

SECTION 245.010: ADOPTION OF FOOD CODE

A certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Hollister being marked and designated as the Food Code, 1999 Recommendations of the United States Public Health Service/Food and Drug Administration as published by the U.S. Department of Health and Human Services, Public Health Services, Food and Drug Administration be, and is hereby adopted (Chapters 1--8 and Annex 1) with the below cited changes, as the Food Code of the City of Hollister, Missouri; for regulating the design, construction, management and operation of food establishments, and providing for plan submission and approval and the issuance of permits and collection fees. (Ord. No. 96-02 §1, 2-5-96; Ord. No. 02-34, 9-5-02)

SECTION 245.020: INSERTIONS AND CHANGES

The following provisions are hereby revised as follows:

1. *Chapter 1, Section 1-201.10 (B)(31)(a)(vi)*. Change to read as follows:

(vi) A kitchen in a private home, such as a small family day-care provider; or a bed-and-breakfast operation that prepares and offers food to guests if the home is owner occupied, the number of available guest bedrooms does not exceed five (5), breakfast is the only meal offered, the number of guests served does not exceed fifteen (15), and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the regulatory authority.

2. *Chapter 2, Section 2-102.11*. Delete Subsections A through O and replace as follows:

a. Each full service food establishment or food manufacturing operation, including but not limited to restaurants, deli operations, bakeries, meat processing plants, ice plants, mobile food operations or temporary food stands, where potentially hazardous foods are prepared and sold, shall have at least one (1) currently certified food service manager on site during normal business operations.

- (1) A nationally recognized course in applied food service sanitation.
- (2) Other course as approved by the Hollister Health Department.

b. All food employees who work with unpackaged food, food equipment or utensils, or food contact surfaces shall have taken and passed a short course on applied food service sanitation as approved by the Hollister Health Department.

- (1) In house training curriculum as approved by the Hollister Health Department.
- (2) Other course as approved by the Hollister Health Department.

3. *Chapter 3-305.11-D.* Add new section D.

D. Breeding mix shall be protected by:

- (1) Sifting after each use to remove all moist material and refrigerated between uses.
- (2) Fresh dry mix shall not be added to moist mix.
- (3) Used dry or wet mix shall not be returned to bulk mix.

4. *Chapter 3, Section 3-501.12 (A).* Change to read as follows:

(A) Under refrigeration that maintains the food temperature at 5°C (41°F) or less, as specified under Paragraph 3-501.16(C); or

5. *Chapter 3, Section 3-501.13.* Change the following sections to read as follows:

(A) Under refrigeration that maintains the food temperature at 5°C (41°F) or less, as specified under Paragraph 3-501.16(C); or

(B)(3) For a period of time that does not allow thawed portions of ready-to-eat food to rise above 5°C (41°F), as specified under Paragraph 3-501.16(C), or

(B)(4) For a period of time that does not allow thawed portions of a raw animal food requiring cooking as specified under Paragraph 3-401.11(A) or (B) to be above 5°C (41°F), as specified under Paragraph 3-501.16(C), for more than four (4) hours including:

(B)(4)(b) The time it takes under refrigeration to lower the food temperature to 5°C (41°F), as specified under Paragraph 3-501.16(C);

6. *Chapter 3, Section 3-501.14.* Change the following Sections to read as follows:

(A)(2) Within four (4) hours, from 21°C (70°F) to 5°C (41°F) or less, as specified under Paragraph 3-501.16(C).

(B) Potentially hazardous food shall be cooled within four (4) hours to 5°C (41°F) or less, as specified under Paragraph 3-501.16(C) if prepared from ingredients at ambient temperature, such as reconstituted foods and canned tuna.

(C) Except as specified in Paragraph (D) of this Section, a potentially hazardous food received in compliance with laws allowing a temperature above 5°C (41°F) during shipment from the supplier as specified in Paragraph 3-202.11(B), shall be cooled within four (4) hours to 5°C (41°F) or less, as specified under Paragraph 3-501.16(C).

(D) Shell eggs need not comply with Paragraph (C) of this Section if the eggs are placed immediately upon their receipt in refrigerated equipment that is capable of maintaining food at 5°C (41°F) or less, as specified under Paragraph 3-501.16(C).

7. *Chapter 3, Section 3-501.15-A(1)*. Change A(1) to read as follows:

i. Placing the food in shallow pans, no greater than four (4) inches deep.

