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Regulations Governing Food Establishments

12/19/56

C.A.B.

Above regulations have been on file in the Department of Records since November 19th, 1956.

These regulations were advertised in the local newspapers on November 20th, 1956.

No inquiries were received as a result of this advertising, and, the regulations having been on file for the required thirty day period, are now in force.

CC: Leonard J. Zimet,
Sec. to the Board of Health.

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CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH

REGULATIONS GOVERNING FOOD ESTABLISHMENTS

CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA

TITLE 6 HEALTH CODE

301 Food Establishments

(7) Every food establishment shall be conducted, operated and maintained in accordance with such additional requirements as the Board may by regulation prescribe to protect the health of the ultimate consumers of food handled in such establishments. Such regulations may include, but shall not be limited to, reasonable requirements as to:

(a) The building structure, maintenance, sanitation, lighting, ventilation and cleanliness of food establishments.

(b) The preparation, composition, service, display, storage and packaging of food therein.

(c) The personal hygiene and food service practices of persons handling food therein.

(d) The construction, cleaning, cleanliness, bactericidal treatment and storage of equipment and utensils.

(e) The disposal of liquid and solid waste.

(f) The handling, storage and protection of food in transit to and from food establishments within the City.

(g) The water supply.

(h) The control of arthropods and rodents.

(8) No food handled outside the City shall be sold or brought into the City for human consumption unless handled in such a manner as to comply with the requirements of this Title and such regulations as the Board may prescribe to prevent adulteration or contamination.

Pursuant to Sections 6-301(7) and 6-301(8) of the Code of General Ordinances of the City of Philadelphia, the following regulations are promulgated by the Board of Health:

DEFINITIONS

In these regulations, the following definitions shall apply:

(A) Approved

Satisfactory compliance as determined and recorded by the Department of Public Health.

(B) Auxiliary food equipment.

Equipment not used in the actual preparation, storage and serving of food but incidental to the operation of the establishment such as heating, lighting, ventilation, and electrical equipment.

(C) Utensils.

Knives, forks, spoons, cups, saucers, plates, straws, table utensils, fountain utensils, and similar utensils used in eating or drinking of food.

(D) Food establishments without permanent location.

Any stationery or movable stand, vehicle, cart, basket, box, or similar structure from which food is handled, which locates at any one site or location for less than fourteen consecutive calendar days regardless of whether the establishment operates continuously during this time; except that this regulation shall not apply to vehicles engaged solely in the delivery and transit of food to or from food establishments with permanent location, nor to automatic vending machines.

Any establishment as described above which locates at or occupies one site or location for more than fourteen consecutive calendar days shall be required to comply with the Regulations of the Department of Public Health Governing Eating and Drinking and Catering Establishments and any other regulations of the Department of Public Health governing the conduct of food establishments with permanent location.

(E) Food service equipment.

Equipment used in the preparation of food and drink such as grills, stoves, cooking and warming equipment, steam tables, tables, mixers, cutting boards, meat blocks, and similar equipment, and utensils.

(F) Food storage and display equipment.

Equipment used in the storage and display of food and drink such as display cases and windows, cabinets, counters, shelves, racks, refrigerating equipment, bins, and similar equipment.

(G) Handle.

The actual collecting, keeping, storing, manufacturing, preparing, cooking, processing, dressing, slaughtering, distributing, and transporting.

(H) Wrappings and/or packaging.

Shall mean that the individual food service is enclosed and all sides of the wrapper or package except one are sealed or otherwise closed.

5. FOOD ESTABLISHMENTS WITHOUT PERMANENT LOCATION WHERE FOOD IS HANDLED.

The following regulations apply to Food Establishments Without Permanent Location where food is handled, including but not limited to food stands, sandwich stands, lunch stands, box lunch vehicles, frozen dessert and water ice preparation vehicles, and other mobile food establishments; but not including establishments covered by Sections II, III, and IV.

(A) FLOORS

The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be constructed so as to be easily cleaned, and shall be kept clean, in good repair, and free of open holes or cracks.

