 1. Potentially hazardous foods. The internal
4 temperature of all potentially hazardous foods must be
5 maintained at 40 degrees Fahrenheit (four degrees centigrade) or
6 below, or 150 degrees Fahrenheit (66 degrees centigrade) or
7 above, except during preparation. Potentially hazardous foods
8 requiring refrigeration after preparation must be rapidly cooled
9 to an internal temperature of 40 degrees Fahrenheit (four
10 degrees centigrade) or below within four hours after removal
11 from the heating or hot holding device. Frozen food must be
12 kept frozen and should be stored at an internal temperature of
13 zero degrees Fahrenheit (minus 18 degrees centigrade) or below.

14 Subp. 2. Storage facilities. Adequate, properly designed,
15 and conveniently located mechanical refrigeration or hot food
16 storage facilities must be provided to ensure the maintenance of
17 potentially hazardous food at required temperatures. Each
18 storage facility must be provided with a numerically scaled
19 temperature indicating device accurate to plus or minus three
20 degrees Fahrenheit (plus or minus two degrees centigrade)
21 located to measure the air temperature in the warmest part of
22 the refrigeration facility or the coldest part of the hot
23 holding facility. Temperature indicating devices must be
24 securely fastened and located to be easily readable. Where it
25 is impractical to install fixed temperature indicating devices
26 on equipment such as cold table tops, steam tables, processing
27 lines, kettles, heat lamps, or portable transport carriers, a
28 product thermometer of metal stem type construction, numerically
29 scaled, and accurate to plus or minus two degrees Fahrenheit
30 (plus or minus one degree centigrade) must be provided and used
31 to check internal food temperatures.

32 Subp. 3. Poultry. Poultry, poultry stuffings, stuffed
33 meats, and stuffings containing meat must be cooked to heat all
34 parts of the food to at least 165 degrees Fahrenheit (74 degrees
35 centigrade) with no interruption of the cooking process.

1 Subp. 4. Pork. Pork and any food containing pork must be
2 cooked to heat all parts of the food to at least 150 degrees
3 Fahrenheit (66 degrees centigrade), or, if cooked in a microwave
4 oven, to at least 170 degrees Fahrenheit (77 degrees centigrade).

5 Subp. 5. Beef roasts. Beef roasts must be cooked
6 according to the following requirements:

7 A. When beef roasts under ten pounds (five kilograms)
8 in weight are cooked in a still dry heat oven, the oven must be
9 preheated to and held at an air temperature of at least 350
10 degrees Fahrenheit (177 degrees centigrade) throughout the
11 process. If cooked in a convection oven, the oven must be
12 preheated to and held at an air temperature of at least 325
13 degrees Fahrenheit (163 degrees centigrade) throughout the
14 process.

15 B. When beef roasts of ten pounds (five kilograms) or
16 over in weight are cooked in a dry heat oven, the oven must be
17 preheated to and held at an air temperature of at least 250
18 degrees Fahrenheit (122 degrees centigrade) throughout the
19 process.

20 C. In order to meet public health requirements for
21 the processes in ~~this-item~~ items A and B, the following table
22 lists the minimum internal temperature of the beef roast for the
23 minimum time the roast needs to be held at such temperature:

24 MINIMUM HOLDING TIMES FOR BEEF ROASTS

25 AT VARIOUS INTERNAL TEMPERATURES

26	Minimum	Minimum	
27	internal	holding	
28	temperature	time	
29			
30	Degrees	Degrees	
31	Fahrenheit	Centigrade	Minutes
32	130	54.4	121
33	131	55.0	97
34	132	55.6	77
35	133	56.1	62
36	134	56.7	47

1	135	57.2	37
2	136	57.8	32
3	137	58.4	24
4	138	58.9	19
5	139	59.5	15
6	140	60.0	12
7	141	60.6	10
8	142	61.1	8
9	143	61.7	6
10	144	62.2	5

11 D. If cooked in a microwave oven, beef roasts must be
 12 cooked to an internal temperature of at least 145 degrees
 13 Fahrenheit (63 degrees centigrade).

14 Subp. 6. Reheating. Potentially hazardous foods that have
 15 been cooked and then refrigerated, if reheated, must be heated
 16 rapidly to 165 degrees Fahrenheit (74 degrees centigrade) or
 17 higher throughout before being served or before being placed in
 18 a hot food storage facility. Steam tables, bainmaries, warmers,
 19 and similar hot food holding facilities are prohibited for the
 20 rapid reheating of potentially hazardous foods.

21 Subp. 7. Thawing potentially hazardous foods. Potentially
 22 hazardous foods must be thawed in one of the following ways:

23 A. in refrigerated units at a temperature not to
 24 exceed 40 degrees Fahrenheit (four degrees centigrade);

25 B. under potable running water of a temperature of 70
 26 degrees Fahrenheit (21 degrees centigrade) or below, and
 27 allowing the water to waste discharge directly to the drain;

28 C. in a microwave oven only when the food will be
 29 immediately transferred to conventional cooking facilities as
 30 part of a continuous cooking process or when the entire,
 31 uninterrupted cooking process takes place in the microwave oven;
 32 or

33 D. as part of the conventional cooking process.

34 4625.3501 PREPARATION, DISPLAY, AND SERVICE.

35 Subpart 1. Minimum manual contact. Food must be prepared

1 or processed with the least possible manual contact and in a
2 manner that prevents cross-contamination of products. Only
3 suitable utensils or equipment which have been cleaned, rinsed,
4 and sanitized before use to prevent cross-contamination, must be
5 used in food preparation.

6 Subp. 2. Raw fruits and vegetables. Raw fruits and
7 vegetables must be thoroughly washed with potable water before
8 being cooked or served.

9 Subp. 3. Re-service. Once food has been served to a
10 consumer, it must not be served again, except that packaged
11 food, other than potentially hazardous food, that is still
12 packaged and is in sound condition may be re-served.

13 Subp. 4. Shellfish. Mollusks and crustacea, if served on
14 the shell, must be served in the original shell. Reuse of
15 shells for food service is prohibited.

16 Subp. 5. Condiment dispensing. Condiments, seasonings,
17 and dressing for self-service use must be provided in individual
18 packages, from dispensers, or from approved containers.
19 Condiments provided for table or counter service must be
20 individually portioned, except that catsup and other sauces may
21 be served in the original container or pour-type dispenser.
22 Sugar for consumer use must be provided in individual packages
23 or in pour-type dispensers.

24 Subp. 6. Dispensing utensils. To avoid unnecessary manual
25 contact with food, suitable dispensing utensils or equipment
26 must be used by employees or provided to consumers who serve
27 themselves. Between uses during service, dispensing utensils
28 must be:

29 A. stored in the food with the dispensing utensil
30 handle extended out of the food; or

31 B. stored clean and dry; or

32 C. stored in a running water dipper-well; or

33 D. stored either in a running water dipper well, or
34 stored clean and dry in the case of dispensing utensils and malt
35 collars used in preparing frozen desserts.

36 Subp. 7. Display equipment. Food on display must be

1 protected from consumer contamination by the use of packaging or
2 by the use of easily cleanable counter, serving line or salad
3 bar food shields, display cases, or by other effective means.
4 Adequate and sufficient hot or cold food facilities must be
5 available to maintain the required temperature of potentially
6 hazardous food on display.

7 Subp. 8. Reuse of tableware. Reuse of soiled tableware
8 and single-service articles by self-service consumers returning
9 to the service area for additional food must be prohibited.
10 Beverage cups and glasses are exempt from this requirement.

11 Subp. 9. Food transportation. The requirements of
12 temperature, storage, display, and those imposed for the
13 protection of food against contamination, as contained in parts
14 4625.2401 to 4625.7801, must also apply in the transporting of
15 food from one food establishment or other location to another
16 food establishment or other location for delivery, service, or
17 catering operations.

18 Subp. 10. Storage. Food, whether raw or prepared, if
19 removed from the container or package in which it was obtained,
20 must be stored in a clean, covered container. The container
21 need not be covered during necessary periods of preparation or
22 service. Container covers must be impervious and nonabsorbent,
23 except that clean linens or napkins may be used for lining or
24 covering bread or roll serving containers. Solid cuts of meat
25 must be protected by being covered in storage, except that
26 sides, quarters, or primal cuts of meat may be hung uncovered on
27 clean hooks if no food product is stored beneath the meat.

28 Subp. 11. Containers. Containers of food must be stored a
29 minimum of six inches above the floor in a manner that protects
30 the food from splash and other contamination, and that permits
31 easy cleaning of the storage area. Containers may be stored on
32 dollies, racks, or pallets, provided the equipment is easily
33 movable and constructed to allow for easy cleaning. Food and
34 containers of food must not be stored under exposed or
35 unprotected sewer lines or similar sources of potential
36 contamination. The storage of food in toilet rooms or

1 vestibules is prohibited.

2 Subp. 12. Cross-contamination. Food not subject to
3 further washing or cooking before serving must be stored in a
4 way that protects it against cross-contamination from food
5 requiring washing or cooking.

6 Subp. 13. Packaged food. Packaged food must not be stored
7 in contact with water or undrained ice. Wrapped sandwiches must
8 not be stored in direct contact with ice. Ice intended for
9 human consumption must not be used for cooling stored food, food
10 containers, or food utensils~~7-except-that-the-ice-may-be-used~~
11 ~~for-cooling-tubes-conveying-beverages-or-beverage-ingredients-to~~
12 ~~a-dispenser-head.~~

13 Subp. 14. Bulk. Bulk foods such as cooking oil, legumes,
14 tubers, grains, syrup, salt, sugar, or flour and related
15 derivative products not stored in the product container or
16 package in which it was obtained, must be stored in a container
17 identifying the food by common name.

