

OPENING A NEW OPERATION IN A FORMER FOOD ESTABLISHMENT

- 1) **COMPLIANCE WITH LOCAL AND STATE BUILDING/ZONING/FIRE:** When opening a new retail food establishment, in a building that previously held a food establishment, it is important to ensure that the building is in compliance with all local building, zoning and fire codes. This includes ensuring that the previously used grease interceptor is in compliance (any questions regarding installation of a grease interceptor can be addressed by your local building department). A previously used hood vent system for exhaust ventilation must also be in compliance with applicable fire codes.

If the retail food establishment has a private septic system, the system must comply with all state and county regulations including the Health Department Environmental Unit's "change of use" requirements. Private well water testing for coliforms must be performed on a quarterly basis and additional testing as required by IDEM (See www.epa.gov Revised Total Coliform Rule).



Building Departments:

- City of South Bend: (574) 235-9554
<https://www.southbendin.gov/government/department/building-department>
- City of Mishawaka: (574) 258-1607
<http://www.mishawaka.in.gov/building>



Fire Departments:

- City of South Bend: (574) 235-7558
 - City of Mishawaka: (574) 247-0928
 - Clay Township (includes German Twp., Harris Twp., Roseland, Indian Village): (574) 272-2144
 - SW Central (includes Center Twp., and Portage Twp.): (574) 291-1677 or (574) 288-5956
 - Penn Township: (574) 255-5075
 - Walkerton: (574) 514-7898
 - Osceola: (574) 532-3464
 - New Carlisle: (574) 876-0802
- 2) **SCHEDULE A PRE-OPERATIONAL (OPENING) INSPECTION:** Contact the Food Services Unit, at (574) 235-9721, to schedule an opening inspection. Opening inspections are performed Monday through Friday. The opening inspection is conducted to ensure that the retail food establishment is in full compliance with 410 IAC 7-24. Careful planning is advised when scheduling an opening inspection. If a late appointment is desired for an opening inspection, obtaining the retail food service/store permit may be delayed until the following business day.

- 3) **HOW TO PREPARE FOR A PRE-OPERATIONAL (OPENING) INSPECTION:** An opening inspection performed by a Food Safety Inspection Officer (FSIO) will involve a thorough check of the establishment's food preparation, food service, food storage and refuse storage areas and the employee restrooms.

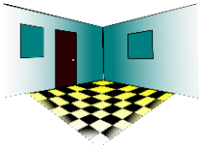
At the scheduled time of the inspection the retail food service should be fully operational, with all equipment functioning and all utensils and supplies present (*with the exception of food*).

Food items are NOT required to be present for an opening inspection, however, the establishment should be service ready as if the first customer could walk into the establishment and be served immediately after the inspection is completed.

The following items are evaluated during an opening inspection; however, this list is not meant to cover all code requirements. The owner/operator of the establishment is strongly advised to thoroughly review the Indiana State Food Regulations 410 IAC 7-24 and IAC 7-22 as well as St. Joseph County Code of Ordinances Chapter 117.

STRUCTURE:

Walls and ceilings in food preparation areas, walk-in refrigerators/freezers, warewashing areas, employee toilet rooms, food storage areas, bar areas, service sink (mop sink) areas, and food service lines shall be designed, constructed and installed so that they are non-absorbent, smooth, and easily cleanable. Ceiling tiles in these areas must be non-porous. Walls and ceilings must be clean to sight and touch upon opening inspection.



Floors in the above-mentioned areas must be smooth, non-absorbent, and easily cleanable. Floor tiles and grout must be intact. Carpet is prohibited in areas subject to moisture. Coving (baseboards) must be present throughout the above-mentioned areas. Wall junctures must be closed to no larger than one thirty-second of an inch. Flooring must be clean to sight and touch.

Commercial mechanical exhaust ventilation must be present at or above all ranges, griddles, deep fat fryers and similar equipment to remove grease, smoke, steam, vapors, heat or odors. Mechanical exhaust ventilation is also required in employee restrooms. A fire suppression system may be required. Ventilation and fire suppression must be approved by the Indiana Building Commission and the Fire Department. Baffles, or hood vent grease filters, must be clean upon opening inspection.

Lighting: A minimum intensity of 70 foot-candles of light must be provided in food preparation and utensil washing areas and 20 foot-candles in refrigerators, dry storage, and restrooms. Light fixtures must be shielded or shatter resistant light bulbs used in areas where there is exposed food, clean equipment, utensils and linens, and where unwrapped single-service and single use items are stored.