(B) WALLS AND CEILINGS

The walls and ceilings of all rooms shall be kept clean and in good repair. The walls and ceilings of those rooms in which food is stored, prepared, or where utensils are washed, except those rooms where only unopened food cans, cartons, sacks or the original shipping containers are stored, shall in addition be smooth, constructed of washable material, and finished in a color which will not conceal the presence of soil or dirt.

(C) OPENINGS TO THE OUTSIDE

From May 1 to November 1, inclusive, all openings to the outside shall be effectively screened and all outer doors shall be self-closing for the exclusion of flies. This Regulation shall not prohibit any method or device for the exclusion of flies used in lieu of or in conjunction with the above prescribed procedures, provided that such methods or devices are of demonstrated effectiveness and are approved as to use and individual installation.

(D) LIGHTING

All working surfaces on which food or drink is prepared, or in which utensils are washed shall be provided with natural and/or artificial light sufficient to provide an illumination of at least ten (10) foot candles. Rooms used only for food storage shall be provided with sufficient light to provide illumination of at least four (4) foot candles at a point thirty (30) inches above the floor level.

(E) SEPARATION OF FACILITIES

No food, food containers, wrappers, or packaging material or utensils shall be kept in the driver's compartment of any vehicle. The driver's compartment shall be separated by a complete partition from the area used for food preparation, service or storage.

(F) LAVATORY FACILITIES

The establishment shall be equipped with a separate hand washing sink with hot and cold running water and with soap and sanitary towels or other approved drying facilities in suitable holders or dispensers.

(G) WATER SUPPLY

Hot and cold running water shall be available at all times during which the establishment operates, as follows: Establishments shall be equipped with a storage tank for fresh potable water with a minimum storage capacity of twenty (20) gallons. Additional water supply capacity may be required by the Department when necessary for cleaning or culinary purposes. Facilities for heating water shall be sufficient to supply hot water at a temperature of 120°F. The water supply shall be of a safe, sanitary quality, and water supply and plumbing shall conform to the provisions of the Health Code, the Plumbing Code, and regulations thereunder.

(H) CLEANING AND SANITIZING OF EQUIPMENT AND UTENSILS

(1) Food and drink shall be served only in single service eating and drinking utensils or in pre-packed containers. Single service utensils shall be kept in a clean, dry place in the original carton or in a suitable dispenser. After a single use they shall be placed in a durable, water tight, non-absorbent container with a tight cover. Single service utensils shall be handled and used in a sanitary manner. Straws for drinking liquids shall be individually wrapped.

(2) Every establishment shall be equipped with a one compartment sink or multi-compartment sink, with hot and cold running water at the sink, for the cleaning of food service equipment. The compartment shall have a minimum depth of ten (10) inches.

(3) All food service equipment and food storage and display equipment shall be cleaned at least daily by removing gross particles of food and foreign substances and then washing with clean water of a minimum temperature of 120°F, which shall contain sufficient detergent, sanitizer-detergent, or other approved cleaning agent to remove the soil, and then it shall be rinsed with clean water.

(4) Utensils and equipment used in the preparation and service of frozen desserts or wafers shall be subjected to a final bactericidal rinse after cleaning, by one of the following methods:

(a) Hot water at a minimum temperature of 180°F for at least ten (10) seconds.

(b) Hypochlorite compounds or chlorine containing compounds of equal efficiency at a minimum concentration of 100 P.P.M. for at least thirty (30) seconds.

(c) Quaternary ammonium compounds at a minimum concentration of 200 P.P.M. for at least thirty (30) seconds.

(d) Iodophor compounds at a minimum concentration of 12.5 P.P.M. for at least thirty (30) seconds.

(5) After cleaning, the equipment shall be stored so as to drain dry, and then kept in a manner to prevent recontamination. Drying cloths, if used, shall be clean and used for no other purpose. Wherever possible, utensils shall be drained dry without the use of drying cloths.

(I) CONSTRUCTION, REPAIR AND MAINTENANCE OF UTENSILS AND EQUIPMENT

(1) All food service equipment, food storage and display equipment, and auxiliary food equipment shall be constructed so as to be easily cleanable and shall be maintained in good repair and operated in a sanitary manner.

