DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health
Office of Food Protection

PLAN REVIEW AND APPROVAL FOR FOOD ESTABLISHMENTS

REGULATORY REQUIREMENTS

Healthy People in Healthy Environments
Health
Systems
Protection

Rev. 7/2015

PLAN REVIEW AND APPROVAL FOR FOOD ESTABLISHMENTS
REGULATORY REQUIREMENTS

TABLE OF CONTENTS

1. INTRODUCTION……..……..……..…..1

2. ADMINISTRATIVE INFORMATION FOR PLAN REVIEW OF FOOD ESTABLISHMENTS……....….....2
   - A. Authority
   - B. Definition
   - C. Plan Review and Approval schedule of fees
   - D. Pre-operational requirements
   - E. Responsibilities of the Food Establishment Permit Holder
   - F. Permits
   - G. Other agencies involved with Plan Review and Permitting

3. STRUCTURAL REQUIREMENTS IN THE FOOD ESTABLISHMENT….....…….....……6
   - A. General
   - B. Outdoor areas
   - C. Outer openings, doors and windows
   - D. Indoor areas
   - E. Artificial interior lighting
   - F. Dressing areas and lockers
   - G. Distressed merchandise
   - H. Laundry, living and sleeping areas
   - I. Animals
   - J. Poisonous and toxic materials

4. PLUMBING REQUIREMENTS IN THE FOOD ESTABLISHMENT.....…….....……9
   - A. General
   - B. Water supply and sewage disposal
   - C. Backflow prevention
   - D. Utility service installation
   - E. Joint sealing
   - F. Toilet facilities
   - G. Sinks
   - H. Mechanical warewasher
   - I. Grease trap
   - J. Water heater

5. EQUIPMENT REQUIREMENTS IN THE FOOD ESTABLISHMENT.....…….....14
   - A. General
   - B. Equipment installation
   - C. Ventilation systems
   - D. Temperature measuring devices
   - E. Cooking and hot holding equipment
   - F. Refrigeration and cold holding equipment
   - G. Manual warewashing equipment
   - H. Mechanical warewashing equipment
   - I. Consumer self-service and display equipment
   - J. Specific equipment item characteristics

PLAN REVIEW AND APPROVAL FOR FOOD ESTABLISHMENTS
REGULATORY REQUIREMENTS

INTRODUCTION

This information packet describes the requirements to open and operate a food establishment. This packet does not provide a complete listing of the requirements. To obtain a copy of the State of Delaware Food Code, contact the Office of Food Protection (OFP), or one of the following offices of the Environmental Health Field Services (EHFS):

New Castle County: 258 Chapman Rd., Chopin Bldg., Suite 105, Newark, DE 19702 302-283-7110
Kent County: Thomas Collins Building, Suite 5, 540 S duPont Hwy, Dover, DE 19901 302-744-1220
Sussex County: Georgetown State Service Center, 544 S Bedford St, Georgetown, DE 19947 302-515-3302

Submit the following to: Plan Review, Office of Engineering
43 South duPont Highway, Dover DE 19901-3635
Phone number: 302-741-8640; FAX number: 302-741-8630

1. One completed Application for Food Establishment Permit (use blank form provided)
2. One completed Type of Food Operation (use blank form provided)
3. One completed Information Sheet for Food Establishments (use blank form provided)
4. One completed Food Preparation Review (use blank form provided)
5. Proposed or actual menu
6. Equipment schedule: specify manufacturers and model numbers.
   Correlate equipment to floor plans. NOTE: Include specification sheets for each piece of foodservice equipment
7. Three copies of the proposed plans for the entire facility (drawn to scale of 1/4" = 1 foot) showing the layout of the kitchen, equipment and all related areas.
   (For new construction, provide one copy each of a vicinity map, a site plan and a key plan.)
8. Finish schedule: specify type, finish and color of materials used on floors, walls, ceilings, counters, shelving, cabinets, etc.
9. Reflected ceiling plan: specify ventilation and lighting.
10. Plan Review fee, per schedule on page 3, unless exempt from fee as non-profit organization.

Plans will be reviewed within thirty (30) working days in the order they are received. If further information is needed, you will be notified.
Pre-operational inspections are required before issuance of the operating permit and commencement of food establishmentoperations.

Note: The information provided in this packet pertains to review and approval of plans and specification for a "Food Establishment," as defined below. This packet does not pertain to the operation of a "Food Processing Plant," defined in the State of Delaware Food Code as "…a commercial operation that manufactures, packages, labels, or stores food for human consumption and does not deliver food directly to the consumer…(and) does not include a food establishment as defined…" below. For additional information on regulations that apply to a food processing plant, contact the Office of Food Protection at 302-744-4546 prior to beginning operations.

No construction or alteration shall commence prior to issuance of Approval to Construct letter.

No food operations are approved prior to satisfactory pre-operational inspection.

2. ADMINISTRATIVE INFORMATION FOR PLAN REVIEW OF FOOD ESTABLISHMENTS

2A. AUTHORITY

Title 16 Delaware Code § 122 empowers Delaware Health and Social Services to promulgate and enforce standards to regulate food establishments which may include, but are not limited to, restaurants, caterers, temporary food vendors, grocery stores, food vending machines, ice manufacturers and cottage industries that prepare or handle food for human consumption.

2B. DEFINITION

"Food establishment" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption: such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; and that relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

"Food establishment" includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the Division of Public Health; and an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.

OPERATIONS THAT DO NOT REQUIRE A FOOD ESTABLISHMENT PERMIT

1. An establishment that offers only pre-packaged foods that are not time/temperature control for safety;

2. A produce stand that only offers whole, uncut fresh fruits and vegetables;

3. A food processing plant;

4. A kitchen in a private home if only food that is not time/temperature control for safety is prepared for sale or service at a function such as a religious or charitable organization's bake sale if allowed by law and if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the Division of Public Health;

5. An area where food that is prepared as specified immediately above is sold or offered for human consumption;

6. 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 6, breakfast is the only meal offered, the number of guests served does not exceed 18, 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 Division of Public Health; or

7. A private home that receives catered or home-delivered food; or a private home in which an individual is hired to prepare foods for personal consumption.

2C. PLAN REVIEW AND APPROVAL

A permit applicant or permit holder shall submit to the Division of Public Health properly prepared plans and specifications for review and approval, including payment of any required fees, before construction of a food establishment; before conversion of an existing structure to a food establishment; before remodeling and/or renovation of a food establishment; or when there is a change in type of food establishment or food operation.

Plans, specifications and required fees shall be submitted to Plan Review, Office of Engineering (OE) before construction, alterations or conversions are begun. No food establishment shall be constructed or undergo physical alterations, nor shall a structure be converted to a food establishment except in accordance with plans and specifications approved by OE. Plan Review information packets are available from OFP and at Environmental Health Field Services (EHFS) offices in each county.

Payment of the following non-refundable fee, made payable to Division of Public Health, is required:

PLAN REVIEW FEE

FEE IS DUE AT THE TIME OF PLAN SUBMISSION. NON-PROFIT ORGANIZATIONS ARE EXEMPT FROM FEES.
IF CLAIMING EXEMPTION FROM FEES, ATTACH A COPY OF INTERNAL REVENUE SERVICE (IRS) 501[C][3] LETTER.
Plan Review fees are based on the total square footage (sq ft) of the facility as follows:

1.	1,000 sq ft or less	$	50.00
2.	1,001 – 5,000 sq ft	$	100.00
3.	5,001 – 10,000 sq ft	$	150.00
4.	10,001 – 15,000 sq ft	$	200.00
5.	15,001 sq ft or greater	$	250.00

2D. PRE-OPERATIONAL REQUIREMENTS

Any person desiring to operate a food establishment shall make written application for a permit, together with the payment of any required fees, on forms provided by the Division of Public Health. No person shall operate a food establishment who does not have a valid permit. Prior to the approval of an application, the proposed food establishment shall be inspected; satisfactory compliance on one or more pre-operational inspections is required prior permit issuance and the start of food preparation. Only a person who complies with the requirements of the regulations shall be entitled to receive or retain such a permit; upon acceptance of the permit, the permit holder shall adhere to the conditions of permit retention.

The operator of the facility, and not the facility itself, is the permit holder. If the owner of the property is not the operator of the food establishment, then the operator, through lease or contract, is required to obtain a permit.

When a food operation changes either ownership, management firm, or lessee, both the facility and its operation shall be brought into satisfactory compliance with the regulations prior to the issuance of a permit.