8. *Chapter 3, Section 3-501.16(C)*. Amend Subsection (C) to state as follows:

(C) Buffet Lines.

(1) On a buffet line, when product is not in compliance with temperature control parameters product container shall be clearly marked showing time placed on buffet line and product shall be held no longer than three (3) continuous hours and then discarded.

9. *Chapter 3, Section 3-501.17*. Delete the following Subsections:

(A)(2) Four (4) calendar days or less from the day the food is prepared, if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C).

(B)(2)(b) Four (4) calendar days or less from the day of preparation, if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C); and

(B)(3)(b) Four (4) calendar days or less after the food is removed from the freezer, minus the time before freezing, that the food is held refrigerated if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C) before and after freezing.

(C)(2) Four (4) calendar days or less from the day the original container is opened, if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C).

(D)(2)(b) Four (4) calendar days or less after opening the original container if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C); and

(D)(3)(b) Four (4) calendar days, minus the time before freezing, that the food is held refrigerated if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C) before and after freezing.

10. *Chapter 3, Section 3-501.18*. Delete the following Subsections:

(A)(2) Four (4) calendar days from the date of preparation if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C).

(D)(2) Four (4) calendar days after the date that the original package is opened in a food establishment if the food is maintained at 7°C (45°) or less as specified under Paragraph 3-501.16(C).

(F)(2) 7°C (45°) shall be discarded if not sold within four (4) days.

11. *Chapter 4, Section 4-204.111 (B)(1)*. Change to read as follows:

(1) In a refrigerated vending machine, the ambient temperature may not exceed 5°C (41°F) as specified under Paragraph 3-501.16(C) for more than thirty (30) minutes immediately after the machine is filled, serviced, or restocked;

12. *Chapter 4, Section 4-204.112-F*. Add new Section F.

(F) Provide an approved thermocouple or metal stem food service thermometer or time/temperature indicator (TTI) to check cooking and serving temperature of all foods.

13. *Chapter 5, Section 5-402.12*. Change to read as follows:

Grease traps shall be used in all grease/oil/fat producing facilities and shall be designed, installed, and operated in compliance with the City's current grease trap policy and shall be easily accessible for content removal.

14. *Chapter 8, Section 8-401.20*. Add new Subsection (H) as follows:

(H) Other risk factors with the currently used risk assessment form as used by the Health Department across the jurisdiction.

15. *Chapter 8, Section 8-405.11 (B)*. Change to read as follows:

(B) Considering the nature of the potential hazard involved and the complexity of the corrective action needed, the regulatory authority may agree to or specify a longer time frame, for the permit holder to correct critical Code violations or haccp plan deviations. Unless otherwise specified by the regulatory authority, the corrective actions must be completed prior to fourteen (14) days from date of the inspection.

16. *Chapter 8, Section 8-405.11 (C and D)*. Add new Sections C and D.

C. When a food establishment receives a score of less than seventy (70) but greater than fifty-nine (59) on a routine inspection, then that establishment, at the discretion of the regulatory agency, it shall have three (3) days to correct all critical and ninety percent (90%) of non-critical violations.

D. When a food establishment receives a score of less than sixty (60) on a routine inspection, or with six (6) or more critical violations it shall have twenty-four (24) hours to correct all critical and ninety-five percent (95%) of all non-critical violations.

17. *Annex 1, Chapter 8-811.10(B)(1)*. Change to read as follows:

Violations of this Code shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or both.

18. *Annex 1, Chapter 8.* Delete 8-813.10(B)

19. *Chapter 1-201.10.* Section 1-201.10(B)(31)(c)(i) is hereby deleted.

(i) An establishment that offers only prepackaged foods that are not potentially hazardous. (Ord. No. 96-02 §2, 2-5-96; Ord. No. 96-16, 6-6-96; Ord. No. 02-34, 9-5-02)

SECTION 245.030: HEALTH PERMIT FEES

A. The annual permit fee for the food processor or manufacturer and warehouses shall be based on assessed risk priority and inspection frequency.

B. The following fees shall apply:

Food Establishments: (permit required)

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| 1. High Risk (Three (3) inspections per year) | \$250.00 |
| 2. Medium Risk (Two (2) inspections per year) | \$150.00 |
| 3. Low Risk (One (1) inspection per year) | \$50.00 |

(Ord. No. 96-02 §3, 2-5-96; Ord. No. 02-34, 9-5-02)