Plumbing: Food service equipment (ice bins, ice machines, dipper wells, etc.) are to be provided with indirect waste connections. Vacuum breakers must be installed on all plumbing fixtures requiring them. All plumbing connections must be to the current Indiana Plumbing Code requirements (See www.in.gov/dhs/2490.htm 675 IAC 16-1.4). The plumbing system shall be maintained in good repair, free from leaks at faucets, fixtures or drain pipes.

Water: The water source and system shall be of sufficient capacity to meet the water demands of the retail food establishment. Hot water generation and distribution systems shall be sufficient to meet the peak hot water demands throughout the retail food establishment.

SINKS:



A handwashing sink is required in all food preparation and utensil washing areas. More than one handwashing sink may be required depending on kitchen size and set up. A handwashing sink must be easily accessible and within 25 feet of all food preparation and utensil washing areas. A separate handwashing sink is required behind the bar if there is a bar in the food establishment.

Handwashing sinks are required if any open food or beverage is handled in the food establishment. A partition of at least six inches high or at least two feet separation from food preparation is necessary to protect the sink from possible contamination. Handwashing sinks must be stocked with soap and hand drying provisions such as disposable towels, a continuous towel system that supplies the user with a clean towel or a heated-air hand drying device. Handwashing sinks cannot be used for any other purpose.

Hot Water shall reach a minimum of 100°F at all food preparation hand sinks and employee restroom hand sinks. Hand sinks must have both hot and cold running water available that is under pressure and tempered by means of a mixing valve or combination faucet.

A service sink (mop sink) or one curbed sink must be provided in the establishment to dispose of mop water and similar liquid wastes from cleaning operations.

The sink must be equipped with a floor drain, hot water having a temperature of 100°F and cold water. Vacuum breakers must be installed on all plumbing fixtures requiring them. An air gap between the water supply inlet and the flood level rim of the plumbing fixture shall be at least twice the diameter of the water supply inlet and may not be less than one inch.



DISH AND UTENSIL WASHING:

All food utensils must be washed, rinsed and sanitized after each use in the retail food establishment. Food contact surfaces (make station cutting board), equipment (meat slicer), and utensils (tongs) are to be cleaned and sanitized with a cleaning frequency as outlined under 410 IAC 7-24-296. Cleaning and sanitizing utensils may be performed in a utensil sink (three (3) compartment sink) or in a mechanical ware washer (dishwasher).

Three (3) Compartment Sink: A sink with at least three compartments shall be provided for manually washing, rinsing and sanitizing equipment. Sink compartments must be large enough to accommodate immersion of the largest utensils/equipment. Drain plugs or waste valves must be present to ensure the full immersion of utensils during washing and sanitizing. Wash solution water must be maintained at a minimum of 110°F. Drainboards shall be provided to hold utensils before cleaning and after sanitizing. Ware washing sinks may not be used to wash hands nor as a mop sink.

Mechanical Ware washer: An approved dish washing machine can be used to wash, rinse and sanitize utensils. All equipment must meet or be equivalent to current National Sanitation Foundation (NSF) standards or American National Standard Institute (ANSI). Ware washers must have a readable data plate affixed to the machine by the manufacturer.

High temperature: The temperature of the fresh hot water sanitizing rinse as it enters the manifold may not be more than 194°F or less than:

- For a stationary rack, single temperature machine, 165°F.
- For all other machines, 180°F.

Low temperature (chemical sanitizing): A chemical sanitizer solution in a low temperature ware washer, such as iodine, chlorine (bleach) or quaternary ammonium will be used in accordance with the manufacturer's label use instructions.

CLEANING AND SANITIZING:

Food contact surfaces and utensils must be cleaned and sanitized on a frequent basis.



Sanitizer: Bleach, quaternary ammonia (Quat or QAC), and iodine are the three basic sanitizers. Bleach must be unscented and approved for use in a food facility. Mixing instructions for ppm (parts per million) and EPA registration must be clearly labeled on the sanitizing agents' container.

Test Strips: All sanitizer solutions used in wiping cloth buckets, spray bottles, or low temperature ware washers must be tested with sanitizer test strips. The amount of sanitizer is critical. The color or smell cannot

confirm the

strength of the concentration. Sanitizer test kits matching the type of sanitizer that will be used in the establishment must be present during the opening inspection.