2E. RESPONSIBILITIES OF THE FOOD ESTABLISHMENT PERMIT HOLDER

Conditions of Retention of the Food Establishment Permit

Upon acceptance of the permit to operate a food establishment issued by the Division of Public Health (DPH), the permit holder shall:

1. **POST PERMIT** Post the permit in the establishment in a location conspicuous to consumers;

2. **ALLOW ACCESS** Allow representatives of DPH access to the food establishment during the food establishment's hours of operation and other reasonable times. After the DPH representative presents official credentials and provides notice of the purpose of, and an intent to conduct, an inspection, the person in charge shall allow the DPH representative to determine if the food establishment is in compliance with State of Delaware Food Code ("the Code") by allowing access to the establishment, allowing inspection, and providing information and records to which DPH is entitled according to law;

3. **COMPLY WITH REGULATIONS** Comply with DPH directives including time frames for corrective actions specified in inspection reports and other directives issued by DPH in regard to the permit holder's food establishment. Comply with the conditions of a granted variance, and conditions of approved facility plans and specifications;

4. **COMPLY WITH HACCP PLAN** If a food establishment is required to operate under a Hazard Analysis Critical Control Point (HACCP) plan, comply with the plan as specified in the Code.

5. **ACCEPT NOTICES** Accept notices issued and served by DPH according to law. Be subject to the administrative, civil, injunctive, and criminal remedies authorized in law for failure to comply with the Code or DPH directives, including time frames for corrective actions specified in inspection reports and other directives.

6. **DISCONTINUE OPERATIONS FOR IMMINENT HEALTH HAZARD** Immediately discontinue operations and notify DPH if an imminent health hazard may exit exist because of an emergency such as fire, flood, extended interruption of electrical or water service, sewage backup, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health;

7. **REPORT ILL EMPLOYEE** Immediately contact DPH to report an illness of an employee who is diagnosed with Norovirus, Salmonella typhi (Typhoid fever), Shigella spp., Shiga toxin-producing E. coli including O157:H7, or Hepatitis A virus.

8. **REPLACE FACILITIES AND EQUIPMENT** Replace existing facilities and equipment with facilities and equipment that comply with the Code if:

   a. DPH directs the replacement because the facilities and equipment constitute a public health hazard or nuisance or no longer comply with the criteria, upon which the facilities and equipment were accepted,

   b. DPH directs the replacement of the facilities and equipment because of a change of ownership, or

   c. The facilities and equipment are replaced in the normal course of operation.

2F. PERMITS

FOOD ESTABLISHMENT PERMIT FEE

FEE IS DUE UPON RECEIPT OF INVOICE. NON-PROFIT ORGANIZATIONS ARE EXEMPT FROM FEES.
IF CLAIMING EXEMPTION FROM FEES, A COPY OF INTERNAL REVENUE SERVICE (IRS) 501[C][3] LETTER MUST BE ON FILE.
Food establishments are charged an annual, non-refundable fee, based on type of facility, as follows:

1.	Public Eating Place	$	100.00
2.	Retail Food Store	$	100.00
3.	Ice Manufacturer	$	30.00
4.	Commercial Food Processor	$	30.00
5.	Vending Machine Location	$	30.00

Note: The permit fee is not due until the facility is approved for an operating permit. At that time, an invoice will be sent to the establishment owner or operator.

A permit shall only be issued to proposed food establishments that comply with the regulations. Permits are not transferable from person to person, nor from location to location. The permit shall be posted in a location conspicuous for public view. A permit remains valid for one (1) year from the date of issuance, unless the food establishment is permanently closed; or a new owner, management firm, or lessee takes possession; or the permit is suspended or revoked by the Division of Public Health for violations of the State of Delaware Food Code.

2G. OTHER AGENCIES INVOLVED WITH PLAN REVIEW AND PERMITTING

STATE AGENCIES

Division of Revenue	-	business license
State Fire Marshal's Office	-	fire / life safety code
Dept. of Natural Resources and Environmental Control	-	wells and septic systems
State Plumbing Inspector (Kent and Sussex Counties)	-	plumbing code
Alcoholic Beverage Control Commission	-	alcoholic beverages

COUNTY AGENCIES

New Castle County Government	-	zoning, building code, plumbing code
Kent County Government	-	zoning, building code
Sussex County Government	-	zoning, building code

LOCAL GOVERNMENTS

When located within city or town limits, contact the municipal jurisdiction for additional compliance requirements in zoning, building code, and where applicable plumbing code and fire code.

NOTE

This summary of requirements was developed as a guide only, and is not intended to be all-inclusive. Therefore, upon review of submitted plans, the Certificate of Approval may specify additional conditions for operating a food establishment, which may include, but are not necessarily limited to, these requirements.

3. STRUCTURAL REQUIREMENTS IN THE FOOD ESTABLISHMENT

3A. GENERAL

Suitable structural materials are durable, cleanable, non-toxic, and impervious to moisture.

3B. OUTDOOR AREAS

(1) Surface exterior walking and driving areas with concrete, asphalt, or gravel; grade exterior walking and driving surfaces to drain.

(2) Surface outdoor refuse storage area(s) with concrete or asphalt; install a curbed perimeter around refuse storage area(s) and grade these surfaces to drain.

(3) Provide durable, cleanable, vermin-proof refuse containers that are leak-proof and non-absorbent; provide a means of cleaning these containers. Cover or close lids on all outdoor refuse containers, including dumpsters; if containers are fitted with a drainage port, provide a drain plug.

3C. OUTER OPENINGS, DOORS AND WINDOWS

(1) Install weather- and vermin-resistant materials on building exterior, perimeter and roof surfaces.

(2) Fill or close holes and gaps along floors, walls and roof lines.

(3) Install tight-fitting windows. If windows will be opened for ventilation, provide inserts with 16 mesh to the inch screening.

(4) Install solid, self-closing exterior doors. If doors are kept open for ventilation, provide self-closing screened doors with 16 mesh screening.

(5) Install controlled air current devices above doors which open directly to the building exterior.

3D. INDOOR AREAS

Commercial grade vinyl composition tile, linoleum, ceramic or quarry tile, poured seamless, or smooth, sealed concrete coated with oil base enamel or alkyd resin paint are acceptable floor materials.

(1) Install materials which are smooth, durable and easily-cleanable in the following areas:

FOOD PREPARATION		BEVERAGE DISPENSING
DRY FOOD STORAGE		WAREWASHING
UTILITY / JANITORIAL CLOSET(S)		REFUSE STORAGE
TOILET ROOM(S)		TOILET ROOM VESTIBULES
WALK-IN REFRIGERATION UNIT(S)	and	ALL AREAS SUBJECT TO MOISTURE

(2) Do not install carpet of any kind in the above areas.

(3) If used, provide removable floor mats of easily-cleanable and non-absorbent material.

(4) Do not install duckboards of wood or absorbent fibers. Do not cover the floor with cardboard or paper. Do not use sawdust, wood shavings, clay, diatomaceous earth or similar materials on floors.

(5) Install utility lines inside walls, above ceiling, and below floors, where possible. Where only surface mounting of utility lines is practical, space lines off walls and ceiling at least 1". Do not install exposed utility lines, such as electrical conduit and plumbing, on the floor.

(6) Install minimum height of four inch (4") flexible cove base molding, or otherwise seal any gap greater than 1/32 inch, at the floor-to-wall juncture in the following areas:

FOOD PREPARATION		BEVERAGE DISPENSING
DRY FOOD STORAGE		WAREWASHING
UTILITY / JANITORIAL CLOSET(S)		REFUSE STORAGE
TOILET ROOM(S)		TOILET ROOM VESTIBULES
WALK-IN REFRIGERATION UNIT(S)	and	ALL AREAS SUBJECT TO MOISTURE

(7) Enclose all exposed building components; paint or seal all unfinished wood surfaces, framing, and structural materials in areas subject to moisture.

(8) Install mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, smoke, and fumes. Install components so drip will not contaminate food or surfaces.

(9) If used, attach wall and ceiling coverings securely. Install only easily-cleanable attachments.