18 Subp. 15. Ice dispensing. All ice must be manufactured
19 only from potable water. Ice must be handled and transported in
20 single-service containers, or in utensils which have been
21 subjected to bactericidal treatment. Buckets, scoops, and ice
22 containers, unless they are single-service utensils, must be
23 made of a smooth, impervious material and designed to facilitate
24 cleaning. They must be clean at all times. Canvas containers
25 must not be used. If ice-crushers are used, they must be easily
26 cleanable. They must be maintained in a clean condition, must
27 be subject to bactericidal treatment and must be covered when
28 not in use. Ice for consumer use must be dispensed with scoops
29 or tongs from a properly protected storage device, or other ice
30 self-dispensing utensils, through automatic single-service ice
31 dispensing equipment, or be prepacked and portion controlled.
32 Ice dispensing utensils must be stored on a clean surface or in
33 the ice with the dispensing utensil's handle extended out of the
34 ice. Between uses, ice transfer receptacles must be stored in a
35 way that protects them from contamination.

1 4625.3601 DISEASE PREVENTION AND CONTROL AND EMPLOYEE PRACTICES.

2 Subpart 1. Prohibited persons. No person shall work in a
3 food establishment in any capacity in which there is a
4 likelihood of the person contaminating food or food-contact
5 surfaces with pathogenic organisms or transmitting disease to
6 other persons while:

7 A. infected with a disease in a communicable form
8 that can be transmitted by foods;

9 B. while being a carrier of organisms that cause such
10 a disease; or

11 C. while afflicted with a boil, an infected wound, or
12 an acute respiratory infection.

13 Subp. 2. Procedure when infection is suspected. When the
14 commissioner has reasonable cause to suspect the possibility of
15 disease transmission from a food-service establishment employee,
16 the commissioner shall secure an illness or morbidity history of
17 the suspected employee or make such other investigation as may
18 be indicated and take appropriate action. The commissioner may
19 require any or all of the following measures:

20 A. the immediate exclusion of the employee from all
21 food service establishments;

22 B. the immediate closure of the food service
23 establishment concerned until, in the opinion of the
24 commissioner, no further danger of disease outbreak exists;

25 C. restriction of the suspected employee's services
26 to an area of the establishment where there would be no danger
27 of transmitting disease; and

28 D. adequate medical and laboratory examinations of
29 the suspected employee, or other employees, and any body
30 discharges.

31 Subp. 3. Clothing. Employees shall wear clean outer
32 garments. Hairnets, headbands, caps, or other hair restraints
33 must be worn to prevent the contamination of food, utensils, and
34 equipment. Hair spray is not an acceptable hair restraint.

35 Subp. 4. Employee practices. Employees shall comply with
36 the following requirements:

1 A. All employees shall thoroughly wash their hands
2 and the exposed portions of their arms with soap and warm water
3 in an approved handwashing facility before starting work, during
4 work as often as is necessary to keep them clean, and after
5 smoking, eating, drinking, or using the toilet. Employees shall
6 keep their fingernails clean and trimmed, and maintain a high
7 degree of personal cleanliness and conform to hygienic practices
8 during all periods of duty.

9 B. Employees must not use tobacco in any form while
10 on duty to handle, prepare, or serve food, or clean utensils and
11 equipment in a food establishment. Employees must use tobacco
12 only in designated locations approved by the department.

13 C. All employees shall consume food only in
14 designated dining areas. An employee dining area must not be
15 designated if consuming food in that location could cause
16 contamination of other food, equipment, utensils, or other items
17 needing protection.

18 D. Employees shall handle soiled equipment or
19 utensils in a manner that minimizes contamination of their hands.

20 4625.3701 EQUIPMENT AND FACILITIES PROVIDED.

21 Subpart 1. General. A food establishment must have
22 equipment, applicable to the operation conducted, which is
23 designed, constructed, installed, located, and maintained
24 according to parts 4625.2401 to 4625.7801.

25 Subp. 2. Sanitary design, construction, and installation
26 of equipment and utensils. New and replacement equipment and
27 utensils must be appropriate to the operation conducted and
28 comply with the following:

29 A. All new and replacement equipment and utensils
30 must be of such material, workmanship, and design as to be
31 smooth, easily cleanable, resistant to wear, denting, buckling,
32 pitting, chipping, and crazing; and capable of withstanding
33 scrubbing, scouring, repeated corrosive action of cleaning
34 compounds, and other normal conditions and operations.

35 B. Food contact surfaces must be nontoxic.

1 Food-contact surfaces and surfaces which come in contact with
2 food debris must be readily accessible for cleaning and
3 inspection.

4 C. All equipment installed or placed in service after
5 the effective date of parts 4625.2401 to 4625.7801 must comply
6 with the following standards of the National Sanitation
7 Foundation when applicable:

8 (1) Standard No. 1, Soda Fountain and
9 Luncheonette Equipment, June 1984;

10 (2) Standard No. 2, Food Service Equipment,
11 November 1987;

12 (3) Standard No. 3, Spray Type Dishwashing
13 Machines, June 1982;

14 (4) Standard No. 4, Commercial Cooking and Hot
15 Food Storage Equipment, June 1986;

16 (5) Standard No. 5, Commercial Hot Water
17 Generating Equipment, November 1983;

18 (6) Standard No. 6, Dispensing Freezers, November
19 1982;

20 (7) Standard No. 7, Food Service Refrigerator and
21 Storage Freezers, November 1985;

22 (8) Standard No. 8, Commercial Powered Food
23 Preparation Equipment, November 1985;

24 (9) Standard No. 12, Automatic Ice Making
25 Equipment, November 1984;

26 (10) Standard No. 13, Refuse Compactors and
27 Compactor Systems, May 1985;

28 (11) Standard No. 18, Manual Food and Beverage
29 Dispensing Equipment, November 1987;

30 (12) Standard No. 20, Commercial Bulk Milk
31 Dispensing Equipment and Appurtenances, November 1985;

32 (13) Standard No. 25, Vending Machines for Food
33 and Beverage, November 1987;

34 (14) Standard No. 26, Pot, Pan and Utensil
35 Washers, December 1980;

36 (15) Standard No. 29, Detergent and Chemical

1 Feeders for Commercial Spray Type Dishwashing Machines, June
2 1982;

3 (16) Standard No. 35, Laminated Plastics for
4 Surfacing Food Service Equipment, May 1985;

5 (17) Standard No. 51, Plastic Materials and
6 Components Used in Food Equipment, May 1978;

7 (18) Standard No. 59, Food Carts, June 1986; and

8 (19) Criteria C-2, Special Equipment and/or
9 Devices, November 1983.

10 D. Used equipment which has met or exceeded the
11 requirements of the National Sanitation Foundation under earlier
12 standards may be installed when the equipment is in good repair
13 and does not constitute a health hazard as determined by the
14 commissioner. Equipment in use at the time of adoption of parts
15 4625.2401 to 4625.7801 which does not fully meet item C may be
16 continued in use only if it is in good repair, capable of being
17 maintained in a sanitary condition, has food-contact surfaces
18 that are nontoxic, and is approved by the commissioner.

19 E. All equipment must be kept in good repair and
20 installed and maintained to facilitate its cleaning and the
21 cleaning of adjacent areas.

22 F. All equipment must be located and installed in
23 such a manner as to ensure that preparation and service will
24 minimize the potential for cross-contamination and improper
25 handling of the food. Lavatories, chef sinks, utility sinks,
26 refrigeration equipment, hot food handling equipment, and
27 preparation and processing tables must be provided and
28 maintained and shall be convenient and adequate as approved by
29 the commissioner for the purpose for which they were designed.

30 G. Aisles and working spaces between units of
31 equipment and walls must be unobstructed and of sufficient width
32 to permit employees to perform their duties readily without
33 contamination of food or food-contact surfaces by clothing or
34 personal contact. All easily movable storage equipment such as
35 pallets, racks, and dollies must be positioned to provide
36 accessibility to working areas.

1 H. When the food service in a day care center is
2 limited to serving ten or fewer individuals, or where the main
3 meals of the day are not prepared in the center, the
4 commissioner may waive specific equipment requirements of this
5 part to permit the substitution of certain domestic type
6 equipment for commercial type equipment which complies with the
7 standards of the National Sanitation Foundation prescribed in
8 item C.

9 I. When the food service in a boarding and lodging
10 house is limited to serving ten or fewer residents, or where the
11 main meals of the day are not prepared in the facility, the
12 commissioner may waive specific equipment requirements of these
13 rules as stated in item H.

14 4625.3801 CLEANING, SANITIZATION, AND STORAGE OF EQUIPMENT AND
15 UTENSILS.

16 Subpart 1. General. All utensils and equipment must be
17 thoroughly cleaned, and food-contact surfaces of utensils and
18 equipment must be given sanitization treatment and must be
19 stored in such a manner as to be protected from contamination.