REFRIGERATION/STORAGE/HOT HOLDING:

Refrigeration: Cold food items must be held at 41°F or below. Food items in walk in coolers and freezers must be stored six (6) inches off of the ground. All cold holding units must be equipped with an ambient air thermometer that is accurate to +/- 3 degrees Fahrenheit. The thermometer needs to be placed in the warmest part of the unit. All refrigeration and freezer units in the establishment that will be used for food storage must be operating at the time of the opening inspection.



Dry Storage: Food items and single use items (Styrofoam cups) must be stored at least six (6) inches off the floor on approved racks. Shelving should be smooth, nonabsorbent, and made of easily cleanable material.

Hot Holding: All hot holding food equipment must be able to maintain a minimum temperature of 135°F. A hot storage unit shall be equipped with an ambient air thermometer that is accurate to +/- 3 degrees Fahrenheit and that is placed in the coldest area of the hot storage unit.

FOOD/EQUIPMENT/UTENSILS:

Equipment: All electrical appliances shall meet applicable Underwriters Laboratory standards (UL).



All equipment must meet or be equivalent to current National Sanitation Foundation

(NSF) standards or American National Standard Institute (ANSI). Equipment must be in good repair, easily cleanable and made of



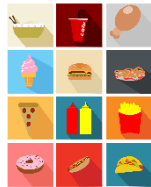
Equipment

non-absorbent material that is clean to sight and touch upon opening inspection. Shelving inside refrigerators shall be easily cleanable and slatted for proper air circulation.

There must be a minimum of four (4) inches of space provided for sanitary maintenance beneath counter mounted equipment. If the equipment is moveable it does not need to comply with height requirements.

Floor mounted equipment must either be elevated at least (6) inches or sealed to the floor. All equipment must be installed to allow easy cleaning and to prevent pest harborage conditions.

Food: A retail food establishment does *not* have to have food items in the establishment at the time of the opening inspection. The following information is to be used as a general guideline



when food items are purchased for the retail food establishment.

All food products shall be from an approved source and prepared in an approved, licensed facility. Food cannot be made in a private home kitchen. An approved source means acceptable to the regulatory authority based on a determination of conformity with principals, practices, and generally recognized standards that protect public health. All prepackaged foods must be properly labeled. Food shall be received at proper temperatures when delivered. Food

shall appear in

good condition, with no signs of tampering.

Consumer Advisory: If potentially hazardous foods shall be cooked to order such as a hamburger or sunny side up eggs, or foods served raw, such as oysters on the half shell, the owner of the retail food establishment shall inform customers of the significantly increased risk of consuming such foods by way of a disclosure and reminder, as specified in 410 IAC 7-24-196. This information must be disclosed using brochures, deli case or menu advisories, label statements, table tents, placards or other effective written or visual means.

Utensils: A probe thermometer that is scaled to measure 0°F to 220°F and accurate to +/- 2 degrees Fahrenheit shall be provided to monitor internal food temperatures. A probe thermometer shall be present at the time of the opening inspection. Alcohol swabs or another approved sanitizer shall be used to clean the probe thermometer before and after each use.



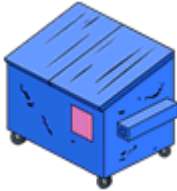
Hats or hair nets must be worn during any food preparation task or when washing utensils and equipment. Food employees shall not contact exposed, ready to eat food with their bare hands. Suitable utensils such as deli tissue, spatulas, tongs, single use gloves, or other dispensing equipment shall be used.

SANITARY FACILITIES:

Restrooms shall be conveniently located and accessible to employees during all hours of operation. A supply of toilet tissue, hand soap, and hand drying provisions shall be present at the time of the opening inspection. A covered waste receptacle shall be provided in the women's or unisex restroom. Restrooms shall be completely enclosed and provided with a tight-fitting and self-closing door. These doors shall be kept closed except during cleaning and maintenance. Mechanical ventilation is required in restrooms.

PREMISES:

Garbage and Refuse Storage: At the time of the opening inspection, you will be asked to provide



the name of the waste company that will be used to remove trash and recycling and provide the frequency of removal. If grease recycling will be done on site, the name of the company and the frequency of removal will also be requested. Outside receptacles for waste shall be designed and constructed to have tightfitting lids, doors or covers. Outside receptacles must be placed on an approved surface that is constructed of non-absorbent material such as concrete or asphalt.

They may not be placed on grass, gravel, or dirt.

Rodent Proofing: If your retail food establishment will be utilizing a professional pest control operator, the name of the operator and frequency of service will be requested at the time of the opening inspection.

Protected Openings: All outer openings of a retail food establishment (windows and doors) shall be protected against the entry of insects and rodents by having closed, tight fitting windows, solid self-closing, and tight-fitting doors. Daylight may not be visible surrounding a door and its frame when closed.