(10) If a lay-in type ceiling is installed, use panels which are constructed of smooth-surfaced, easily-cleanable, non-perforated, non-fissured material in the following areas:

FOOD PREPARATION		BEVERAGE DISPENSING
DRY FOOD STORAGE		WAREWASHING
UTILITY / JANITORIAL CLOSET(S)		REFUSE STORAGE
TOILET ROOM(S)		TOILET ROOM VESTIBULES
WALK-IN REFRIGERATION UNIT(S)	and	ALL AREAS SUBJECT TO MOISTURE

(11) Do not install insect control devices over food preparation surfaces.

3E. ARTIFICIAL INTERIOR LIGHTING

(1) Install protective shielding for light bulbs, or bulbs which are coated or otherwise shatter-resistant where there is exposed food, clean equipment, utensils, and linen; or unwrapped single-service and single-use articles.

(2) Provide minimum illumination intensities in the following areas:

50 foot candles (540lux) on surfaces where employees work with food, or work with utensils or equipment such as knives, slicers, grinders, or saws where employee safety is a factor;

20 foot candles (220lux) inside equipment; in handwashing and warewashing areas; in equipment and utensil storage areas; in toilet rooms; and in consumer self-services areas;

10 foot candles (110lux) inside walk-in refrigeration units, dry food storage areas, and in other areas and rooms during periods of cleaning.

3F. DRESSING AREAS AND LOCKERS

(1) Provide lockers, coat racks or coat hooks for orderly storage of employee personal belongings.

(2) Do not install storage facilities nor designate areas for employee eating, drinking or tobacco use in the following locations: food preparation, equipment, linen, utensil or single-use article storage.

(3) If employees change clothing on the premises, designate a dressing area where contamination of food, equipment, utensils, linen, and single-service and single-use articles cannot occur.

3G. DISTRESSED MERCHANDISE

Designate an area that is separate from food, equipment and utensils, in which to store damaged, spoiled, or recalled food products.

3H. LAUNDRY, LIVING AND SLEEPING AREAS

(1) Restrict the installation and use of laundry facilities to only the laundry necessary to the food establishment operation. If a clothes washer is provided, a dryer must also be provided. Separate the clothes washer and dryer from all other parts of the food establishment operation by solid partitioning or in a separate room.

(2) Install complete partitioning and solid, self-closing door(s) to separate living or sleeping areas from food establishment operations.

3I. ANIMALS

Except as noted below, exclude all live animals from the premises of the food establishment.

Exceptions: Where contamination of food, equipment and utensils cannot result, the following may be allowed: edible fish or decorative fish in aquariums, patrol or sentry dogs, service animals, live fish bait, and pets in common dining areas of institutional care or residential care facilities at times other than during meals. A variance is required prior to operating a molluscan shellfish life-support system used to store and display shellfish that are offered for human consumption.

3J. POISONOUS AND TOXIC MATERIALS (Defined as substances that are not intended for ingestion, including cleaners and sanitizers; pesticides; necessary maintenance substances, such as non-food grade lubricants; and personal care items, such as medicines, first aid supplies, cosmetics and toiletries.)

(1) Store toxic substances so they cannot contaminate food, equipment, utensils, linens, single-service and single-use articles; separate by spacing or partitioning. Do not store toxic substances above food.

(2) Contain any rodent bait in covered, tamper-resistant bait stations. Do not use toxic tracking powder as a pesticide; do not allow any nontoxic tracking powders to contaminate food, equipment, or utensils.

(3) Label all medicines and first aid supplies; store in a kit or container out of food preparation areas.

4. PLUMBING REQUIREMENTS IN THE FOOD ESTABLISHMENT

4A. GENERAL All plumbing shall be installed by a licensed plumber under a valid, current plumbing permit in accordance with the "State of Delaware Regulations Governing a Detailed Plumbing Code."

4B. WATER SUPPLY AND SEWAGE DISPOSAL Facilities served by a public water supply and sewage systems do not require further evaluation. Private wells must comply with chemical and bacteriological standards; a satisfactory analysis is required before an operating permit may be issued. Individual sewage disposal systems require the approval of the Department of Natural Resources and Environmental Control prior to operating the food establishment.

4C. BACKFLOW PREVENTION

(1) **Air gap, supply:** An air gap between the water supply and the flood rim level of the plumbing fixture, equipment, or nonfood equipment shall be at least twice the diameter of the water supply inlet and may not be less than 1 inch (DE Food Code, §5.202.13).

(2) **Air gap, drainage:** No direct connection may exist between the sewage system and any drain originating from equipment in which food, portable equipment, or utensils are placed (DE Food Code, §5-402.11). Equipment and fixtures utilized for the storage, preparation and handling of food shall discharge through an indirect waste pipe by means of an air gap (DE Plumbing Code 2012,§802.1.1).

(3) **Floor drains:** Floor drains located within walk-in refrigerators or freezers in food establishments shall be indirectly connected to the sanitary drainage system by means of an air gap (DE Plumbing Code 2012, §802.1.2).

(4) **Backflow prevention device:** A backflow or backsiphonage prevention device shall meet American Society of Sanitary Engineering (ASSE) standards for construction, installation, maintenance, inspection, and testing for that specific application and type of device (DE Food Code, §5-202.14).

(5) **Plumbing fixtures:** The supply lines or fittings for every plumbing fixture shall be installed so as to prevent backflow (DE Plumbing Code 2012, §608.2).

(6) **Devices, appliances:** All devices that connect to the water supply shall be provided with protection against backflow (DE Plumbing code 2012, §608.3). This includes devices used for food preparation and processing, steamers, the storage of ice or food, warewashing machines, and other food service equipment.

(7) **Hose Connections:** Sillcocks, hose bibbs, wall hydrants and other openings with a hose connection shall be protected by an atmospheric-type or pressure-type vacuum breaker or a permanently attached hose connection vacuum breaker. Exceptions: water heater drain valve, clothes washing machine (DE Plumbing Code 2012, §608.15.4.2).

(8) **Beverage Dispensers:** The water supply connection to carbonated beverage dispensers shall be protected against backflow by a backflow preventer conforming to ASSE 1022 or by an air gap. The backflow preventer device and the piping downstream therefrom shall not be affected by carbon dioxide gas (DE Plumbing Code 2012, §608.16.1).

4D. UTILITY SERVICE INSTALLATION

(1) Utility lines including gas, plumbing and electrical shall be installed inside walls, above ceilings or below floors whenever structurally practical, and in accordance with applicable code requirements.

(2) If lines are run in front of walls, lines shall be installed with stand-off brackets or other secure mounting method, such that a minimum clearance of one inch (1") exists between line and wall.

(3) Exposed horizontal utility service, including water supply and drain lines, may not be installed on the floor.

4E. JOINT SEALING Joints formed by fixtures in contact with walls or floors shall be sealed with an approved sealant. Where installation does not allow access for cleaning, fixtures shall be sealed to walls or adjoining equipment. Where not structurally practical, a minimum gap of one inch (1") shall exist between the fixture and walls or adjoining equipment.

4F. TOILET FACILITIES

(1) At least 1 toilet and not fewer than the toilets required by law shall be provided. If authorized by law and urinals are substituted for toilets, the substitution shall be done as specified in the DE Plumbing Code § 419.2 (DE Food Code, §5-203.12).

(2) A handwashing facility shall be located in, or immediately adjacent to, toilet rooms (DE Food Code, §5-204.11).

(3) A toilet room…shall be completely enclosed and provided with a tight-fitting and self-closing door (DE Food Code, §6-202.14).

(4) Toilet rooms shall be conveniently located and accessible to employees during all hours of operation (DE Food Code, §6-402-11).

Stateof Delaware Regulations Governing a Detailed Plumbing Code adopts International Plumbing Code 2012 (IPC2012 with amendments as DE Plumbing Code). Applicable excerpts are listed below.

(5) DE Plumbing Code 2012 Table403.1 Minimum Number of Plumbing Facilities
The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by the building code.

Occupancy:	Assembly,Restaurants	
Water Closets:	Male:	1 per 75
	Female:	1 per 75
Lavatories:		1 per 200
Drinking Fountains:		1 per 500
Others:		1 service sink

Restaurants that provide drinking water in a container free of charge are not required to install drinking fountains.

(6) DE Plumbing Code 2012,§403.3 Location of Employees and Customer Toilet Facilities In Assembly Occupancies
Customers, patrons, visitors and employees shall be provided with toilet facilities in building and tenant spaces utilized as restaurants. The employees' facilities shall be either separate facilities or combined employee and public customer facilities. The required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities. and the path to travel to such facilities other than covered malls shall not exceed 500 ft. The path of travel to required facilities in covered malls shall not exceed a distance of 300 feet.