20 Subp. 2. Cleaning frequency. The equipment and utensils
21 must meet the following cleaning requirements:

22 A. Tableware must be washed, rinsed, and sanitized
23 after each use.

24 B. To prevent cross-contamination, kitchenware and
25 food-contact surfaces of equipment must be washed, rinsed, and
26 sanitized after each use and following any interruption of
27 operations during which time contamination may have occurred.

28 C. Where equipment and utensils are used for the
29 preparation of foods on a continuous or production-line basis,
30 utensils and food-contact surfaces of equipment must be washed,
31 rinsed, and sanitized at intervals throughout the day and on a
32 schedule based on food temperature, type of food, and amount of
33 food particle accumulation.

34 D. The food-contact surfaces of kettles, grills,
35 griddles, and similar cooking devices and the cavities and door

1 seals of microwave ovens must be cleaned at least once a day,
2 except that this shall not apply to hot oil cooking equipment
3 and hot oil filtering systems. The food-contact surfaces of all
4 cooking equipment must be kept free of encrusted grease deposits
5 and other accumulated soil.

6 E. Nonfood-contact surfaces of equipment must be
7 cleaned as often as is necessary to keep the equipment free of
8 accumulation of dust, dirt, food particles, and other debris.

9 Subp. 3. Oven utensils and equipment. Utensils and
10 equipment which routinely go into ovens for baking purposes and
11 which are used for no other purpose ~~must~~ are not be required to
12 be given bactericidal treatment; however, such utensils and
13 equipment must be clean.

14 Subp. 4. Wiping cloths. Cloths used for wiping food
15 spills on tableware, such as plates or bowls being served to the
16 consumer, must be clean, dry, and used for no other purposes.
17 Moist cloths used for wiping food spills on kitchenware and
18 food-contact surfaces of equipment must be clean and rinsed
19 frequently in an approved sanitizing solution. These cloths
20 must be stored in sanitizing solution between uses. Moist
21 cloths used for cleaning nonfood-contact surfaces of equipment
22 such as counters, dining table tops, and shelves must be clean,
23 rinsed, and used for no other purpose. These cloths must be
24 stored in an approved sanitizing solution between uses.

25 Subp. 5. Manual cleaning and sanitizing. Manual cleaning
26 and sanitizing must be done in the following manner:

27 A. For manual washing, rinsing, and sanitizing of
28 utensils and equipment, a sink with not fewer than three
29 compartments must be provided and used. Sink compartments must
30 be large enough to permit the accommodation of the equipment and
31 utensils, and each compartment of the sink must be supplied with
32 hot and cold potable running water. Fixed equipment and
33 utensils and equipment too large to be cleaned in sink
34 compartments must be washed manually or cleaned through pressure
35 spray methods.

36 B. Integral drain boards of adequate size must be

1 provided at each end for proper handling of soiled utensils
2 before washing and for cleaned utensils following sanitizing and
3 must be located so as not to interfere with the proper use of
4 the utensil washing facilities.

5 C. Equipment and utensils must be preflushed or
6 prescraped and, when necessary, presoaked to remove gross food
7 particles and soil.

8 D. Except for fixed equipment and utensils too large
9 to be cleaned in sink compartments, manual washing, rinsing, and
10 sanitizing must be conducted in the following manner.

11 (1) Sinks must be cleaned before use.

12 (2) Equipment and utensils must be thoroughly
13 washed in the first compartment with a hot detergent solution
14 that is kept clean.

15 (3) Equipment and utensils must be rinsed free of
16 detergent and abrasives with clean water in the second
17 compartment.

18 (4) Equipment and utensils must be sanitized in
19 the third compartment in an approved manner.

20 E. The food-contact surfaces of all equipment and
21 utensils must be sanitized by:

22 (1) immersion for at least one-half minute in
23 clean, hot water at a temperature of at least 170 degrees
24 Fahrenheit (77 degrees centigrade);

25 (2) immersion for at least one minute in a clean
26 solution containing at least 50 parts per million, but no more
27 than 200 parts per million, of available chlorine as a
28 hypochlorite and at a temperature of at least 75 degrees
29 Fahrenheit (24 degrees centigrade);

30 (3) immersion for at least one minute in a clean
31 solution containing at least 12.5 parts per million, but not
32 more than 25 parts per million, of available iodine and having a
33 pH range which the manufacturer has demonstrated to be effective
34 and at a temperature of at least 75 degrees Fahrenheit (24
35 degrees centigrade);

36 (4) immersion in a clean solution containing any

1 other chemical sanitizing agent allowed under Code of Federal
 2 Regulations, title 21, section 178.1010, that will provide at
 3 least the equivalent bactericidal effect of a solution
 4 containing 50 parts per million of available chlorine as a
 5 hypochlorite at a temperature of at least 75 degrees Fahrenheit
 6 (24 degrees centigrade) for one minute; or

7 (5) for equipment too large to sanitize by
 8 immersion, but in which steam can be confined, treatment with
 9 steam free from materials or additives other than those
 10 specified in Code of Federal Regulations, title 21, section
 11 173.310.

12 Equipment too large to sanitize by immersion, must be
 13 rinsed, sprayed, or swabbed with a sanitizing solution of at
 14 least twice the required strength for that particular sanitizing
 15 solution.

16 F. When hot water is used for sanitizing, the
 17 following facilities must be provided and used:

18 (1) an integral heating device or fixture
 19 installed in, on, or under the sanitizing compartment of the
 20 sink capable of maintaining the water at a temperature of at
 21 least 170 degrees Fahrenheit (77 degrees centigrade);

22 (2) a numerically scaled indicating thermometer,
 23 accurate to plus or minus three degrees Fahrenheit (plus or
 24 minus two degrees centigrade) convenient to the sink for
 25 frequent checks of water temperature; and

26 (3) dish baskets of such size and design to
 27 permit complete immersion of the tableware, kitchenware, and
 28 equipment in the hot water.

29 G. When chemicals are used for sanitization, they
 30 must not have concentrations higher than the maximum permitted
 31 under Code of Federal Regulations, title 21, section 178.1010,
 32 and a test kit or other device that accurately measures the
 33 parts per million concentration of the solution must be provided
 34 and used.

35 Subp. 6. Mechanical cleaning and sanitizing. Mechanical
 36 cleaning and sanitizing must be done in the following manner:

1 A. Cleaning and sanitizing may be done by spray-type
2 or immersion utensil washing machines or by any other type of
3 machine or device if it is demonstrated that it thoroughly
4 cleans, sanitizes equipment and utensils, and meets the
5 requirements in the National Sanitation Foundation Standard No.
6 3. These machines and devices must be properly installed, and
7 maintained in good repair. Machines and devices must be
8 operated in accordance with manufacturers' instructions, and
9 utensils and equipment placed in the machine must be exposed to
10 all washing cycles. Automatic detergent dispensers, wetting
11 agent dispensers, and liquid sanitizer injectors must be
12 properly installed and maintained.

13 B. Drainboards must be provided and be of adequate
14 size for the proper handling of soiled utensils before washing
15 and for cleaned utensils following sanitization, and must be so
16 located and constructed as not to interfere with the proper use
17 of the dishwashing facilities. This does not preclude the use
18 of easily movable dish tables for the storage of soiled utensils
19 or the use of easily movable dish tables for the storage of
20 clean utensils following sanitization.

21 C. Equipment and utensils must be flushed or scraped
22 and, when necessary, soaked to remove gross food particles and
23 soil before being washed in a dishwashing machine unless a
24 prewash cycle is a part of the dishwashing machine operation.
25 Equipment and utensils must be placed in racks, trays, or
26 baskets, or on conveyors, in a way that food-contact surfaces
27 are exposed to the unobstructed application of detergent wash
28 and clean rinse water and that permits free draining.

29 D. Machines (single-tank, stationary-rack, door-type
30 machines, and spray-type glass washers) using chemicals for
31 sanitization may be used, provided that:

32 (1) wash water temperatures, addition of
33 chemicals, rinse water temperatures, and chemical sanitizers
34 used are in conformance with Standards Nos. 3 and 29 of the
35 National Sanitation Foundation;

36 (2) a test kit or other device that accurately

1 measures the parts per million concentration of the sanitizing
2 solution must be available and used ~~while-the-chemical~~
3 ~~sanitizing-machine-is-in-use;~~

4 (3) containers for storing the sanitizing agent
5 must be installed in such a manner as to ensure that operators
6 maintain an adequate supply of sanitizing compound; and

7 (4) a visual or audible warning device must be
8 provided for the operator to easily verify when the sanitizing
9 agent is depleted.

10 F E. Machines using hot water for sanitizing may be
11 used provided that wash water and pumped rinse water must be
12 kept clean and water must be maintained at not less than the
13 temperature specified by the National Sanitation Foundation
14 Standard No. 3, under which the machine is evaluated. A
15 pressure gauge must be installed with a valve immediately
16 adjacent to the supply side of the control valve in the final
17 rinse line provided that this requirement must not pertain to a
18 dishwashing machine with a pumped final rinse.

19 G F. All utensil washing machines must be cleaned at
20 least once per day or more frequently if required.

21 Subp. 7. Equipment and utensil storage. Cleaned and
22 sanitized equipment and utensils must be handled in a way that
23 protects them from contamination.

24 A. Spoons, knives, and forks must be touched only by
25 their handles. Cups, glasses, bowls, plates, and similar items
26 must be handled without contact with inside surfaces or surfaces
27 that contact the user's mouth.