4) APPROVAL OF THE PRE-OPERATIONAL (OPENING) INSPECTION:

After the pre-operational (opening) inspection of your retail food establishment is completed, if all the minimum requirements provided under 410 IAC 7-24 have been met, a permit approval will be issued. The FSIO will provide you with the necessary documents to obtain your permit.

The permit must be obtained prior to operating.

Note: If the minimum requirements provided under 410 IAC 7-24 have not been met, your establishment will not receive approval and cannot operate until the establishment is in full compliance with all requirements. The visit may become a consultation and another inspection will be required. When all requirements are met, contact the Food Services Unit of the Health Department to schedule another pre-operational inspection.

- 5) HOW TO OBTAIN YOUR FOOD SERVICE/STORE PERMIT: Bring your Food Unit Permit Approval Form and Inspection Report to the Food Services Unit of the St. Joseph County Department of Health, located on the 9th floor of the County City Building 227 West Jefferson Blvd. South Bend, Indiana 46601. You will be asked to complete an application and submit payment for the permit and a \$75.00 administration fee at that time. SJCDH does not accept personal checks. Permits shall be obtained upon passing an opening inspection. Permit applications and payment processing can also be completed online in the Food Unit Forms & Permits page at www.sjcindiana.com . An owner or manager typically will need to come to the office to submit the Permit Approval form and receive the permit.

*Due to COVID-19, arrangements can be made for you to send your permit approval(s) to our office at foodshd@sjcindiana.com and the permit(s) can be mailed to you once approval and payment is verified.

Annual Food Service/Store Establishment

Permit Fees:	Gross Sales From:	To:
*\$75.00	\$0.00	\$49,999.99
\$100.00	\$50,000.00	\$149,999.99
\$125.00	\$150,000.00	\$249,999.99
\$150.00	\$250,000.00	\$499,999.99
\$200.00	\$500,000.00	\$749,999.99
\$250.00	\$750,000.00	\$999,999.99
\$300.00	\$1,000,000.00	\$1,249,999.99
\$325.00	\$1,250,000.00	\$1,499,99.99
\$375.00	\$1,500,000.00	Over \$1.5M

*Late application and fee submissions will include a fee of 75% of the cost of the permit per Resolution R-10-C-2014

CERTIFIED FOOD PROTECTION MANAGER (CFPM)

A food establishment may be required to have at least one (1) certified food protection manager, responsible for all periods of the food establishment’s operation*. If required, a certified food protection manager need not be present at the food establishment during all hours of operation. It shall be the responsibility of the certified food protection manager to provide the certificate, letter, or document for verification of passing the examination.

A food establishment that begins operation or changes ownership shall have a certified food protection manager no later than six (6) months after beginning operation or changing ownership. If the food establishment does not have a certified food protection manager because they have terminated employment with the food establishment, the owner or operator of the food establishment has three (3) months to obtain a new certified food protection manager after the termination date of the previous certified food protection manager.

**For a list of food establishments to which the requirement does not apply, please reference the [Certification of Food Handlers Rule 410 IAC 7-22](#) and the July 1, 2020 update to the law in [HEA 1210-Certified Food Protection Manager](#).*

The following organizations offer nationally accredited food safety certification programs and examinations utilizing the American National Standards Institute (ANSI).

<p style="text-align: center;">ServSafe® Address: 233 S Wacker Drive Suite 3600 Chicago, IL 60604-2814 Attn. Service Center Phone: 1-800-765-2122 Website: https://www.servsafe.com/ServSafe-Manager ServSafe® Food Protection Manager Certification Program</p>
<p style="text-align: center;">The National Registry of Food Safety Professionals® Address: 7680 Universal Blvd., Suite 550 Orlando, FL 32862-8244 Phone: 800-446-0257 Website: http://www.nrfsp.com/ mailto:customer.service@nrfsp.com Food Safety Manager Certification and International Certified Food Safety Manager Certification</p>
<p style="text-align: center;">Prometric, Inc. Address: 1501 S. Clinton Street Baltimore, MD 21093 Website: www.prometric.com/foodsafety Phone: 1-800-624-2736 Certified Professional Food Manager®</p>
<p style="text-align: center;">360training.com, Inc. Address: 6801 N. Capital of Texas Highway, Suite 150 Austin, TX 78727 PH: (888)360-TRNG (8764) FAX: (512)441-1181 Website: http://www.learn2serve.com/food-manager-certification Email: dini.nash@360training.com Learn2Serve® Food Protection Manager Certification Program</p>
<p style="text-align: center;">Above Training, Inc. 507 E. Technology Ave, Bldg. C, Suite 3100 Orem, UT 84097 Phone: 1-801-494-1416 Website: www.statefoodsafety.com Certified Professional Food Manager Exam</p>
<p style="text-align: center;">The Always Food Safe Company, LLC Address: 899 Montreal Circle St. Paul, MN, 55102-4245 Website: https://alwaysfoodsafecompany.com Email: help@alwaysfoodsafecompany.com Food Protection Manager Certification</p>