Exception: Public toilet facilities are not required within a food establishment where customers do not enter the structure or tenant space to order, pay for, and receive their food; and where food is not consumed within the facility. Examples include kiosks and other structures that are provided with a service window.

(7) DE Plumbing Code §403.2 Separate Facilities
Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exception: ...Separate facilities *(for each sex)* shall not be required in structures with a total occupant load including employees and customers, of 15 or less.

4G. SINKS All sinks shall be supplied with hot and cold running water under pressure.

Splashguard Dividers Where less than 18 inches lateral separation exists between sinks and adjacent fixtures, food contact surfaces or open storage shelving, a splashguard divider constructed of a material which is durable, easily cleanable, non-toxic and impervious to moisture shall be installed; such divider may be wall-attached or fixture-attached, and shall extend outward to the leading edge of the sink and be of sufficient height to prevent water from splashing onto an adjacent preparation or storage surface. NOTE: It is recommended that a minimum splashguard height of 8 to 12 inches be provided. Depending upon case-specific situations encountered in the facility, a higher minimum height may be necessary.

(1) **Handwashing sinks** These fixtures, when located in food preparation, food dispensing, beverage dispensing (including bar service area), food storage and warewashing areas, must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, BISSC, or equivalent.

(a) A separate, single-compartment handwashing sink is REQUIRED in food preparation, food dispensing, and warewashing areas; and in, or immediately adjacent to, toilet rooms. At least one handsink is required within each distinct work area used for food preparation, food dispensing or warewashing. Handsinks shall be installed within a radius of approximately 15 feet of work stations within each of these areas and accessible within direct line access. Hand soap, paper towels and a trash receptacle must be kept at these sinks.

(b) A minimum hot water temperature of 100°F, delivered through a mixing valve or combination faucet, is REQUIRED.

(c) If installed, self-closing, slow-closing, or metering faucets shall provide a flow of water for at least 15 seconds without the need to reactivate the faucet.

(d) A handwashing sink may not be used for any other purpose.

(e) An indirect drainline connection is not required. Connection to a grease trap is not required.

(2) **Food preparation sink(s)** Any sink in which food is washed or thawed under running water as part of the food preparation process must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, BISSC, or equivalent.

(a) A food preparation sink may not be used for disposal of mop water or liquid wastes.

(b) An indirect drainline connection through an air-gap is REQUIRED.

(c) Connection to properly sized grease trap is REQUIRED.

(d) If a food preparation sink has two or more compartments, a separate wasteline connection from each sink compartment through an air gap into a floor sink is REQUIRED.

(3) **Warewashing sink** This fixture must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, BISSC, or equivalent.

(a) A sink of at least three separate compartments with coved corners and integral drainboards at each end shall be provided for manually washing, rinsing and sanitizing equipment and utensils. Each sink compartment shall be large enough to accommodate the immersion of the largest equipment item or utensil. **A chemical test kit that matches the type of sanitizing agent in use is required in the warewashing area.**

(b) A warewashing sink may not be used for handwashing or disposal of liquid wastes.

(c) Connection to a properly sized grease trap is REQUIRED.

(d) An indirect drainline piped separately from each bowl is required.

(4) **Service Sink** (for use as janitorial sink, utility sink or mop sink)

(a) Wherever practical, install this fixture outside of the food preparation, food dispensing, food storage, and warewashing areas.

(b) This fixture, when located in food preparation, food dispensing, food storage and warewashing areas, must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, BISSC, or equivalent.

(c) A minimum of one service sink or receptor is REQUIRED on each floor level of food operations. This fixture may be a sink or a curbed receptor.

(d) The dual use of a utility sink as a handwashing sink is not approved in new construction, conversion of a structure to a food establishment, nor remodeling of an existing facility.

(e) An indirect drainline connection is not required.

(f) Connection to a grease trap not required.

(5) **Prewash sink** This fixture must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, BISSC, or equivalent.

(a) An indirect drain line through an air gap is required.

(b) Connection to a properly sized grease trap is REQUIRED.

(c) If a food waste grinder is installed on this fixture, the grease trap must be designed and rated for such application, or a solids interceptor is required upstream of the grease trap.

4H. **MECHANICAL WAREWASHER** This equipment item must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, or equivalent.

(1) A warewashing machine, using hot water or a chemical rinse to sanitize, may be installed. Large cookware which does not fit into the machine must be sanitized in a three compartment sink. Facilities without a three compartment sink whose warewashers are found functioning improperly may be directed to temporarily close until the machine is repaired. **If a chemical sanitizing agent is used, a test kit that matches the chemical sanitizing agent is required. If a hot water warewashing machine is installed, an irreversible registering temperature indicator shall be provided for measuring the utensil surface temperature.**

(2) Connection to a grease trap is required for mechanical ware washers that do not have a pre wash sink. High temperature sanitizing warewashers (above 180 degrees) shall **not** be connected to an indoor grease trap.

4I. **GREASE TRAP** The grease trap must be sized in accordance with PDI standard G101.

(1) Connection to a properly sized grease trap is REQUIRED for all fixtures that discharge grease-laden waste, e.g. warewashing sinks, food prep sinks, pre-wash sinks for warewashers, woks, and other cooking equipment.

PROCEDURE FOR SIZING A GREASE TRAP TO A SPECIFIC FIXTURE

1. Determine the liquid volume of the fixture in cubic inches (cu in) draining to the grease trap.
2. Determine the liquid capacity of the fixture in gallons (gal).
3. Determine the actual drainage load (75% of fixture capacity).
4. Determine the unit flow rate minimum for drainage period of 2 minutes.
5. Select a unit corresponding to minimum unit flow rate.

EXAMPLE OF SIZING FOR GREASE TRAP SELECTION PDI G-101

Select a grease trap for a three compartment warewashing sink with bowl dimensions of 18" W x 24" L x 12" D

1. Volume = (18in x 24in x 12in) x 3 cmpts = (5,184 cu in) x 3 = 15,552 cubic inches
2. Capacity = Volume (cu in) / 231 (cu in/gal) = 15,552 / 231 = 67.3 gallons
3. Drainage load = 67.3 gal x 0.75 = 50.4, or approx. 50gallons
4. Unit flow rate minimum = 50 gallons / 2 minutes = 25 gallons per minute (gpm)
5. Select a grease trap with a minimum flow rate equal to or greater than **25 gpm**
6. For multiple fixtures add together 100% of the largest flow rate, 50% of the 2nd largest flow rate and 25% of all others.

4J. **WATER HEATER** - Hot Water Supply

(1) The water heater shall be sized to provide hot water as required to supply both the continuous requirements and the hourly peak demands of the facility. The continuous and hourly demands are based on the type of equipment and number of fixtures consuming hot water as required for food operations.

(2) The total hot water availability in gallons per hour (gph) from a water heater is the sum of the unit storage capacity plus the recovery rate at a 100°F rise.

(3) A fuel-fired (gas or oil) water heater in a food establishment shall have a minimum storage capacity of thirty (30) gallons; an electric water heater shall have a minimum storage capacity of forty (40) gallons. Storage capacities larger than the minimum shall be required, based the type of equipment and number of fixtures consuming hot water.

5. EQUIPMENT REQUIREMENTS IN THE FOOD ESTABLISHMENT

5A. GENERAL

(1) Install or provide only FOOD EQUIPMENT that is certified for sanitation by an American National Standards Institute (ANSI)-accredited certification program, such as National Sanitation Foundation (NSF), Intertek Testing Services (ETL Sanitation), Underwriters Laboratory (UL Food Service Equipment Classified for Sanitation), Baking Industry Sanitation Standards Committee (BISSC), National Automated Merchandising Association (NAMA), or equivalent testing and certification agencies.

(2) Provide only FOOD EQUIPMENT AND FOOD-CONTACT SURFACES which are constructed of materials with the following characteristics: safe; durable; corrosion-resistant; nonabsorbent; sufficient weight and thickness; smooth, easily-cleanable; resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition; and do not impart deleterious substances, colors, odors, or tastes to food.

(3) Provide only FOOD EQUIPMENT AND FOOD-CONTACT SURFACES which have the following characteristics: free of breaks, open seams, cracks, chips, pits and similar imperfections; free of internal angles, corners, and crevices; finished to have smooth welds and joints; and accessible for cleaning without disassembly, can be disassembled without tools, or can be disassembled with commonly available handheld tools.

