

Department of Public Health

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Public Health
Prevent. Promote. Protect.

REQUIREMENTS FOR NEW, REMODELED, CHANGE IN OWNERSHIP; RETAIL FOOD ESTABLISHMENTS

Plans and specifications for food service establishments must be submitted to the Health Department for review and approval prior to construction or remodeling.

Description of Operation

- A menu or description of the types of foods to be prepared in the proposed establishment must be submitted with the floor plan.

Floor Plan

The floor plan, drawn to scale, must detail all areas of the establishment. This is to include but is not limited to, food preparation areas, all storage areas, restrooms, and serving areas.

1. Materials and Finished Surfaces

Floors – The floor surface must be durable and easily cleanable. Preferred flooring includes quarry tile, ceramic tile, or poured epoxy floors. Commercial grade vinyl composite tile (VCT) is approved in dry areas. In all areas, base coving must be provided.

Walls – Wall surfaces must be smooth, nonabsorbent, and easily cleanable. Light-colored painted drywall is approved. Wall areas behind cooking equipment, dish machines, etc. should be covered with stainless steel, ceramic tile, fiberglass reinforced plastic (FRP), or other durable, easily cleanable material.

Ceilings – Ceilings should be light-colored and easily cleanable.

2. Lighting

A minimum of thirty (30) foot candles must be provided in food preparation and utensil washing areas, twenty (20) foot candles where food is provided for consumer self-service such as buffets and salad bars or where fresh produce or packaged foods are sold, or offered for consumption and ten (10) foot candles in walk-in refrigeration units and dry food storage areas.

3. **Doors and Windows**

Openings to the outside must be protected from vermin entry by self-closing doors, screening, or air curtains. Doors and windows when closed must be tight fitting and free of gaps or openings.

4. **Plumbing Fixtures**

Detail location and type on the plan. The minimum fixtures required in an establishment involved in food preparation include:

- **Hand Wash Sinks** - Employee hand washing facilities shall be located within all areas where food is prepared and in restrooms. They should have hot and cold running water, soap, paper towels, and an employee hand wash sign.
- **Three Compartment Sink** - Each compartment must be supplied with hot and cold water and must be large enough to allow the complete immersion of the largest piece of kitchenware. This sink requires an indirect connection.
- **Sanitizer Requirements** – Food-grade sanitizer, detergents, and test papers are required to properly maintain sanitation requirements.
- **Utility / Mop Sink** - Separate, conveniently located utility sink for washing floor cleaning tool and mop water disposal (three compartment sinks, food prep sinks, hand sinks or toilets may not be used for this purpose).
- **Hot Water Heater** – Must be of sufficient capacity and recovery time to insure an adequate supply of hot water during peak demand periods.
- **Grease Interceptor or Trap** – Must be installed to prevent grease from entering sewer or septic lines. See plumbing inspector/construction department for sizing requirements.

Additional fixtures that may be necessary or desirable depending on the scale of the operation include:

- **Automatic Dish Washer** – Must be commercial grade utilizing hot (180 F) water or chemical sanitizing final rinse. Test papers are required for chemical sanitizing units.
- **Food Preparation Sink** – For washing vegetables or other food. This sink requires an indirect connection.

5. **Ventilation** – All rooms must have sufficient ventilation to keep them free of excessive heat, humidity, smoke, obnoxious odors, etc. Ventilation systems must comply with local fire prevention requirements where applicable and when vented to the outside air not create a nuisance.
6. **Food Preparation and Storage Areas** – Detail make, model, size, and location of all food service equipment on the plan. Equipment should be designed for commercial use. Fixed equipment must be sealed to the floor or provide at least six (6) inches of clearance between the floor, walls, and other equipment. Easily movable equipment is exempt from these requirements.

All equipment must function properly prior to opening. Visible, accurate thermometers must be provided for all refrigeration, freezer, and hot holding units. Separate stem thermometers (thin tip if thin foods are prepared) are also required in establishments preparing potentially hazardous foods.

7. **Rest Rooms** – Toilet facilities must be easily cleanable, completely enclosed, mechanically ventilated to the outside, and have tight fitting, self-closing doors. Hand washing facilities are required within or immediately adjacent to these areas. Waste receptacles in women's restrooms must be covered.

If a common toilet is used for employees and patrons, access may not be through food preparation or storage areas.

8. **Garbage and Refuse Disposal** – Indicate the location and construction of garbage storage areas. Garbage and refuse containers must be adequate in number and capacity, have tight-fitting lids, and must be capable of being maintained so as not to create a nuisance.
9. **Personal Articles Storage** – Indicate provisions made for orderly storage of employee belongings, clothing, etc. outside of food preparation areas.
10. **Sewage Disposal and Water Supply** – Any establishment utilizing a septic system, must obtain a Treatment Works Approval (TWA) from the DEP if the location was not a retail food establishment previously or the scope of the food preparation is increasing.

Work may be started after the necessary approvals have been received from the Health, Building, and Fire Departments. Request a pre-operational inspection from the Health Department at least 72 hours in advance of the proposed opening. This will allow for the identification of any remaining deficiencies that could delay opening approval. An application for a food establishment license along with the appropriate fee must be submitted to the Pequannock Health Department prior to opening. It is recommended that a licensed exterminator be contracted to provide regular service for your establishment.