INSPECTION CHECKLIST

✓	A. Structure	
	Ceilings	
	Kitchen/Bar - Nonabsorbent	
	Bathrooms - Nonabsorbent	
	Prep - Nonabsorbent	
	Three compartment sink - Nonabsorbent	
	Storage/dry stock	
	Floors grouted with proper base coving or sealed when required/approved flooring	
	B. Hand Sinks	
	Soap, towel dispenser, towels, Water Temperature minimum 100°F	
	Within 25 feet of prep/kitchen	
	Hand sink in bar area if new/remodel/change of ownership	
	Mop sink Hot and Cold Water	
	C. Water Supply	
	Air gaps and vacuum breakers	
	Ice machines	
	Dipper wells	
	Condenser units	
	Dish machine	
	Garbage disposal	
	Water Supply: Public Municipality or Private Well Water Test: Yes No	
	Sewer Hook Up: Public Municipality or Private Septic System	
	D. Dish and Utensil Washing	
	Approved dish washing machine: Yes No Data Plate: Yes No	
	High Temperature Sanitizing	
	Low Temperature Type of Sanitizer:	
	Approved 3 compartment sink with drain boards	
	Type of sanitizer:	
	Appropriate Test Strips	
	Grease Traps: Yes No N/A	
	E. Refrigeration and Storage	
	Reach in Refrigerated storage	Temperature of Unit:
	Walk in cooler	Temperature of Unit:
	Reach in freezer space	Temperature of Unit:
	Walk in freezer storage	Temperature of Unit:

	F. Food Equipment
	Design and construction
	Properly installed
	Easy to move
	Spacing and scale
	All equipment adequately ventilated
	Probe Thermometer (Digital or with a dial range from 0°F to 220°F)
	G. Lighting/Foot Candles (FC)
	Kitchen (70 FC)
	Cleaning areas (70 FC)
	Prep areas (70 FC)
	Proper Shielding and End Caps
	Refrigeration, freezers and storage areas (20 FC)
	Restroom (20 FC)
	H. Sanitary Facilities
	Covered waste receptacles in women's bathrooms
	Toilets
	Restroom doors self-closing
	Mechanical Ventilation: Men's Women's
	I. Garbage and Refuse Storage
	Name of Waste Company:
	Grease Recycling Company:
	Pick up cycle (x's per week/month):
	Approved surface
	J. Rodent Proofing
	Company:
	Visitation (x's per week/month):
	K. External Doors are tight fitting when closed/no visible gaps around doors
	Front door
	Back door
	Side doors
	L. Employee Health Policy
	Knowledge of symptoms to exclude or restrict staff
	Access to an employee health policy (written or electronic acceptable)

IMPORTANT CONTACTS

- To apply for a business license with the City of South Bend:
Department of Community Investment
12th Floor County City Building
227 W. Jefferson Blvd. South Bend, IN 46601
(574) 235-5912 or madams@southbendin.gov
- To apply for a business license with the City of Mishawaka:
Controller's Office-City Hall
600 E. Third St. Mishawaka, IN 46544
(574) 258-1622
www.mishawaka.in.gov/permits
- To apply for a St. Joseph County Health Permit:
(574) 235-9721 or www.sjindiana.com
- To register a formal business entity with the Indiana Secretary of State:
(317) 232-6576 or www.in.gov/sos/business/index.htm
- To register a less formal entity with the St. Joseph County Recorder:
(574) 235-9525
- To register with the Indiana Department of Revenue for sales, use and income taxes:
(317)233-4015 or www.in.gov/dor
- To register with the Internal Revenue Service for an Employer Identification Number (EIN): (800)829-1040 or (574)236-8149 www.irs.ustreas.gov/
- To apply for a retail registration certificate to sell raw shell eggs:
Indiana State Egg Board
(765)494-8510
www.ansc.purdue.edu/iseb
- To apply for alcohol and/or tobacco licensing:
in.gov/atc/2409.htm