(4) Provide only NONFOOD-CONTACT SURFACES exposed to splash, spillage, or other food soiling or requiring frequent cleaning constructed of materials with characteristics: corrosion-resistant; nonabsorbent; and smooth.

(5) Provide only NONFOOD-CONTACT SURFACES which have the following characteristics: free of unnecessary ledges, projections, and crevices; and designed and constructed to allow easy cleaning and to facilitate maintenance.

(6) Provide only SINGLE-SERVICE AND SINGLE-USE ARTICLES constructed of materials with the following characteristics: safe; clean; and do not impart deleterious substances, colors, odors, or tastes to food.

5B. EQUIPMENT INSTALLATION

(1) Provide spacing of at least one inch (1”) between floor mounted fixed equipment items to allow easy access for cleaning; elevate equipment on legs to provide a minimum of six inches (6”) clearance between the floor and the equipment; or seal these items to adjoining equipment, floor, and walls.

(2) Elevate table mounted equipment on legs to provide spacing of least four inches (4”) below equipment to allow easy access for cleaning; or seal these items to the table.

5C. VENTILATION SYSTEMS

(1) Install ventilation hood systems and devices in sufficient numbers and of sufficient capacities to prevent grease or condensation from collecting on walls and ceilings.

(2) Install ventilation systems in which the interior surfaces of hoods and canopies meet food zone material requirements; splash zone materials such as galvanized steel are not approved.

(3) Install exhaust ventilation hood system components in food preparation areas and warewashing areas to prevent grease or condensation from dripping onto food, equipment, utensils, linens, and single-service and single-use articles.

(4) Provide filters and grease extracting equipment which are readily removable for cleaning and replacement; or provide system designed to be cleaned in place.

5D. TEMPERATURE MEASURING DEVICES (TMD is defined as a thermometer, thermocouple, thermistor, or other device that indicates the temperature of food, air, or water.)

(1) In mechanically refrigerated food storage units, provide TMD located to measure the air temperature in the warmest part of the unit; in hot food storage units, provide TMD located to measure the air temperature in the coolest part of the unit.
Provide mechanically refrigerated or hot food storage equipment designed to include at least one integral or permanently affixed TMD, which is numerically scaled in increments of 1°C or 2°F, and which is designed and located to be easily readable.

(2) Provide TMD which are readily accessible for use in ensuring attainment and maintenance of required food temperatures.

(3) Provide TMD accurate to ±1° Celsius or ±2° Fahrenheit to measure food temperature.

(4) Provide TMD accurate to ±1.5° Celsius or ±3° Fahrenheit to measure the temperature of ambient air and water.

(5) Provide TMD with sensors not constructed of glass, except if encased in shatterproof coating.

5E. COOKING AND HOT HOLDING EQUIPMENT

(1) Provide cooking, hot holding, and reheating equipment in sufficient numbers and of sufficient capacities to cook foods to the temperatures and within the times specified by the Division of Public Health; to hold hot foods for service at a minimum of 135°F; and to reheat foods rapidly to at least 165°F.

(2) If microwave ovens are used, provide only commercial grade units which meet the safety standards specified in 21 Code of Federal Regulations 1030.10 Microwave Ovens.

5F. REFRIGERATION AND COLD HOLDING EQUIPMENT

(1) Provide freezing, refrigeration, and cold holding equipment in sufficient numbers and of sufficient capacities to freeze, cool, and hold foods to the temperatures and within the times specified by the regulatory authority.

(2) Provide freezer units capable of maintaining stored food solidly frozen.

(3) Provide refrigeration and cold holding units capable of maintaining stored foods at 41°F or below.

(4) If a condenser unit is an integral component of the equipment, provide a dustproof barrier between the condenser unit and the food storage space.

5G. **MANUAL WAREWASHING EQUIPMENT** This equipment item must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, BISSC, or equivalent. Refer to the "Plumbing Requirements" section of this guide for additional information on installation requirements for manual warewashing equipment.

(1) Provide a sink of at least three separate compartments with coved corners and integral self-draining drainboards at each end for manually washing, rinsing and sanitizing equipment and utensils. Each sink compartment shall be large enough to accommodate the immersion of the largest equipment or utensil. Note: the installation and use of alternative manual warewashing equipment or methods is subject to prior approval by the Division of Public Health.

(2) Provide drainboards, utensil racks, or tables large enough to accommodate all soiled and sanitized items which accumulate during hours of operation.

(3) Provide a chemical test kit that matches the type of sanitizing agent used in the warewashing area.

(4) Provide a readily accessible temperature measuring device (TMD) for frequent monitoring of washing and sanitizing temperatures during manual warewashing operations.

(5) If hot water is used for sanitization, provide an integral heating device to maintain water temperature at not less than 171°F;
provide a rack or basket to allow complete immersion of equipment and utensils into the hot water.

5H. **MECHANICAL WAREWASHING EQUIPMENT** This equipment item must be certified or classified under an approved industry standard for food equipment, such as NSF International, ETL Sanitation, UL for Sanitation, BISSC, or equivalent. Refer to the "Plumbing Requirements" section of this guide for additional information on installation requirements for mechanical warewashing equipment.

(1) A warewashing machine, using hot water or a chemical rinse to sanitize, may be installed. Large cookware which does not fit into the machine must be sanitized in a three compartment sink. Facilities without a three compartment sink whose warewashers are found functioning improperly may be directed to temporarily close until the machine is repaired.

If a chemical sanitizing agent is used in the warewashing machine, **provide a chemical test kit that matches the type of sanitizing agent used in the warewashing area** to measure the concentration of the sanitizing chemical.

A warewashing machine that uses a chemical for sanitization shall be equipped with a device that indicates audibly or visually when more chemical sanitizer needs to be added.

If a warewashing machine that uses hot water for sanitization is installed, an irreversible registering temperature indicator shall be provided for measuring the utensil surface temperature.

(2) Provide an easily readable and accessible data plate to indicate all of the following applicable information: water temperature in wash, rinse, and sanitize cycles; pressure of sanitizing rinse, unless only a pumped rinse; and conveyor speed or cycle time (stationary rack).

(3) Provide a temperature measuring device (TMD) that indicates water temperature in each wash and rinse tank, and at hot water final sanitizing rinse manifold, or in the chemical sanitizing solution tank.

(4) Provide gauges on warewashing machines to indicate pressures in PSI's or kilopascals in the supply line of the fresh hot water sanitizing rinse.

(5) Provide internal baffles or curtains between wash and rinse tanks inside machine.

5I. CONSUMER SELF-SERVICE AND DISPLAY EQUIPMENT

(1) Protect food on display from contamination by the use of packaging; counter, service line, or salad bar food guards; display cases; or other effective means. Do not offer raw, unpackaged animal foods, such as beef, lamb, pork, poultry, and fish for consumer self-service (exceptions may apply).

(2) Provide suitable utensils or effective dispensing methods that protect food from contamination at a consumer self-service buffet or salad bar. Provide a food dispensing utensil for each container displayed.

(3) Protect condiments from contamination by displaying in protective containers, providing proper utensils, using original containers designed for dispensing, or providing individual packages or portions.

(4) Provide adequate tableware to prevent self-service consumers from reusing soiled tableware, including single-service articles, to obtain additional food from display or service equipment.

5J. SPECIFIC EQUIPMENT ITEM CHARACTERISTICS AND REQUIREMENTS

(1) **Storage:** provide commercial grade racks, shelving, or storage units constructed of materials which are smooth, easily cleanable, nontoxic and impervious to moisture. Do not line shelves with paper, plastic, vinyl, metal foil or similar sheetgoods. Store dry food, equipment, utensils, clean linen and single service and single-use articles in clean, dry locations; protect items from exposure to splash, dust and contamination. Store all items at least six inches (6") above the floor on shelving up to 24" in depth; for shelving which exceeds 24" in depth, store items at least 12" above the floor .

(2) **Equipment Compartments:** In equipment subject to accumulation of condensation, drip from food or beverage, or water from melting ice, provide equipment with a compartment sloped to an outlet that allows complete draining.

(3) **Kick Plates:** Provide equipment with kick plates designed to be removable for access behind them for inspection and cleaning without tools, using only commonly available handtools, or capable of being rotated open without unlocking equipment doors.

(4) **Bearing and Gearboxes:** In equipment containing bearings and gears which require lubrication, provide only such equipment which is designed and constructed so that lubricant can not leak, drip, or be forced into food or onto food contact surfaces.