28 B. Utensils must be air dried before being stored or
29 must be stored in a self-draining position.

30 C. Cleaned and sanitized utensils and equipment must
31 be stored at least six inches above the floor in a clean, dry
32 location in a way that protects them from contamination by
33 splash, dust, and other means. The food-contact surfaces of
34 fixed equipment must also be protected from contamination.
35 Equipment and utensils must not be placed under exposed sewer
36 lines.

1 D. Glasses and cups must be stored inverted. Other
2 stored utensils must be covered or inverted, wherever
3 practical. Facilities for the storage of knives, forks, and
4 spoons must be designed and used to present the handle to the
5 employee or consumer.

6 Subp. 8. Single-service articles. Single-service articles
7 must have been manufactured, packaged, transported, stored,
8 handled, and dispensed in a sanitary manner.

9 Subp. 9. Prohibited storage area. The storage of food
10 equipment, utensils, or single-service articles in toilet rooms
11 or vestibules is prohibited.

12 4625.3901 PHYSICAL FACILITIES AND SANITATION.

13 Subpart 1. Water supply. Every food and beverage
14 establishment must be provided with a supply of water which is
15 adequate for the needs of the establishment. The water must be
16 obtained from a public water supply system, or a source of
17 supply and system which is located, constructed, and operated in
18 accordance with rules governing public water supplies, parts
19 4720.0100 to 4720.4600 and water wells, parts 4725.0100 to
20 4725.7600.

21 Subp. 2. Sewage. All sewage, including liquid waste, must
22 be disposed of to a public sewage system or to an approved
23 individual sewage disposal system. Nonwater-carried sewage
24 disposal facilities must be prohibited, except as permitted by
25 the commissioner in remote areas or because of special
26 situations.

27 When there is no public sewage system available, an
28 individual sewage disposal system must be designed, located,
29 constructed, and operated in accordance with Minnesota Pollution
30 Control Agency rules, parts 7080.0010 to 7080.0240.

31 Itinerant, mobile food-units, and special event food
32 facilities may dispose of their liquid waste into
33 receptacles ~~carried-on-the-vehicle~~ for that purpose. This waste
34 ultimately must be discharged into the public sewage system or
35 otherwise disposed of in a manner which will not endanger any

1 source of water supply, pollute any body of surface water,
2 create a nuisance, or otherwise endanger the public health and
3 safety.

4 Subp. 3. Plumbing. Plumbing must be sized, installed, and
5 maintained to carry adequate quantities of water to required
6 locations throughout the establishment, to prevent contamination
7 of the water supply, and to convey sewage and liquid wastes
8 adequately from the establishment to the sewage system so that
9 it does not constitute a source of contamination of food,
10 utensils, or equipment or create an unsanitary condition or
11 nuisance.

12 Food service equipment such as refrigerators, ice makers,
13 ice storage bins, and steam tables must not be directly
14 connected to the sewer.

15 All new plumbing and all plumbing reconstructed or replaced
16 after the effective date of parts 4625.2401 to 4625.4701 must be
17 designed, constructed, and installed in conformity with the
18 Minnesota Plumbing Code, parts 4715.0100 to 4715.5600.

19 Subp. 4. Janitorial facilities. Janitorial facilities
20 including a janitorial utility sink or curbed cleaning facility
21 must be provided and. The facilities must not be located in an
22 ~~area-other-than-a~~ food preparation or, storage area, or toilet
23 ~~room--if~~ rooms unless adequate separation, or other protection
24 has been provided. The janitorial facility may be located in a
25 packaged goods' storeroom or employee toilet room.

26 The use of lavatories, utensil washing or equipment
27 washing, or food preparation sinks for ~~this-purpose~~ janitorial
28 purposes is prohibited.

29 Janitorial equipment must be stored in an approved manner
30 in the janitorial facility.

31 Subp. 5. Handwashing facilities. Every food
32 establishment, other than limited food establishments and mobile
33 food units handling only prepackaged food must be provided with
34 adequate, conveniently located, and approved handwashing
35 facilities which are continually maintained with hot and cold
36 running water, hand-cleansing soap or detergent, fingernail

1 brushes, and single-service towels or hand-drying devices
2 providing heated air. Handwashing facilities must be accessible
3 to persons at all times in all areas where food is prepared or
4 served, where utensils and equipment are cleansed or sanitized,
5 in or immediately adjacent to toilet rooms or other areas
6 designated by the commissioner. Sinks used for food preparation
7 or for washing equipment or utensils must not be used for
8 handwashing. Each handwashing sink must be provided with hot
9 and cold water tempered by means of a mixing valve or
10 combination faucet. Any self-closing, slow-closing, or metering
11 faucet must be designed to provide a flow of water for at least
12 15 seconds without the need to reactivate the faucet.
13 Steam-mixing valves are prohibited.

14 Subp. 6. Toilet facilities. Every food establishment,
15 with the exception of itinerant, mobile, and special event food
16 facilities, must be provided with conveniently located and
17 approved toilet facilities for employees. These facilities must
18 be kept clean and in good repair and free from flies, insects,
19 and offensive odors. Toilet fixtures and seats must be of
20 sanitary design and readily cleanable. The doors of all toilet
21 rooms must be self-closing. Easily cleanable receptacles must
22 be provided for waste materials. Toilet rooms used by women
23 must have at least one covered waste receptacle. Separate
24 ~~toilet-facilities-must-be-provided-for-men-and-women-according~~
25 ~~to~~ The number of toilet facilities must be determined by part
26 4715.1215 of the State Plumbing Code, and meet the requirements
27 for sanitation fixtures in section 705 of the Uniform Building
28 Code, as amended in part 1305.1900, and the requirements for
29 handicapped accessibility in chapter 1340. Where the use of
30 nonwater-carried sewage disposal facilities have been approved
31 by the commissioner, the facilities must be separate from the
32 establishment and in accordance with the standards of the
33 commissioner.

34 4625.4001 GARBAGE AND REFUSE DISPOSAL.

35 Before disposal, all garbage and refuse must be kept in

1 tight, nonabsorbent, insect proof, rodent proof, and fireproof
2 containers. Containers must be kept covered with tight-fitting
3 lids when filled, in storage, or not in continuous use.
4 Containers need not be covered when stored in a special insect
5 and rodent-proofed room or enclosure. All other refuse must be
6 stored in containers, rooms, or areas in an approved manner.
7 The rooms, enclosures, areas, and containers used must be
8 adequate for the storage of all garbage and refuse accumulating
9 on the premises between collections. Adequate cleaning
10 facilities must be provided, and each container, room, or area
11 shall be thoroughly cleaned after the emptying or removal of
12 garbage and refuse. Containers designed with drains must have
13 drain plugs maintained in place at all times except during
14 cleaning. All garbage and refuse must be disposed of with
15 sufficient frequency and in such a manner as to prevent a
16 nuisance.

17 4625.4101 INSECT, RODENT, AND ANIMAL CONTROL.

18 Subpart 1. General. Effective measures must be taken to
19 prevent the entrance, breeding, or presence of rodents, flies,
20 cockroaches, and other vermin or insects on the premises. The
21 premises must be kept in such condition as to prevent the
22 harborage or feeding of insects or rodents.

23 Subp. 2. Openings. Outside openings must be effectively
24 protected against the entrance of rodents. Outside openings
25 must be protected against the entrance of insects by
26 tight-fitting, self-closing doors, closed windows, screening,
27 controlled air currents, or other means. Screen doors must be
28 self-closing, and screens for windows, doors, skylights,
29 transoms, intake and exhaust air ducts, and other openings to
30 the outside must be tight-fitting and free of breaks. Screening
31 materials must not be less than 16 mesh to the inch.

32 Subp. 3. Animals. Live animals, including birds and
33 turtles, shall be excluded from within the food service
34 operational premises and from adjacent areas under the control
35 of the person in charge. This exclusion does not apply to

1 edible fish, crustacea, mollusks, or to fish in aquariums.
2 Patrol dogs accompanying security or police officers, or guide
3 dogs accompanying sight-impaired persons or hearing-impaired
4 persons shall be permitted in dining areas.

5 4625.4201 CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES.

6 Subpart 1. Floors. The floor surfaces of all food and
7 beverage preparation, food storage, equipment and utensil
8 washing, food service areas, waitress stations, dressing rooms,
9 locker rooms, toilet rooms and vestibules, janitorial areas,
10 kitchens, and bars must be constructed of smooth, durable,
11 nonabsorbent, easily cleanable materials which resist the wear
12 and abuse to which they are subjected. Appropriate materials
13 include commercial grade vinyl composition tile, sheet vinyl,
14 ceramic tile, quarry tile, terrazzo, or equivalent. Vinyl floor
15 coverings must not be used in walk-in refrigeration units and
16 storage freezers.

17 The junctures between walls and floors must be coved. Rugs
18 and carpets may be used in dining rooms and hallways, provided
19 that the floor coverings are kept clean. Abrasive strips also
20 may be used wherever deemed necessary to prevent accidents.

21 Mats and duckboards must be of nonabsorbent, nonwood,
22 grease resistant materials. The size, design, and construction
23 of the materials must facilitate easy cleaning. Duckboards must
24 not be used as storage racks.

25 All floors must be kept clean and in good repair, and the
26 use of sawdust and similar material is not permitted. Floor
27 drains must be provided in all rooms where floors are subject to
28 flooding-type cleaning or where normal operations release or
29 discharge water or other liquid wastes on the floor. The floors
30 must be graded to drain.