(2) All utensils and equipment, the surfaces of which come into contact with food and drink shall be made of smooth, corrosion-resistant non-toxic material, kept in good repair and free of breaks, chips, cracks, rough areas, corrosion and open seams. Food contact surfaces shall drain freely and shall be easily accessible for cleaning, servicing, and inspection.

(3) Stationary equipment shall be installed and maintained so as to prevent the harboring of rodents and insects and so as to permit cleaning.

(4) All stoves and grills at counters, which are accessible to the public, shall be equipped with a plastic, glass or metal shield covering the side facing the public and the ends of the grill.

(J) DISPOSAL OF WASTES

(1) Garbage shall be stored and disposed of in impervious containers with tight-fitting covers which are properly constructed, kept in good repair, and washed when emptied. Refuse shall be stored in approved containers. Such containers shall be maintained both in the interior of the establishment for food preparation wastes and on the exterior of the establishment for discards by the consumers. The proprietor of the establishment shall be responsible for the refuse or garbage conditions created through his operations in the immediate area of his activities. Garbage, waste and refuse shall be removed from the establishment and its immediate vicinity at least daily and more often if necessary. In the case of food establishments without permanent location operating at a site or grounds in connection with a fair, carnival, circus, public gatherings or public exhibition, the site shall be cleaned before it is abandoned by the establishment.

(2) A storage tank for waste water shall be supplied of adequate size to contain the waste water from refrigerators, drains, sinks and other equipment during one full day of operation. The storage tank and the appurtenances for the emptying of the tank shall be constructed and employed so that no hazard is created to the water supply of the establishment or to the municipal water supply, and so that no health nuisance is created.

Cross-connections or back-flow connections as defined in American Standard Plumbing Code, ASA A 40.8-1955, including connections, conditions or arrangements between a potable water supply and any other water supply, water, plumbing or drainage system, water receptacle or liquid or other substance, or between the City water supply and any other water supply, such that back-flow can occur are prohibited, except that such connections, conditions or arrangements shall be permitted if they are in compliance with the requirements of the Plumbing Code of the City. Drains from refrigerators, ice boxes, or other receptacles, appliances, devices, or apparatus which are used for storage, preparation or processing of food or food products shall not discharge directly

into a building drain, soil, or waste pipe, but shall be separated by an open air break.

The storage tank shall be constructed so that its contents can be emptied and drained into a municipal sanitary sewer, and it shall be flushed and cleaned after each emptying.

(K) REFRIGERATION

(1) All food or drink capable of supporting the growth of microorganisms which can cause food infection and food intoxication, including but not limited to meat or meat products, fish and fish products, cream or custard filled bakery products and puddings, milk and milk products, egg and potato salad, gravy, cream sauces, and dressings, shall be kept at or below 50°F or above 150°F. Every food establishment handling such readily perishable food shall be equipped with a refrigeration system capable of keeping such foods at a temperature below 50°F. All refrigeration systems shall be kept clean and in good repair and a thermometer shall be installed and maintained in each refrigerator.

(2) Ice used in contact with food shall be handled in a sanitary manner and delivered from an approved source in single service closed sanitary containers.

(3) When bottled beverages are cooled through contact with ice or water, drains shall be provided adequate to remove the water from the cooling compartment. The cap or crown of the bottle shall not be submerged, and the water or ice shall be kept clean.

(4) Perishable foods shall be prepared, stored or served only in the following manner:

(a) They shall be kept in a refrigerator below 50°F until served or prepared.

(b) If they are prepared by heating before serving they shall be placed in or on an approved heating device and kept at a minimum of 150°F until served or delivered. An approved heating device is one which will heat the food to at least 150°F and maintain it at such a temperature or above until it is served.

(c) Soups shall not be served except from individual containers.

(L) WHOLESOMENESS OF FOODS

(1) All food and drink shall be clean, wholesome and free from contamination, spoilage, hazardous chemicals, rodents, insects, and insect parts, and disease causing microorganisms. Meat, meat products, milk, milk products, shellfish, ice cream and frozen desserts shall be from sources approved by the Department of Public Health. Shucked shellfish shall be kept until used in the container in which they were placed in the shucking plant.