(5) **Cutting Surfaces:** Provide only such surfaces which can be effectively cleaned and sanitized. Resurface or replace surfaces if they can no longer be effectively cleaned and sanitized.

(6) **Nonstick Coatings:** If using multiuse kitchenware with nonstick perfluorocarbon resin coatings, provide nonscoring and nonstratching utensils and cleaning aids.

(7) **Can openers:** Provide can openers with cutting or piercing parts which are easily removable for cleaning and replacement.

(8) **Ice Units:** Provide only such equipment in which liquid waste drainlines do not pass through the ice machine or ice storage bin.

(9) **Beverage Tubing:** Provide only such equipment in which beverage tubing and cold-plate beverage cooling devices are not in contact with stored ice.

SPECIFIC EQUIPMENT CHARACTERISTICS are continued next page ⇒

(SPECIFIC EQUIPMENT CHARACTERISTICS - continued)

(10) **Beverage Dispensing Equipment:** *Specific limitations may apply.* For operations involving the refilling of consumer-owned beverage containers, such refilling may be approved only for non-time/temperature control for safety beverages. When the container is refilled by a food employee, provide facilities for rinsing returned containers with fresh, hot water that is under pressure and not recirculated, before refilling. A consumer- owned beverage container may be refilled by the consumer only if the beverage system includes a contamination-free transfer process that cannot be bypassed by the container owner. Consult with the Office of Plan Review for specific requirements pertaining to this equipment.

(11) **Molluscan Shellfish Tanks:** *Specific limitations may apply*. Consult with the Office of Plan Review for specific requirements pertaining to this equipment.

(12) **Food Transportation Equipment:** *Specific limitations may apply*. For operations involving the preparation of food for delivery to and consumption at a location off the premises of the food establishment where it was prepared, such as in a catering operation, consult with the Office of Plan Review for specific requirements pertaining to this equipment.

(13) **Mobile Food Units and Pushcarts:** *Specific limitations may apply*. Consult with the Office of Plan Review for specific requirements pertaining to this equipment.

(14) **Vending Machines:** *Specific limitations may apply*. Consult with the Office of Plan Review for specific requirements pertaining to this equipment.

(15) **Retail Food Stores:** *specific limitations may apply.* Consult with the Office of Plan Review for specific requirements pertaining to these operations.

Food Processing Operations

The operation of a food processing plant for the preservation of products intended for use as human food, including all methods of preservation of low-acid canned foods and acidified foods, reduced-oxygen-packaging, fermentation, salting, or smoking requires specific approval.

Contact the Office of Food Protection for requirements involved with processing operations in a Food Establishment.

FOOD ESTABLISHMENT EQUIPMENT SCHEDULE ***SAMPLE***

NAME OF FOOD ESTABLISHMENT: ***THIS PAGE IS A SAMPLE ONLY*** DATE: ____/ _____/_____

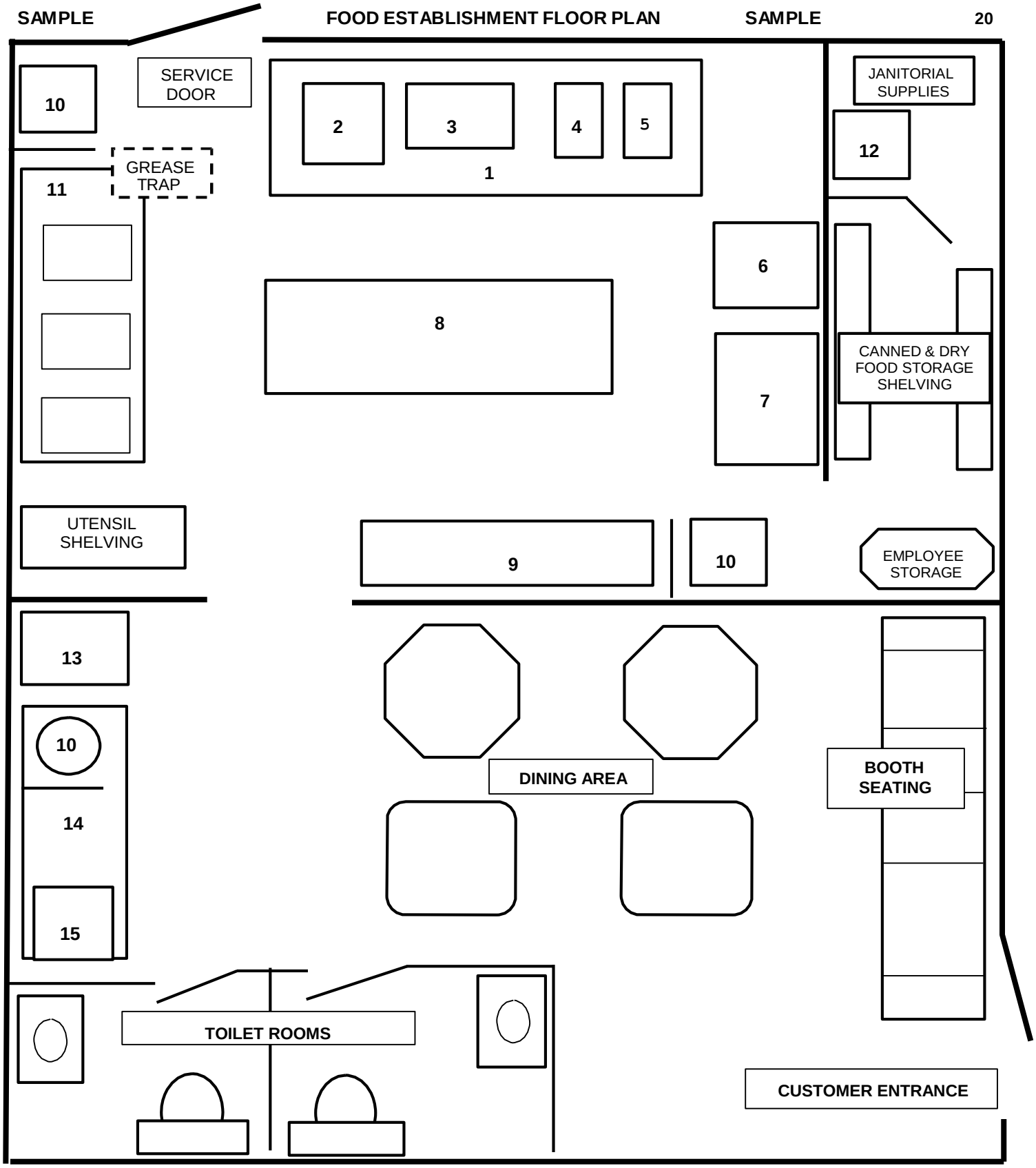
SUBMITTED BY:

ITEM NO.	ITEM DESCRIPTION	MANUFACTURER	MODEL NO.
1	Exhaust Hood	Captive –Aire Systems	Custom Fab
2	Range, 6 Burner, Gas	Garland Ind	H-286
3	Countertop Griddle	U.S. Range Inc	TB-24GG
4	Deep Fryer	Frymaster	MJ 45 E
5	Deep Fryer	Frymaster	MJ 45 E
6	Refrigerator, Reach-in	True Mfg Co	TSTL–49
7	Freezer, Reach-in	Victory	HAF–2–PS
8	Prep Table, Stainless Steel	Falcon Fabricators	66-548
9	Prep table, Laminated top	King Concepts	Custom Fab
10	Handwashing Sink with gooseneck faucet assembly (3 each)	Advance Tabco	7-PS-HC
11	Warewashing Sink, 3-compartment w/ 2 drainboards & grease trap below	Eagle Metalmasters	414-18-3-24
12	Service Sink, Floor-mounted	Eagle Metalmasters	F1916
13	Ice Maker, With storage bin	Manitowoc	JR0405A W/C470
14	Wait Station	King Concepts	Custom Fab
15	Beverage Dispensing Equipment	Manitowoc Beverage Systems	CF-1522
16			
17			
18			
19			
20			

Note 1: Equipment numbers refer to corresponding location of equipment on floor plan / layout drawings or diagrams.

Note 2: Mention of trade names on this sample are used as examples only and do not imply product endorsement.