31 Subp. 2. Walls and ceilings. The walls and ceilings of
32 all rooms must be kept clean and in good repair. All walls of
33 rooms or areas in which food is prepared, areas where utensils
34 or hands are washed, toilet rooms, janitorial areas, laundry
35 rooms, or garbage and refuse storage rooms must have easily

1 cleanable, smooth, nonabsorbent, washable surfaces to the
2 highest level of splash, spray, or abuse. Wall finishes must be
3 resistant to the wear and abuse to which they are subject.
4 Ceilings must be smooth and easily cleanable. The walls and
5 ceilings must be finished in a light color. Concrete or pumice
6 blocks used for interior wall construction in these locations
7 must be finished and sealed to provide an easily cleanable
8 surface.

9 Subp. 3. **Attachments.** Light fixtures, vent covers,
10 wall-mounted fans, decorative materials, and similar equipment
11 attached to walls and ceilings must be easily cleanable, and
12 must be kept clean and in good repair.

13 Subp. 4. **Utility lines and pipes.** All utility lines and
14 pipes such as electric, gas, water, sewage, and similar waste
15 lines or services ~~should~~ must be installed in the walls, under
16 floors, or above ceilings to avoid unnecessary exposure to food
17 equipment, walls, floors, or ceilings. Exposed utility service
18 lines or pipes must be installed so they do not obstruct or
19 prevent the easy cleaning of food equipment, floors, walls, and
20 ceiling surfaces.

21 4625.4301 LIGHTING.

22 Subpart 1. **Lighting source and amount.** Permanently fixed
23 artificial light sources must be installed to provide at least
24 20 foot candles of light on all food preparation surfaces and at
25 equipment or utensil washing work levels.

26 A. Permanently fixed artificial light sources must be
27 installed to provide, at a distance of 30 inches from the floor:

28 (1) at least 20 foot candles of light in utensil
29 and equipment storage areas and in lavatory and toilet areas;
30 and

31 (2) at least ten foot candles of light in walk-in
32 refrigerating units, dry food storage areas, and in all other
33 areas.

34 B. Subdued lighting in dining rooms and public access
35 areas is permissible, provided that lighting meeting the

1 requirements in item A, subitem (2) must be available during all
2 clean-up operations.

3 Subp. 2. Protective shielding. Shielding or coating to
4 protect against broken glass falling onto food must be provided
5 for all artificial lighting fixtures located over, by, or within
6 food storage, preparation, service, and display facilities, and
7 facilities where utensils and equipment are cleaned and stored.

8 Infra-red or other heat lamps must be protected against
9 breakage by a shield surrounding and extending beyond the bulb,
10 leaving only the face of the bulb exposed.

11 4625.4401 VENTILATION.

12 Rooms must have sufficient exhaust ventilation to keep them
13 free of excessive heat, steam, condensation, vapors, obnoxious
14 or disagreeable odors, smoke, and fumes. All ventilation
15 equipment and facilities, gas or oil fired room heaters, and
16 water heaters must be designed, installed, and operated in
17 accordance with the rules of the State Building Code Division
18 and the Uniform Fire Code. Intake and exhaust air ducts must be
19 maintained to prevent the entrance of dust, dirt, and other
20 contaminating materials.

21 4625.4501 DRESSING ROOMS AND LOCKER AREAS.

22 Subpart 1. Dressing rooms. If employees routinely change
23 clothes within the establishment, rooms or areas must be
24 designated and used for that purpose. These designated rooms or
25 areas must not be used for food preparation, storage, or
26 service, or for utensil washing or storage.

27 Subp. 2. Locker areas. Adequate lockers or other suitable
28 facilities must be provided and used for the orderly storage and
29 security of employee clothing and other belongings. Lockers or
30 other suitable facilities may be located only in the designated
31 dressing rooms or areas containing only completely packaged food
32 or packaged single-service articles.

33 4625.4601 POISONOUS OR TOXIC MATERIALS.

34 Subpart 1. Materials permitted. Food service

1 establishments must have only those poisonous or toxic materials
2 necessary for maintaining the establishment, cleaning and
3 sanitizing equipment and utensils, and controlling insects and
4 rodents.

5 Subp. 2. Labeling of materials. Containers of poisonous
6 or toxic materials must be prominently and distinctly labeled,
7 according to requirements in Code of Federal Regulations, title
8 7, section 162.10, and Minnesota Statutes, section 18B.14, for
9 easy identification of contents.

10 Subp. 3. Storage of materials. Poisonous or toxic
11 materials consist of the following categories:

12 A. insecticides and rodenticides; and

13 B. detergents, sanitizers, related cleaning or drying
14 agents, caustics, acids, polishes, and other chemicals.

15 Materials in each of these two categories must be stored
16 and physically located separate from each other. All poisonous
17 or toxic materials must be stored in cabinets or in a similar
18 physically separate place used for no other purpose. To
19 preclude contamination, poisonous or toxic materials must not be
20 stored above food, food equipment, utensils, or single-service
21 articles, except that this requirement does not prohibit the
22 convenient availability of detergents or sanitizers at utensil
23 or dishwashing stations.

24 Subp. 4. Use of materials. Sanitizers, cleaning
25 compounds, or other compounds intended for use on food-contact
26 surfaces must not be used in a way that leaves a toxic residue
27 on such surfaces or that constitutes a hazard to employees or
28 other persons.

29 Poisonous or toxic materials must not be used in a way that
30 contaminates food, equipment, or utensils, nor in a way other
31 than in full compliance with the manufacturer's labeling.

32 Subp. 5. Personal medications and first aid supplies.
33 Personal medications and first aid supplies must be stored to
34 prevent them from contaminating food and food-contact surfaces.

35 4625.4701 PREMISES.

1 Subpart 1. **Housekeeping.** All parts of the food
2 establishment and its premises must be kept neat, clean, and
3 free of litter and refuse. Cleaning operations must be
4 conducted in a manner as to minimize contamination of food and
5 food-contact surfaces. Only articles necessary for the
6 operation and maintenance of the food establishment must be
7 stored on the premises. Traffic of unnecessary persons through
8 the food preparation and utensil washing areas is prohibited.
9 The walking and driving surfaces of all exterior areas where
10 food is served must be kept clean, properly drained, and
11 finished so as to facilitate maintenance and minimize dust.
12 Pressurized tanks and compressed gas cylinders must be properly
13 secured to prevent them from being accidentally knocked over.

14 Subp. 2. **Cleaning equipment storage.** Maintenance and
15 cleaning tools such as brooms, mops, vacuum cleaners, and
16 similar equipment must be maintained and stored in a way that
17 does not contaminate food, utensils, equipment, or linens and
18 must be stored in an orderly manner for the cleaning of that
19 storage location.

20 Subp. 3. **Living areas.** No operation of a food
21 establishment ~~must~~ shall be conducted in any room used as living
22 or sleeping quarters. Food service operations must be separated
23 from any living or sleeping quarters by complete partitioning
24 and solid, self-closing doors.

25 Subp. 4. **Laundry facilities.** Laundry facilities in a food
26 establishment must be restricted to the washing and drying of
27 linens, cloths, uniforms, and aprons necessary to the
28 operation. If these items are laundered on the premises, an
29 electric or gas dryer must be provided and used.

30 Separate rooms must be provided for laundry facilities
31 except that such operations may be conducted in storage rooms
32 containing only packaged foods or packaged single-service
33 articles.

34 Subp. 5. **Linens and clothes storage.** Clean clothes and
35 linens must be stored in a clean place and protected from
36 contamination until used.

1 Soiled clothes and linens must be stored in nonabsorbent
2 containers or washable laundry bags until removed for laundering.

3 REQUIREMENTS FOR ITINERANT FOOD SERVICE

4 4625.4901 ITINERANT FOOD SERVICE ESTABLISHMENTS.

5 Subpart 1. General. An itinerant food service
6 establishment must comply with all provisions of parts 4625.2401
7 to 4625.4701 that are applicable to their operation and must
8 comply with parts 4625.4901 to 4625.5801. If necessary to
9 protect the public health, the commissioner may shall impose
10 additional requirements to protect against health hazards
11 related to the conduct of their operation and prohibit the sale
12 or giveaway of some or all potentially hazardous foods. When no
13 health hazard is likely to result, the commissioner may grant a
14 variance or modify specific requirements of parts 4625.4901 to
15 4625.5801.

16 Subp. 2. Restricted operations. This subpart applies to
17 an itinerant food service establishment approved under subpart 1
18 to operate without complying with the requirements of parts
19 4625.4901 to 4625.5801.

20 A. The itinerant food service establishment must be
21 located where it is protected from possible contamination; for
22 example toilets, animal pens, garbage collection sites. It must
23 be protected from dust and windblown particulates by location,
24 treatment of ground surfaces, or by having the establishment
25 enclosed.

26 B. The commissioner may restrict the type of food
27 served or the method of food preparation based on equipment
28 limitations, commissary facilities, or climatic conditions.

29 4625.5001 CONSTRUCTION.

30 Subpart 1. Work space. Work spaces must be sized to
31 permit unobstructed work activity. Equipment must be located to
32 permit easy cleaning.