RENOVATION OF AN EXISTING RETAIL FOOD ESTABLISHMENT

Step 1: Notify the Health Department (Your Health Inspector) of any intentions to conduct renovations regardless of how small or large you perceive them to be **before conducting any such work.**

- Some renovations require that you submit plans while others do not. Also, some renovations can legally require that other structural and /or equipment aspects of your establishment also be brought into compliance with current Health regulations. Your inspector will determine this, and whether or not you need to submit plans and procure a new license. If the renovation includes any change in your existing menu, you must include that with your plans.
- Contacting your Inspector or any intended renovations can also provide you the opportunity to obtain helpful tips on material/equipment selection and optimum placement concerning food safety and sanitation. We can also determine if such renovations would change your licensing classification.

If your Health Inspector determines that your proposed renovations require a plan submitted, follow steps 1 through 3 for the new Retail Food Establishment.

CHANGE OF OWNERSHIP OF AN EXISTING RETAIL FOOD ESTABLISHMENT

Step 1: Prior to any change in ownership, notify the Health Department.

- Health Department operational licenses are “non-transferrable”. Therefore, the prospective new owner of an existing Retail Food Establishment must notify the Health Department accordingly. Failure to do so constitutes “Operating without a License” and is grounds for closure and other enforcement action by the Health Department.

In accordance with Chapter 24 of the State Sanitary Code, existing Retail Food Establishment which is not in compliance with current specific structural and equipment requirements (as per the previous grandfathering), are required to meet such requirements upon changing ownership.

Step 2: Schedule a “Change of Ownership Inspection”

- Upon the “Change of Ownership Inspection” our Health Inspector will identify any such structural and equipment violations (as well as violations unrelated to the certificate of occupancy).

The Health Inspector will establish a compliance deadline date to abate these violation(s).

- Based on the magnitude of any structural or equipment violations found, the Health Inspector will determine the requirement for the submission of blueprint or schematic plans. If plans are required, follow steps 2 and 3 noted above for new Retail Food Establishments.

Step 3: Participation in a **State-Approved Food Safety and Sanitation Education Program:**

Risk Type 3 establishments must have one employee with a Certified Food Manager Certification. See the list of acceptable courses.

The courses listed below are approved for NJAC 8:24-2.1(b) Certified Food Safety Manager

CERTIFIED FOOD MANAGER COURSE			
COURSES	COST	FORMAT	LANGUAGE
SERVSAFE	See website for pricing	Instruction: Classroom, private instruction, or self-study	English Spanish
PROMETRIC	See website for pricing	Instruction: Self-study Exam: Computer-based or Written Exam	English Spanish Chinese Korean
NRFSP	See website for pricing	Instruction: Self StudyExam: Computer-based or Written exam	English Spanish
360 Training	See website for pricing	Instruction: Self StudyExam: Computer-based or Written exam	English

NOTE: If you are unsure of which requirements, you and/or your establishment must fulfill, please contact the health department at:

Cathy Cappuccia, REHS 973-835-5700 x112

Gina McConeghy, REHS 973-835-5700 x166

RISK TYPES OF RETAIL FOOD ESTABLISHMENTS

Risk type 1 food establishment means any retail food establishment that:

1. Serves or sells only pre-packaged, non-potentially hazardous foods; or
2. Prepares only non-potentially hazardous foods; or
3. Heats only commercially processed, potentially hazardous foods for hot holding and does not cool potentially hazardous foods. Such retail establishments may include but are not limited to, convenience store operations, hotdog carts, and coffee shops.

Risk type 2 food establishment means any retail food establishment that has a limited menu;

1. Prepares, cooks, and serves most products immediately;
2. Exercises hot and cold holding of potentially hazardous foods after preparation or cooking; or
3. Limits the complex preparation of potentially hazardous foods, including the cooking, cooling, and reheating for hot holding, to two or fewer items. Such retail establishments may include but are not limited to, retail food store operations, schools that do not serve a highly susceptible population, and quick service operations, depending on the menu and preparation procedures.

Risk type 3 food establishment means any retail food establishment that:

1. Has an extensive menu that requires the handling of raw ingredients, and is involved in the complex preparation of menu items that include the cooking, cooling, and reheating of at least three or more potentially hazardous foods; or
2. Prepares and serves potentially hazardous foods including the extensive handling of raw ingredients; and whose primary service population is highly susceptible. Such establishments may include, but are not limited to, full-service restaurants, diners, commissaries, and catering operations; or hospitals, nursing homes, and schools preparing and serving potentially hazardous foods.

Risk type 4 food establishment means a retail food establishment that conducts specialized processes such as:

smoking, curing, canning, bottling, acidification designed to control pathogen proliferation or any reduced oxygen packaging intended for extended shelf-life where such activities may require the assistance of a trained food technologist. Such establishments include those establishments conducting specialized processing at retail.

Potentially hazardous food: a food that is natural or synthetic and that requires temperature control. Includes animal food that is raw or heat-treated; a food of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; and garlic and oil mixtures that are not acidified or

otherwise modified at a food processing plant in a way that results in mixtures that do not support the rapid and progressive growth of infectious or toxigenic microorganisms.