(2) Milk shall be served in the original individual container in which it was received from the distributor or from an approved bulk milk dispenser; except that milk or milk products served with coffee, cereals, desserts or similar foods requiring milk or cream or their derivatives may be served from the original container or

(3) All pork or pork products shall be heated to an internal temperature of 141°F, unless the pork or pork product has been subjected to prior treatment at the time of manufacture by heating, drying, freezing, or other treatment to render it free from trichinae organisms.

(4) Records of the purchase of food and drink shall be held at the establishment or at some other convenient location within the City for a period of three (3) months following the date of purchase and shall be available to the Department at all reasonable times.

(M) PREPARATION, SERVICE, STORAGE, TRANSPORT AND DISPLAY OF FOOD AND DRINK

(1) Food and drink shall be prepared, stored, displayed, transported or served so as to be protected from dirt, flies, insects and rodents, unnecessary handling, droplet infection, potential overhead leakage and all other contamination.

(2) No beverage shall be dispensed by dipping into liquids, mixing or pouring. Beverages shall be dispensed only in approved dispensers.

(3) The use of hands for rolling hamburger balls is prohibited.

(4) Scoops, paddles, or dippers used to dispense frozen desserts or water ice shall be immersed in a receptacle with a constant flow of clear running water or washed in running water after each use and stored in a clean dry place.

(5) No establishment shall be used for living or sleeping purposes.

(6) No live animal or fowl shall be kept or allowed in any establishment in which food or drink is served, prepared, or stored.

(7) No insecticide or other poisonous or deleterious substance shall be stored in any room where food or drink is stored, served, or prepared, except in a separate cabinet not used for any food purpose.

(8) Catsup, mustard, relishes, and other condiments shall be served only from approved dispensing devices whereby they are not exposed to contamination.

(N) HEALTH AND CLEANLINESS OF EMPLOYEES

(1) All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment; and shall, while engaged in the preparation of food, wear a suitable head covering to protect the food from contamination from human hair. Employees shall not expectorate or use tobacco where food is prepared.

(2) Proprietors and employees of food establishments without permanent location who prepare or serve food or handle or wash food utensils and equipment or regularly work in the food service or preparation area shall obtain annually a chest x-ray examination and

certificate thereof approved by the Department and no proprietor shall employ any person unless he has obtained a chest X-ray examination and certificate within the previous twelve months.

(3) No person who is affected with any infection or disease in a communicable form, or is a carrier of such an infection or disease, shall work in a food establishment without permanent location, and no food establishment without permanent location shall employ any such person or any person suspected of being affected with an infection or disease in a communicable form or of being a carrier of such disease. If the proprietor of the food establishment without permanent location suspects that any employee has contracted any infection or disease in a communicable form or has become a carrier of such infection or disease, he shall immediately notify the Department of Public Health.

II. FOOD ESTABLISHMENTS WITHOUT PERMANENT LOCATION HANDLING PREPACKAGED FOOD

The following regulations shall apply to food establishments without permanent locations where food which has been prepared and packaged in a licensed food establishment or a food establishment approved by the Department is handled or sold, including but not limited to food stands, lunch stands, sandwich stands, box lunch vehicles, carts, baskets, boxes and other mobile food establishments:

(A) PREPARATION, SERVICE, STORAGE, TRANSPORT AND DISPLAY OF FOOD AND DRINK

(1) All food and drink that is served shall be prepared, wrapped and packaged at a food establishment licensed under the applicable provisions of the Health Code and shall be sold or delivered to the food establishment without permanent location in such wrapping or packaging. Foods prepared, packaged and wrapped outside of the City of Philadelphia in establishments approved by the Department for distribution and sale in the City of Philadelphia may be served if they are in a completely wrapped and sealed package.

(2) Boxed lunches and wrapped sandwiches shall be sold only within the twenty-four hours after they are first offered for sale, and shall not be rewrapped or repackaged.

(3) Food and drink shall be so stored, displayed, transported or served as to be protected from dust, flies, insects and rodents, unnecessary handling, droplet infection, potential overhead leakage and all other contamination.