33 Subp. 2. Floors. The interior floor must be equivalent to
34 one of the following:

35 A. solid concrete or asphalt; or

1 B. vinyl flooring or sealed wood.

2 Subp. 3. Walls or enclosures. The establishment must be
3 capable of being fully enclosed on the sides and roof to provide
4 protection against adverse weather. Canvas may be used. Solid
5 interior surfaces must be finished with smooth, durable,
6 nonabsorbent, easily cleanable material that resists the wear
7 and abuse to which the surfaces are subjected. High gloss paint
8 is the minimum acceptable finish.

9 4625.5101 EQUIPMENT.

10 Subpart 1. General. Food service equipment must comply
11 with the applicable standards of the National Sanitation
12 Foundation.

13 Subp. 2. Refrigeration. Mechanical refrigeration,
14 containing a thermometer, is required for potentially hazardous
15 foods such as meat, fish, poultry, milk, milk products, and
16 eggs. A metal stem product thermometer with a range from zero
17 degrees Fahrenheit (minus 18 degrees centigrade) to 220 degrees
18 Fahrenheit (110 degrees centigrade) is required for measuring
19 temperature of this food. Electricity must be provided to
20 refrigeration units 24 hours a day when the food stand has been
21 set in place for service.

22 Subp. 3. Grills. Charcoal grills are acceptable for
23 cooking food as long as they are equipped with a lid and safe
24 food temperatures are maintained.

25 Subp. 4. Utensils. Commercial food grade utensils must be
26 used. Galvanized or soft plastic containers, wooden spoons,
27 enamelware, paintbrushes, and similar materials are not
28 acceptable. Garbage bags and garbage containers must not be
29 used for covering or storing food.

30 Subp. 5. Customer safety. To help provide customer safety
31 and prevent possible contamination by customers, food
32 preparation and cooking areas must be protected by means of an
33 impervious shield or by separation distances.

34 Subp. 6. Handwashing facilities. Handwashing facilities
35 must be provided within the establishment. They must consist of:

1 A. soap, paper towels, and a water faucet or spigot
2 that discharges into a waste line or holding vessel;

3 B. paper towels and a spray bottle containing a
4 ~~germicidal~~ sanitizing solution of one teaspoon of household
5 bleach to a gallon of water; or

6 C. moist towelettes when there is little or no food
7 preparation.

8 Subp. 7. **Lighting.** All interior lights must be shielded
9 or enclosed to prevent breakage. Lights used at night must not
10 attract insects.

11 4625.5201 DISHWASHING FACILITIES, PROCEDURES, AND EQUIPMENT
12 CLEANING.

13 Subpart 1. **General.** Single service, disposable eating and
14 drinking utensils must be used unless approved permanent
15 dishwashing facilities are available at the site. Approved
16 dishwashing facilities consisting of at least three sufficiently
17 sized basins must be provided for washing equipment and utensils
18 used for food preparation and cooking.

19 Subp. 2. **Drying.** Space must be provided for air drying
20 utensils. Towel drying is not permitted.

21 Subp. 3. **Manual utensil washing.** The procedure for manual
22 utensil washing is:

23 A. wash in warm, soapy water;

24 B. rinse in clear water; and

25 C. sanitize for at least one minute in a sanitizing
26 solution of sufficient concentration using one tablespoon of
27 household liquid bleach per two gallons of water, and allow to
28 air dry.

29 Subp. 4. **Cleaning of equipment.** Food contact equipment
30 that must be cleaned in place, like meat slicers or soft serve
31 ice milk dispensers, must be sanitized using a solution equal to
32 that listed in subpart 3, item C.

33 Subp. 5. **Wiping cloths.** Cloths used to wipe equipment and
34 counters must be stored in a sanitizing solution between uses.
35 The solution must equal that listed in subpart 3, item C.

1 Subp. 6. Sanitizer test kits. Test kits or strips for
2 analyzing sanitizer strength must be available and used.

3 4625.5301 FOOD, BEVERAGE, AND UTENSIL HANDLING AND STORAGE.

4 Subpart 1. Food source. All ice and food supplies must
5 come from an approved commercial source. No home prepared food
6 or food storage at home is permitted. Ice must be obtained only
7 in chipped, crushed, or cubed form and in single-use safe
8 plastic or wet-strength paper bag, filled and sealed at the
9 point of manufacture. The ice must be held in these bags until
10 it is dispensed in a way that protects it from contamination.

11 Subp. 2. Temperatures. Potentially hazardous food must be
12 maintained at 40 degrees Fahrenheit (four degrees centigrade) or
13 below, or 150 degrees Fahrenheit (66 degrees centigrade) or
14 above.

15 Subp. 3. Previously cooked foods. If previously cooked
16 food is reheated it must reach an internal temperature of at
17 least 165 degrees Fahrenheit (75 degrees centigrade) throughout
18 before being served. Any heated food left over at the end of
19 the day must be discarded.

20 Subp. 4. Storage. Food and single service disposable
21 utensils such as paper plates and plastic eating utensils must
22 be clean, dry, covered, and kept at least six inches off the
23 floor. Storage of packaged food in contact with water or
24 undrained ice is prohibited. Wrapped sandwiches must not be
25 stored in direct contact with ice.

26 Subp. 5. Single service items and condiment dispensing.
27 Single service utensils and self-service food including
28 condiments such as catsup, mustard, coffee whitener, and sugar
29 must be individually packaged or be dispensed from an enclosed
30 approved dispenser.

31 4625.5401 WATER SUPPLY.

32 Potable water must be obtained from an approved public
33 water supply system. Water may not come from a residential
34 well. If water is not provided under pressure at the
35 establishment, it may be transported and stored in approved,

1 cleanable, covered containers such as five- or ten-gallon coffee
2 urns or nongalvanized beverage coolers containing spigots.

3 4625.5501 WASTEWATER AND REFUSE DISPOSAL.

4 Subpart 1. Wastewater. Wastewater must be discharged into
5 an approved sanitary sewer system or a holding tank. Ground
6 surface discharge is not permitted.

7 Subp. 2. Refuse and garbage disposal. Refuse must be
8 deposited and stored so that it does not create a nuisance.
9 Garbage containing food waste, if stored overnight or for
10 extended periods of time, must be stored in tightly covered
11 nonabsorbent containers.

12 4625.5601 INSECT CONTROL.

13 Effective insect control must be achieved through
14 sanitation. If insecticides are used, they must be an approved
15 type such as pyrethrins as the active ingredient, and used
16 according to the manufacturer's directions. They must not be
17 used when food or utensils are exposed. Intermittent spray
18 dispensers and vapona strips must not be used.

19 4625.5701 EMPLOYEE PRACTICES.

20 Employees must comply with the following requirements:

21 A. Employees must maintain their hands in a clean and
22 sanitary condition and wash hands immediately after going to the
23 toilet, handling raw food, smoking, or otherwise soiling their
24 hands.

25 B. Employees must not engage in food preparation or
26 service activities if that person has a communicable disease,
27 gastrointestinal illness, sore throat, or discharging wound.

28 C. Employees must not use tobacco in any form while
29 on duty.

30 D. An employee's outer garments must be clean.

31 E. An employee must wear effective hair restraints
32 such as hairnets, headbands, and caps while engaged in food
33 preparation and service.

34 4625.5801 SAFETY.

1 Subpart 1. Electrical. Electrical service must comply
2 with the Minnesota State Building Code Electrical Code, chapter
3 1315. Electrical lines must not be located in or near water.

4 Subp. 2. Carbon dioxide. Carbon dioxide and bottled gas
5 cylinders must be secured by chains or other types of restraints.

6 Subp. 3. Fire extinguisher. A fire extinguisher with a
7 minimum 2A 10 B-C rating must be present if required by the fire
8 marshal.

9 REQUIREMENTS FOR MOBILE FOOD SERVICES OR PUSHCARTS

10 4625.5901 MOBILE FOOD SERVICES OR PUSHCARTS.

11 Subpart 1. General. Mobile food services or pushcarts
12 must comply with all provisions of parts 4625.2401 to 4625.4701
13 which are applicable to their operation and must comply with
14 parts 4625.5901 to 4625.6801. The commissioner may impose
15 additional requirements to protect against health hazards
16 related to the conduct of their operation and may prohibit the
17 sale or giveaway of some or all potentially hazardous foods.
18 When no health hazard is likely to result, the commissioner may
19 grant a variance or modify specific requirements of parts
20 4625.5901 to 4625.6801 relating to physical facilities.

21 Subp. 2. Restricted operations. This subpart applies
22 whenever a mobile food service or pushcart is approved under
23 subpart 1 to operate without complying with all the requirements
24 of parts 4625.5901 to 4625.6801.

25 A. The mobile food service or pushcart must be set in
26 a location where it is not subject to flooding and is protected
27 from possible contamination; for example toilets, animal pens,
28 or garbage collection sites. It must be protected from dust and
29 windblown particulates by location, treatment of ground
30 surfaces, or by having the unit enclosed.

31 B. The commissioner may restrict the type of food
32 served or the method of food preparation based on equipment
33 limitations or, commissary facilities, or climatic conditions.

34 4625.6001 CONSTRUCTION.

35 Subpart 1. Work spaces. Work spaces must be sized to

1 permit unobstructed work activity. Equipment must be located to
2 permit easy cleaning.

3 Subp. 2. Floors. The interior floor must be noncorrosive
4 metal or be surfaced with vinyl flooring or equivalent.

5 Subp. 3. Walls or enclosures. The unit must be capable of
6 being fully enclosed on the sides and roof to provide protection
7 during adverse weather. Interior surfaces must be finished with
8 smooth, durable, nonabsorbent, easily cleanable material that
9 resists the wear and abuse to which the surfaces are subjected.
10 High gloss paint is the minimum, acceptable finish.