(USE ADDITIONAL SHEETS, IF NECESSARY, TO CONTINUE EQUIPMENT SCHEDULE)



FOOD ESTABLISHMENT FLOOR PLAN & EQUIPMENT LAYOUT

Scale ¼" = 1 foot
(If other scale, specify: _____)

NAME OF FOOD EST. _____ Submitted by: _____

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health
Office of Food Protection

PLAN REVIEW AND APPROVAL FOR FOOD ESTABLISHMENTS

APPLICATION FORMS

Healthy People in Healthy Environments
Health
Systems
Protection

Rev. 11/2012

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health
Office of Food Protection

OFFICE OF ENGINEERING
43 S DUPONT HWY
DOVER DE 19901
302-741-8640 FAX 302-741-8631

APPLICATION FOR PERMIT TO OPERATE A FOOD ESTABLISHMENT

SECTION A: IDENTIFICATION – Please print legibly in all blocks below, except where signature is required.

1. NAME AND LOCATION OF FOOD ESTABLISHMENT (Enter Street Address. Do Not Use P.O. Box Numbers)

TEL NO. OF ESTABLISHMENT: _____-- _____-- _____ FAX NO. _____ -- _____ -- _____

2. NAME AND PERMANENT MAILING ADDRESS OF APPLICANT/OWNER

TEL NO. _____-- _____-- _____

3. SEASONAL/TEMPORARY MAILING ADDRESS (IF APPLICABLE)

TEL NO. _____-- _____-- _____

4. MAIL CORRESPONDENCE TO (CHECK ONE): ☐ ADDRESS SHOWN IN **BLOCK #A1** ☐ ADDRESS SHOWN IN **BLOCK #A2**

SECTION B: CLASSIFICATION

TYPE OF FOOD ESTABLISHMENT (CHECK ALL THAT APPLY)

1. __FIXED LOCATION
2. __MOBILE UNIT (SPECIFY FACILITY USED AS SERVICING AREA _____)
3. __SEASONAL (SPECIFY DATES OF OPERATION _____)

◆ IF THIS IS A CHANGE OF OWNERSHIP, INDICATE BELOW THE PREVIOUS FOOD ESTABLISHMENT NAME, IF KNOWN.
PREVIOUS NAME: _____ PREVIOUS BUSINESS ID: _____

TYPE OF PERMIT REQUESTED (CHECK ALL THAT APPLY)

1. __FOOD SERVICE (RESTAURANT)
2. __RETAIL FOOD STORE
3. __FOOD PROCESSOR
4. __VENDED FOOD
5. __ICE MANUFACTURING

TYPE OF BUSINESS ENTITY

1. __INDIVIDUAL
2. __PARTNERSHIP (NAME: _____)
3. __ASSOCIATION (NAME: _____)
4. __CORPORATION (NAME: _____)
5. __OTHER ENTITY (SPECIFY TYPE: _____)
6. INTERNAL REVENUE SERVICE STATUS (CHECK ONE) __FOR PROFIT OR __NON – PROFIT

NOTE: NON-PROFIT ORGANIZATIONS ARE EXEMPT FROM FEES.
IF CLAIMING EXEMPTION FROM FEES, ATTACH A COPY OF INTERNAL REVENUE SERVICE (IRS) 501[C][3] LETTER.

FEES: PLANREVIEW IS REQUIRED FOR NEW CONSTRUCTION, STRUCTURE CONVERSION TO FOOD ESTABLISHMENT, REMODELING, OR CHANGES IN ESTABLISHMENT TYPE OR FOOD OPERATION TYPE. PLEASE INCLUDE THE REQUIRED NON-REFUNDABLE FEE WITH THIS APPLICATION. MAKE CHECK PAYABLE TO "**STATE OF DELAWARE**."

THE ESTABLISHMENTPERMITFEE IS NOT DUE UNTIL THE FACILITY IS APPROVED FOR OPERATION. AT THAT TIME, AN INVOICE WILL BE SENT TO THE ESTABLISHMENT APPLICANT.

SECTION C: CERTIFICATION STATEMENT (APPLICANT SIGNATURE IS REQUIRED BELOW. DO NOT PRINT)

I, THE UNDERSIGNED, IN APPLYING FOR A FOOD ESTABLISHMENT PERMIT, ATTEST TO THE ACCURACY OF THE INFORMATION PROVIDED IN THIS APPLICATION. I AFFIRM THAT THE ESTABLISHMENT WILL BE OPERATED IN COMPLIANCE WITH APPLICABLE "STATE OF DELAWARE REGULATIONS GOVERNING FOOD ESTABLISHMENTS" AND WILL ALLOW AUTHORIZED REPRESENTATIVES OF THE DIVISION OF PUBLIC HEALTH ACCESS TO THE ESTABLISHMENT AND ITS RECORDS, AS MAY BE REQUIRED BY APPLICABLE REGULATIONS.

APPLICANT SIGNATURE X_____ DATE _____/ _____/ _____

FOROFFICIALUSEONLYBELOWTHISLINE

APPLICATION REVIEWED: APPROVED_____ DISAPPROVED_____ BY_____ DATE _____

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health
Office of Food Protection

PLAN REVIEW AND APPROVAL FOR FOOD ESTABLISHMENTS

FACILITY INFORMATION SHEET

1A. IDENTITY OF PLANS:

Name of Food Establishment _____

Address of Food Establishment _____

_____Phone _____

Applicant/Owner _____

Address of Applicant/Owner _____ Phone _____

_____ Email _____

1B. PLAN REVIEW IS FOR: _____New Construction _____Conversion _____ Remodeling

2. STRUCTURAL REQUIREMENTS (Mark item as "NA" if not applicable)

A. GENERAL: Suitable structural materials used throughout facility? Yes_____ No_____

B. OUTDOOR AREAS:
(1) Walking and driving surfaces properly graded to drain? Yes_____ No
(2) Walking and driving surfaces constructed of (specify) _____material.

GARBAGE AND REFUSE STORAGE AND DISPOSAL:
(3) Indoor refuse storage room provided? Yes_____ No
(4) Outdoor container surface: concrete or asphalt pad, or equal? Yes_____ No
(5) Container washing facilities with hot and cold water, provided? Yes_____ No
(6) If refuse to be incinerated on premises, does incinerator meets standards established by Dept. of Natural Resources and Environmental Control (DNREC)? Yes_____ No_____

C. OUTER OPENINGS - Doors and windows
(1) All openings protected from vermin entry by use of doors/screens? Yes____ No_____
(2) All outer doors self-closing? Yes____ No_____
(3) All openings in floors, walls, ceilings for pipes, cables, etc. properly caulked or sealed ? Yes____ No_____

D1. INDOOR AREAS (Floors): List type of materials

Kitchen_____ Food Preparation Areas_____

Restrooms_____Storage Areas _____

(1) Grease-resistant material, impervious, easily cleanable? Yes_____No_____
(2) Graded to drain (if floor drains are provided)? Yes_____No_____
(3) Floor and wall junctures coved? Yes_____ No_____

D2. INDOOR AREAS (Walls): List type of materials

Kitchen: Walls_____ Dining Area: Walls_____ Restrooms: Walls_____ Storage Areas: Walls_____

(1) Light color? Yes_____ No
(2) Walls washable to level of splash? Yes_____ No
(3) Materials smooth, easily cleanable? Yes_____ No
(4) Exposed beams, piping, etc. in food preparation areas, storage areas, or restrooms? Yes_____ No_____

D3. INDOOR AREAS (Ceilings): List type of materials

Kitchen: _____ Dining Area: Ceiling_____ Restrooms: Ceiling_____ Storage Areas: Ceiling_____

(1) Light color? Yes_____ No_____
(2) Materials smooth, easily cleanable? Yes_____ No_____
(3) Exposed beams, piping, etc. in food preparation areas, storage areas, or restrooms? Yes_____ No_____

E. INTERIOR LIGHTING: (Minimum illumination intensities required)
(1) 50 foot-candles provided on all food preparation surfaces? Yes_____ No_____
(2) 20 foot-candles provided inside equipment, in handwashing and warewashing areas, in storage areas, in toilet rooms, and in consumer self-service areas? Yes_____ No_____
(3) 10 foot-candles provided in walk-in units, and all other areas? Yes_____ No_____
(4) Safety shields provided for all lights in food preparation, service, storage, display areas, and where equipment and utensils are cleaned and stored? Yes_____ No_____

F. DRESSING AND LOCKER ROOMS:
(1) Meet same construction standards as restrooms (easily cleanable materials, lighting and ventilation adequate, located outside food prep area)? Yes_____ No_____