(4) These establishments shall not cook, prepare, or serve food or drink that requires the use of utensils except single service utensils; nor employ food storage and display equipment that comes into direct contact with food or drink, except that coffee and other beverages which are not capable of supporting the growth of microorganisms which can cause food infection and food intoxication may be served from approved bulk dispensing devices.

(B) CONSTRUCTION OF THE ESTABLISHMENT

The establishment shall be so constructed as to be easily cleanable and shall be kept in a clean and sanitary condition, in good repair and free from rodents and insects. The establishment shall be operated so as to limit the number of flies present.

(C) DISPOSAL OF WASTES

Garbage shall be stored and disposed of in impervious containers with tight-fitting covers; which are properly constructed, kept in good repair and washed when emptied. Refuse shall be stored in approved containers. Such containers shall be maintained both in the interior of the establishment for food preparation wastes and on the exterior of the establishment for discards by the consumers. The proprietor of the establishment shall be responsible for the refuse and garbage conditions created through his operations, in the immediate area of his activities. Garbage, waste or refuse shall be removed from the establishment and its immediate vicinity at least daily and oftener if necessary. In the case of food establishments without permanent location operating at a site or grounds in connection with a fair, carnival, circus, public gathering, or public exhibition, the site shall be cleaned before it is abandoned by the establishment.

(D) CONSTRUCTION, REPAIR AND MAINTENANCE OF UTENSILS AND EQUIPMENT

(1) All food service equipment, food storage and display equipment, and auxiliary food equipment shall be constructed so as to be easily cleanable and shall be maintained in good repair and operated in a sanitary manner.

(2) All utensils and equipment the surfaces of which come into contact with food and drink shall be made of smooth, corrosion resistant non-toxic material, kept in good repair and free of breaks, chips, cracks, rough areas, corrosion, and open seams. Food contact surfaces shall drain freely and shall be easily accessible for cleaning, servicing, and inspection.

(3) Stationary equipment shall be installed and maintained so as to prevent the harboring of rodents and insects and so as to permit cleaning.

(4) All stoves and griddles at counters which are open to the public shall be equipped with a plastic, glass or metal shield covering the side facing the public and the ends of the grill.

(E) REFRIGERATION

(1) All food or drink capable of supporting the growth of microorganisms which can cause food infection and food intoxication, including but not limited to meat or meat products, fish and fish products, cream or custard filled bakery products and puddings, milk and milk products, egg and potato salad, gravy, cream sauces, and dressings, shall be kept at or below 50°F or above 150°F. Every food establishment handling such readily perishable food shall be equipped with a refrigeration system capable of keeping such foods at a temperature below 50°F. All refrigeration systems shall be kept clean and in good repair and a thermometer shall be installed and maintained in each refrigerator.

(2) Ice used in contact with food shall be handled in a sanitary manner and delivered from an approved source in single service closed sanitary containers.

(3) When bottled beverages are cooled through contact with ice or water, drains shall be provided adequate to remove the water

from the cooling compartment. The top or end of the bottle shall not be submerged, and the water or ice shall be kept clean.

(F) WHOLESOMENESS OF FOODS

(1) All food and drink shall be clean, wholesome and free from contamination, spoilage, hazardous chemicals, rodents, insects and insect parts and disease causing microorganisms.

Meat, meat products, milk, milk products, shellfish, ice cream and frozen desserts shall be from sources approved by the Department of Public Health. Shucked shellfish shall be kept until used in the container in which they were placed in the shucking plant.

(2) Milk shall be served in the original individual container in which it is received from the distributor or from an approved bulk milk dispenser; except that milk or milk products served with coffee, cereals, desserts, or similar foods requiring milk or cream or their derivatives may be served from the original container, or from any dispenser, urn, container, or bottle approved for this purpose.

(3) All pork or pork products shall be heated to an internal temperature of 141°F, unless the pork or pork product has been subjected to prior treatment at the time of manufacture by heating, drying, freezing, or other treatment to render it free from trichinæ organisms.

(4) Records of the purchase of food and drink shall be held at the food establishment without permanent location or at some other convenient location within the City for a period of three (3) months following the date of purchase and shall be made available to the Department at all reasonable times.