11 4625.6101 EQUIPMENT.

12 Subpart 1. General. Food service equipment must comply
13 with the applicable standards of the National Sanitation
14 Foundation.

15 Subp. 2. Refrigeration. Mechanical refrigeration,
16 containing a thermometer, is required for potentially hazardous
17 foods such as meat, fish, poultry, milk, milk products, and
18 eggs. A metal stem product thermometer with a range from zero
19 degrees Fahrenheit (minus 18 degrees centigrade) to 220 degrees
20 Fahrenheit (104 degrees centigrade) is required for measuring
21 temperatures of this food. Electricity must be provided to
22 refrigeration units 24 hours a day when the mobile food stand
23 has been set in place for service.

24 Subp. 3. Exhaust system. When grease laden cooking vapor
25 or condensation is generated in the cooking process, a
26 mechanical exhaust system must be provided to prevent grease and
27 condensation from collecting on walls and ceilings.

28 Subp. 4. Utensils. Commercial food grade utensils must be
29 used. Galvanized or soft plastic containers, wooden spoons,
30 enamelware, paintbrushes, and similar materials are not
31 acceptable. Garbage bags and garbage receptacles must not be
32 used for covering or storing food.

33 Subp. 5. Customer safety. To help provide customer safety
34 and prevent possible contamination by customers, food
35 preparation and cooking areas must be protected by means of an

1 impervious shield or by separation distances.

2 Subp. 6. Handwashing facilities. A handwashing sink
3 supplied with hot and cold running water, soap, and paper towels
4 must be provided in all units where food is prepared.

5 Subp. 7. Lighting. All interior lights must be shielded
6 or enclosed to prevent breakage. Lights used at night must not
7 attract flying insects.

8 4625.6201 DISHWASHING FACILITIES, PROCEDURES, AND EQUIPMENT
9 CLEANING.

10 Subpart 1. General. Single service, disposable eating and
11 drinking utensils must be used unless approved permanent
12 dishwashing facilities are available in the mobile unit.
13 Dishwashing facilities must be available and consist of at least
14 a three compartment sink, either free standing or installed in a
15 counter.

16 Subp. 2. Drying. Space must be provided for air drying
17 utensils. Towel drying is not permitted.

18 Subp. 3. Manual utensil washing. The procedure to be used
19 for manual utensil washing is:

20 A. wash in warm, soapy water;

21 B. rinse in clean water;

22 C. sanitize for at least one minute in a sanitizing
23 solution of sufficient concentration, using one tablespoon of
24 household bleach per two gallons of water; and

25 D. allow to air dry.

26 Subp. 4. Cleaning equipment. Food contact equipment that
27 must be cleaned in place, like meat slicers or soft serve ice
28 milk dispensers, must be sanitized using a solution equal to
29 that listed in subpart 3, item C.

30 Subp. 5. Wiping cloths. Cloths used to wipe equipment and
31 counters must be stored in a sanitizing solution between uses.
32 The solution must equal that listed in subpart 3, item C.

33 Subp. 6. Sanitizer test kits. Test kits or strips for
34 analyzing sanitizer strength must be available and used.

35 4625.6301 FOOD, BEVERAGE, AND UTENSIL HANDLING AND STORAGE.

1 Subpart 1. Food source. All ice and food supplies must
2 come from an approved commercial source. No home prepared food
3 or food stored at home is allowed. Food ~~may~~ must be kept in a
4 licensed commissary, stock truck, or within the unit. Ice must
5 be cubed or crushed and be sealed in a bag at the point of
6 manufacture. The ice must be held in these bags until it is
7 dispensed in a way that protects it from contamination.

8 Subp. 2. Temperatures. Potentially hazardous food must be
9 maintained at 40 degrees Fahrenheit (four degrees centigrade) or
10 below, and 150 degrees Fahrenheit (66 degrees centigrade) or
11 above. This includes periods when it is being transported.

12 Subp. 3. Previously cooked foods. Previously cooked food
13 that is reheated must reach an internal temperature of at least
14 165 degrees Fahrenheit (74 degrees centigrade) throughout before
15 being served. Heated food that is left over at the end of the
16 day must be discarded.

17 Subp. 4. Storage. Food and single service disposable
18 utensils such as paper plates and plastic eating utensils must
19 be clean, dry, covered, and kept at least six inches off the
20 floor. Storage of packaged food in contact with water of
21 undrained ice is prohibited. Wrapped sandwiches must not be in
22 direct contact with ice.

23 Subp. 5. Single service items and condiment dispensing.
24 Single service utensils and self-service food, including
25 condiments, like catsup, coffee whitener, or sugar, must be
26 individually packaged or dispensed from an enclosed approved
27 dispenser.

28 4625.6401 WATER SUPPLY.

29 Subpart 1. General. Potable water must be obtained from
30 an approved public water supply system. Water must not come
31 from a residential well.

32 Subp. 2. Holding tanks. Each mobile food service or
33 pushcart requiring a water system must be equipped with a fresh
34 water holding tank that can be drained and a hot water heater,
35 both of which are sufficiently sized to meet water demand. The

1 holding tank must be corrosion resistant, nontoxic, and free of
2 seams. When in operation, a unit may be directly supplied with
3 water from an external water system. The connecting hose must
4 be capped and otherwise protected when it is disconnected so
5 that it will not be contaminated by waste discharge, road dust,
6 oil, or grease.

7 Subp. 3. System sanitizing. The total water system must
8 be sanitized each year before the unit is put into service.

9 4625.6501 WASTEWATER AND REFUSE DISPOSAL.

10 Subpart 1. Wastewater. Wastewater must be discharged
11 directly into an approved sanitary sewer system or to a holding
12 tank which will subsequently be discharged into a sewer system.
13 Discharge lines and connections must not be compatible with the
14 water supply connections. The holding tank must be at least 15
15 percent larger than the fresh water storage tank. Ground
16 surface discharge is not permitted.

17 Subp. 2. Refuse and garbage disposal. Refuse must be
18 deposited and stored in a manner that will not tend to create a
19 nuisance. Garbage containing food waste, if stored overnight or
20 for extended periods of time, must be stored in tightly covered
21 nonabsorbent containers.

22 4625.6601 INSECT CONTROL.

23 Effective insect control must be achieved through
24 sanitation. If insecticides are to be used, they must be an
25 approved type such as pyrethrins as the active ingredient, used
26 according to the manufacturer's directions. They must not be
27 used when food or utensils are exposed. Intermittent spray
28 dispensers and vapona strips must not be used.

29 4625.6701 EMPLOYEE PRACTICES.

30 Employees must comply with the following requirements:

31 A. Employees must maintain their hands in a clean and
32 sanitary condition and wash hands immediately after going to the
33 toilet, handling raw food, smoking, or otherwise soiling their
34 hands.

1 B. An employee must not engage in food preparation or
2 service activities if that person has a communicable disease,
3 gastrointestinal illness, sore throat, or discharging wound.

4 C. An employee must not use tobacco in any form while
5 on duty.

6 D. An employee's outer garments must be clean.

7 E. An employee must wear effective hair restraints
8 such as hairnets, headbands, and caps while engaged in food
9 preparation and service.

10 4625.6801 SAFETY.

11 Subpart 1. Electrical. Electrical service must comply
12 with the Minnesota State Building Code Electrical Code, chapter
13 1315. Electrical lines should not be located in or near water.

14 Subp. 2. Carbon dioxide. Carbon dioxide and bottled gas
15 cylinders must be secured by chains or other types of restraints.

16 Subp. 3. Fire extinguishers. A fire extinguisher with a
17 minimum 2A 10 B-C rating must be present if required by the fire
18 marshal.

19 REQUIREMENTS FOR SPECIAL EVENT FOOD STANDS

20 4625.6901 SPECIAL EVENT FOOD STAND.

21 Subpart 1. General. Special event food stands must comply
22 with all provisions of parts 4625.2401 to 4625.4701 which are
23 applicable to their operation and must comply with parts
24 4625.6901 to 4625.7801. If necessary to protect the public
25 health, the commissioner may shall impose additional
26 requirements to protect against health hazards related to the
27 conduct of their operation and may shall prohibit the sale or
28 giveaway of some or all potentially hazardous foods. When no
29 health hazard is likely to result, the commissioner may grant a
30 variance or modify specific requirements of parts 4625.6901 to
31 4625.7801.

32 Subp. 2. Restricted operations. This subpart applies
33 whenever a special event food stand is approved under subpart 1
34 to operate without complying with all the requirements of parts
35 4625.6901 to 4625.7801.

1 A. The special event food stand must be located where
2 it is not subject to flooding and is protected from possible
3 contamination; for example toilets, animal pens, or garbage
4 collection sites. It must be protected from dust and windblown
5 particulates by location, treatment of ground surfaces, or by
6 having the food stand enclosed.

7 B. The commissioner may restrict the type of food
8 served or the method of food preparation based on equipment
9 limitations, commissary facilities, or climatic conditions.

10 4625.7001 CONSTRUCTION.

11 Subpart 1. **Work spaces.** Work spaces must be sized to
12 permit unobstructed work activity. Equipment must be located to
13 permit easy cleaning.