(G) HEALTH AND CLEANLINESS OF EMPLOYEES

(1) All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment; and shall, while engaged in the preparation of food, wear a suitable head covering to protect the food from contamination from human hair. Employees shall not expectorate or use tobacco where food is prepared.

(2) Proprietors and employees of food establishments without permanent location who prepare or serve food, or handle or wash food utensils and equipment, or regularly work in the food service or preparation area, shall obtain annually a chest x-ray examination and certificate thereof approved by the Department; and no proprietor shall employ any such person unless he has obtained such a chest x-ray examination and certificate within the previous twelve months.

(3) No person who is affected with any infection or disease in a communicable form, or who is a carrier of such an infection or disease, shall work in a food establishment without permanent location and no food establishment without permanent location shall employ any such person or any person suspected or being affected with an infection or disease in a communicable form or of being a carrier of such disease. If the proprietor of the food establishment without permanent location suspects that any employee has contracted any infection or disease in a communicable form or has become a carrier of such infection or disease, he shall immediately notify the Department of Public Health.

III. FOOD ESTABLISHMENTS WITHOUT PERMANENT LOCATION HANDLING MEAT, POULTRY OR FISH

The following regulations shall apply to food establishments without permanent location for the sale of uncooked meat, poultry or fish:

(A) PREPARATION, SERVICE, STORAGE, TRANSPORT AND DISPLAY OF FOOD

No food establishment without permanent location other than those conforming to the requirements of section I shall clean, cut, dissect, or otherwise prepare or handle meat, poultry or fish, or use any utensil required for cleaning, cutting or dissecting, except that meat, poultry or fish may be sold when pre-packaged or pre-wrapped. The meat, poultry or fish shall be prepared, packaged and wrapped at a food establishment licensed under the applicable provisions of the Health Code, and shall be sold or delivered to the food establishment without permanent location in such wrapping or packaging. Foods prepared, packaged and wrapped outside of the City of Philadelphia in establishments approved by the Department for distribution and sale in the City of Philadelphia may be sold if they are in a completely wrapped and sealed package.

(B) CONSTRUCTION OF THE ESTABLISHMENT

The establishment shall be elevated on top and on all sides. The interior of the establishment shall be kept clean and in good repair.

Wrapping paper, packaging material, scales, and similar materials shall be protected from contamination and kept within an enclosed storage compartment when not in use.

(C) DISPOSAL OF WASTES

Each establishment shall maintain durable, water-tight, non-absorbent containers with tight fitting covers for refuse disposal. These shall be kept in good repair and washed when emptied.

The proprietor of each establishment shall be responsible for the garbage and rubbish conditions resulting from his operations in the immediate area of his activities. Garbage and rubbish shall be removed from the establishment and its immediate vicinity at least daily.

(D) REFRIGERATION

Each establishment shall maintain refrigeration facilities sufficient to keep all the meat, poultry or fish below 45°F. The refrigeration compartment shall be constructed of a smooth, impervious, non-toxic and non-corrosive material and shall be kept in good repair, and free from open seams or cracks. The refrigeration compartment shall be kept clean and in a sanitary condition. The refrigerators shall be equipped with a drain and drain valve and so arranged that the drainage will be caught in a container.

IV. FOOD ESTABLISHMENTS WITHOUT PERMANENT LOCATION HANDLING FRUIT AND VEGETABLES

The following regulations shall apply to food establishments without permanent location where only fresh, whole fruits or vegetables are sold:

(A) CONSTRUCTION OF THE ESTABLISHMENT

The establishment shall be so constructed as to be easily cleanable and shall be kept clean and in good repair.

(B) DISPOSAL OF WASTES

Each establishment shall maintain durable, water-tight, non-absorbent containers with tight-fitting covers for refuse disposal. These shall be kept in good repair and washed when emptied.

The proprietor of each establishment shall be responsible for the garbage and rubbish conditions resulting from his operations in the immediate area of his activities. Garbage and rubbish shall be removed from the establishment and its immediate vicinity at least daily and more often where necessary.