14 Subp. 2. **Floors.** The interior floor must be constructed
15 of concrete, asphalt, tight wood, or other similar cleanable
16 material kept in good repair. Dirt or gravel, when graded to
17 drain, may be used as subflooring when covered with clean,
18 removable platforms or duckboards, or covered with wood chips,
19 shavings, or other suitable materials effectively treated to
20 control dust.

21 Subp. 3. **Walls or enclosures.** The stand must provide
22 protection during adverse weather by its construction or
23 location. If it does not, then food activities must cease
24 during periods of adverse weather. Interior surfaces must be
25 finished with smooth, durable, nonabsorbent, easily cleanable
26 material that resists the wear and abuse to which the surfaces
27 are subjected. High gloss paint is the minimum, acceptable
28 finish.

29 4625.7101 EQUIPMENT.

30 Subpart 1. **General.** Food service equipment must be
31 appropriately designed and sized for its use.

32 Subp. 2. **Refrigeration.** Mechanical refrigeration is
33 required for potentially hazardous foods such as meat, fish,
34 poultry, milk and milk products, and eggs. A metal stem product
35 thermometer with a range from zero degrees Fahrenheit (minus 18

1 degrees centigrade) to 220 degrees Fahrenheit (104 degrees
2 centigrade) is required for measuring temperature of this food.
3 Electricity must be provided to refrigeration units 24 hours a
4 day when the special event food stand has been set in place for
5 service. Insulated chests containing dry ice or frozen
6 refrigerant packs may be used for items such as ~~hot-dogs~~ wieners
7 and precooked sausages as long as required temperatures are
8 maintained. A thermometer is required for each refrigerator and
9 insulated chest.

10 Subp. 3. **Cooking equipment.** Electric skillets, roasters,
11 propane stoves, and charcoal grills equipped with lids are
12 acceptable for cooking food as long as safe food temperatures
13 are maintained. Crock pots may not be used.

14 Subp. 4. **Utensils.** Commercial food grade utensils must be
15 used. Galvanized or soft plastic containers, wooden spoons,
16 enamelware, paintbrushes, and similar materials are not
17 acceptable. Garbage bags and garbage receptacles must not be
18 used for covering or storing food.

19 Subp. 5. **Customer safety.** To help provide customer safety
20 and prevent possible contamination by customers, food
21 preparation and cooking areas must be protected by an impervious
22 shield or by separation distances.

23 Subp. 6. **Handwashing facilities.** Handwashing facilities
24 shall be provided within the stand. They shall consist of:

25 A. soap, paper towels, and a water faucet or spigot
26 that discharges into a waste line or holding vessel; or

27 B. paper towels and a spray bottle containing a
28 germicidal solution, using one teaspoon of household bleach to a
29 gallon of water; or

30 C. moist towelettes when there is little or no food
31 preparation.

32 Subp. 7. **Lighting.** All interior lights must be shielded
33 or enclosed to prevent breakage. Lights used at night must not
34 attract flying insects.

35 4625.7201 DISHWASHING FACILITIES, PROCEDURES, AND EQUIPMENT

1 CLEANING.

2 Subpart 1. General. Single service, disposable eating and
3 drinking utensils must be used unless approved permanent
4 dishwashing facilities are available. Utensils are to be washed
5 and sanitized immediately before the special event and as often
6 as necessary during the event. Utensils may be washed off the
7 site if approval is granted. When this is done, the clean
8 utensils must be suitably covered with plastic wrap or placed in
9 a covered container when transported. When utensils are not
10 washed at the site, enough utensils must be provided so that if
11 one becomes soiled or contaminated, a clean one is available.

12 Subp. 2. Drying. Space must be provided for air drying
13 utensils. Towel drying is not permitted.

14 Subp. 3. Manual utensil washing. The procedure for manual
15 utensil washing is:

- 16 A. wash in warm, soapy water;
- 17 B. rinse in clean water;
- 18 C. sanitize for at least one minute in a sanitizing
19 solution of sufficient concentration, using one tablespoon of
20 household bleach per two gallons of water; and
- 21 D. allow to air dry.

22 Subp. 4. Cleaning equipment. Food contact equipment that
23 must be cleaned in place, like meat slicers or soft serve ice
24 milk dispensers, must be sanitized using a solution equal to
25 that listed in subpart 3, item C.

26 Subp. 5. Wiping cloths. Cloths used to wipe equipment and
27 counters must be stored in a sanitizing solution between uses.
28 The solution must equal that listed in subpart 3, item C.

29 Subp. 6. Sanitizer test kits. Test kits or strips for
30 analyzing sanitizer strength must be available and used.

31 4625.7301 FOOD, BEVERAGE, AND UTENSIL HANDLING AND STORAGE.

32 Subpart 1. Food source. All ice and food supplies must
33 come from an approved commercial source. No home prepared food
34 or food storage at home is permitted. Ice must be obtained only
35 in chipped, crushed, or cubed form and in single-use safe

1 plastic or wet-strength paper bags filled and sealed at the
2 point of manufacture. The ice must be held in these bags until
3 it is dispensed in a way that protects it from contamination.
4 When preparation or hot and cold holding equipment are not
5 adequate for the volume of food prepared, food preparation
6 activities must take place in a facility which is in compliance
7 with parts 4625.2401 to 4625.4701, such as a restaurant, school,
8 fraternal organization kitchen, or church.

9 Subp. 2. Temperature. Potentially hazardous food must be
10 maintained at 40 degrees Fahrenheit (four degrees centigrade) or
11 below and 150 degrees Fahrenheit (66 degrees centigrade) or
12 above, including periods when it is being transported.

13 Subp. 3. Previously cooked foods. Previously cooked food
14 that is reheated must reach an internal temperature of at least
15 165 degrees Fahrenheit (74 degrees centigrade) throughout before
16 being served. Any heated food that is left over at the end of
17 the day must be discarded.

18 Subp. 4. Storage. Food and single service disposable
19 utensils such as paper plates and plastic eating utensils must
20 be clean, dry, covered, and kept at least six inches off the
21 floor. Storage of packaged food in contact with water or
22 undrained ice is prohibited. Wrapped sandwiches must not be
23 stored in direct contact with ice. Canned, bottled, and other
24 containerized beverages except milk may be chilled in ice.

25 Subp. 5. Single service items and condiment dispensing.
26 Single service utensils and self-service food including
27 condiments such as catsup, mustard, coffee whitener, and sugar
28 must be individually packaged or be dispensed from an enclosed
29 approved dispenser.

30 4625.7401 WATER SUPPLY.

31 Potable water must be obtained from an approved public
32 water supply system. Water must not come from a residential
33 well. If water is not provided under pressure at the
34 establishment, it may be transported and stored in approved,
35 cleanable, covered containers such as five- or ten-gallon coffee

1 urns or nongalvanized beverage coolers containing spigots.

2 4625.7501 WASTEWATER AND REFUSE DISPOSAL.

3 Subpart 1. Wastewater. Wastewater must be discharged into
4 an approved sanitary sewer system or a holding tank. Ground
5 surface discharge is not permitted.

6 Subp. 2. Refuse and garbage disposal. Refuse and garbage
7 must be deposited and stored in a manner that will not tend to
8 create a nuisance. Garbage containing food waste if stored
9 overnight or for extended periods of time must be stored in
10 tightly covered nonabsorbent containers.

11 4625.7601 INSECT CONTROL.

12 Effective insect control is to be achieved through
13 sanitation. If insecticides are to be used, they must be an
14 approved type such as pyrethrins as the active ingredient, used
15 according to the manufacturer's directions. They must not be
16 used when food or utensils are exposed. Intermittent spray
17 dispensers and vaponas strips must not be used.

18 4625.7701 EMPLOYEE PRACTICES.

19 Employees must comply with the following requirements:

20 A. Employees must maintain their hands in a clean and
21 sanitary condition and wash hands immediately after going to the
22 toilet, handling raw food, smoking, or otherwise soiling their
23 hands.

24 B. Employees must not engage in food preparation or
25 service activities if that person has a communicable disease,
26 gastrointestinal illness, sore throat, or discharging wound.

27 C. An employee must not use tobacco in any form while
28 on duty.

29 D. An employee's outer garments must be clean.

30 E. An employee must wear effective hair restraints
31 such as hairnets, headbands, and caps while engaged in food
32 preparation and service.

33 F. An adult shall be responsible for the operation of
34 the stand and shall supervise children working in the stand.

1 4625.7801 SAFETY.

2 Subpart 1. Electrical. Electrical service must comply
3 with the Minnesota State Building Code Electrical Code, chapter
4 1315. Electrical lines should not be located in or near water.

5 Subp. 2. Carbon dioxide. Carbon dioxide and bottled gas
6 cylinders must be secured by chains or other types of restraints.

7 Subp. 3. Fire extinguishers. A fire extinguisher with a
8 minimum 2A 10 B-C rating must be present if required by the fire
9 marshal.

10

11 REPEALER. Parts 4625.2400, 4625.2500, 4625.2600,
12 4625.2700, 4625.2800, 4625.2900, 4625.3000, 4625.3100,
13 4625.3200, 4625.3300, 4625.3400, 4625.3500, 4625.3600,
14 4625.3700, 4625.3800, 4625.3900, 4625.4000, 4625.4100,
15 4625.4200, 4625.4300, 4625.4400, 4625.4500, 4625.4600,
16 4625.4700, 4625.4800, and 4625.4900, are repealed.