G. DISTRESSED MERCHANDISE:
(1) Area designated for damaged, spoiled or recalled products? Yes_____ No_____

H. LAUNDRY, LIVING AND SLEEPING AREAS:
(1) Clothes washer and dryer physically separated from other parts of food operation? Yes_____ No_____
(2) Food operations physically separated and partitioned from any living or sleeping quarters? Yes_____ No_____

I. ANIMALS:
(1) Live animals excluded from food operations and adjacent areas? Yes_____ No_____

J. POISONOUS AND TOXIC MATERIALS:

(1) Separated or partitioned facilities provided for storage of poisonous and toxic materials?
Yes_____ No_____

3. PLUMBING REQUIREMENTS (Mark item as "NA" if not applicable)

A. GENERAL:

All plumbing to be installed by a licensed plumber with a current permit, and complies with applicable local, state and national plumbing codes? Yes_____ No_____

B1. WATER SUPPLY:

(1) Served by public water system? Yes_____ No_____
Name and ID number, if known_____

(2) Served by an individual water system approved by Division of Public Health and Department of Natural Resources and Environmental Control (DNREC)?
Yes_____ No_____

(3) Water pressure at least 20 pounds per square inch in all areas? Yes_____No_____

(4) All plastic potable water lines NSF-PW approved or equal? Yes_____ No_____

B2. SEWAGE DISPOSAL:

(1) Served by public sewage disposal system? Yes_____No_____

(2) Served by private sewage disposal system? Yes_____No_____

(3) Private sewage disposal system approved by DNREC? Yes_____ No_____

System permit number _____ Approval date_____

C. BACKFLOW PREVENTION:

(1) Backflow prevention device on all hose connections? Yes_____ No_____

(2) Dishwashing machines, potato peelers, garbage disposals, steam kettles, steam tables, coffee pots, etc. installed in such a manner as to preclude the possibility of back siphonage?
Yes_____ No_____

(3) Waste drainlines from equipment indirectly connected through air gap to sewer?
Yes_____ No_____

D. UTILITY SERVICE INSTALLATION:

(1) Utility service lines installed in compliance with all applicable codes?
Yes_____ No_____

(2) Utility service lines installed inside walls, or installed with stand-off brackets to provide minimum 1 inch clearance between line and wall? Yes_____ No_____

(3) Exposed overhead sewers located in food preparation areas or storage areas?
Yes_____ No_____

E. JOINT SEALING:

(1) Joints formed by plumbing fixtures mounted on walls or floors sealed with approved sealant? Yes_____ No_____

(2) Fixtures sealed to walls and floors, or a minimum clearance of 1 inch provided?
Yes_____ No_____

F. TOILET FACILITIES:

(1) Number of fixtures provided as required by plumbing code? Yes_____No_____

(2) Conveniently located and easily accessible? Yes_____No_____

(3) Doors self-closing? Yes_____ No_____

(4) Ventilation provided by window or mechanical exhaust? (Circle method of ventilation)

(5) Handwashing facilities provided in restrooms? Yes_____ No_____

G. SINKS:

(1) Handwashing sinks provided in all food preparation and food dispensing areas? Yes_____ No_____

(2) Handwashing sinks provided in all warewashing areas? Yes_____ No_____

(3) Separate food preparation sink provided? Yes_____ No_____

(4) Three-compartment warewashing sink with integral drainboards on both sides provided? Yes_____ No_____

(5) Service (utility, mop or janitorial) sink provided on same floor as food operations? Yes_____ No_____

(6) Prewash sink? Yes_____ No_____ Food waste grinder? Yes_____ No_____

H. MECHANICAL WAREWASHER:

(1) Brand name and model no. of dishwasher_____

(2) Brand name and model no. of booster heater_____

I. GREASE TRAP(S)

(1) Properly sized grease trap on food preparation sink? Yes_____ No_____

(2) Properly sized grease trap on warewashing sink? Yes_____ No_____

(3) Properly sized and rated grease trap on prewash sink? Yes_____ No_____

J. HOT WATER SUPPLY

(1) Brand name and model no. of hot water heater_____

(2) Temperature/Pressure Relief Valve installed on water heater? Yes_____ No_____

(3) Storage capacity of hot water heater_____(USGallons)

(4) Input rating Gas _____(BTU) Electric _____(KW)

4. EQUIPMENT REQUIREMENTS (Mark item as "NA" if not applicable)

A. EQUIPMENT

(1) Did you provide the manufacturer's name and model number of all equipment as well as equipment specification sheets?* Yes_____ No_____

* Note: If catering off premises, provide additional equipment listing, including manufacturer names and model numbers, of food transportation containers used to maintain foods at proper temperatures.

B. VENTILATION

(1) All combustion-type heating devices, except those used for cooking purposes, properly vented to outside (water heaters, area heaters, furnaces, etc.)? Yes_____ No_____

(2) Hoods provided on all cooking units producing grease-laden vapor or having open flame? Yes_____ No_____

(3) Exhaust hoods and fire suppression systems constructed and installed according to NFPA Standard 96 and other applicable codes? Yes_____ No_____

(4) Ventilation system and exhaust fans installed in such a manner so as not to create a nuisance or health problem at point of discharge? Yes_____ No_____

C. WORK SURFACES

(1) Food contact surfaces safe, durable, corrosion-resistant, nonabsorbent, smooth and easily-cleanable? Yes_____ No_____

(2) Non-food contact surfaces constructed of corrosion-resistant, nonabsorbent, and smooth materials? Yes_____ No_____

D. DISPLAY

(1) Sneeze guards, food shields, or other devices provided where required? Yes___No___

E. STORAGE

(1a) Delivery frequency for fresh meats, poultry, seafood, dairy products: _____

(1b) Delivery frequency for produce, fresh fruit and vegetables: _____

(1c) Cubic feet of refrigerated storage (walk-in, reach-in): _____

(2a) Delivery frequency for frozen food products: _____

(2b) Cubic feet of frozen food storage (walk-in, reach-in) _____

(3a) Delivery frequency for dry and canned foods: _____

(3b) Square footage of dry and canned food storage: _____

(4) Facilities (racks and shelving) provided for food storage 6 inches above floor, or 12 inches above floor if shelves exceed 24" depth? Yes_____No_____

(5) Exposed sewer and exposed water lines or waste water lines over food storage areas? Yes_____No_____

F. LINEN

(1) Storage location provided where clean linen protected from contamination? Yes_____No_____

(2) Nonabsorbent containers or washable laundry bags provided for storage of soiled linen? Yes_____No_____

5. FLOOR PLAN (Three copies are required for review) Scale: 1/4" = 1 foot

A. Did you provide three copies of the floor plan, showing locations of all equipment listed above?* Yes_____ No_____

6. MENU

A. Did you provide a menu or complete list of all foods and beverages to be served?* Yes_____ No_____

B. Did you provide all applicable information in the Food Preparation Review?* Yes_____ No_____

C. Did you complete the Type of Food Operation sheet?* Yes_____ No_____

* = Attach additional sheets or forms as applicable.

(X)_____ _____

Signature of Applicant/Owner **Date**

_____

Printed Name of Applicant/Owner

_____

Name of Food Establishment

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health
Office of Food Protection

TYPE OF FOOD OPERATION

APPLICANT: (PRINT) _____DATE: ___/__/___

FOOD ESTABLISHMENT NAME: _____

Changes in the type of food operation may require review and approval of plans and specifications by the Division of Public Health to ensure compliance with current Food Establishment regulations.

√ *Check one or more items below to indicate type of food operation(s)*

__ PREPARATION AND SALE OF NON -TIME/TEMPERATURE CONTROL FOR SAFETY FOOD.*

__ PREPARATION, SALE AND SERVICE OF TIME/TEMPERATURE CONTROL FOR SAFETY FOOD* Only to order upon a consumer's request.

__ PREPARATION, SALE AND SERVICE OF TIME/TEMPERATURE CONTROL FOR SAFETY FOOD;* In advance, in quantities based on projected consumer demand, and discards food that is not sold or served, at an approved frequency.

__ PREPARATION, SALE AND SERVICE OF TIME/TEMPERATURE CONTROL FOR SAFETY FOOD;* In advance, in quantities based on projected consumer demand, and discards food using time as the public health control.

__ PREPARATION, SALE AND SERVICE OF TIME/TEMPERATURE CONTROL FOR SAFETY FOOD;* In advance, where preparation involves two or more of the following steps: combining time/temperature control for safety ingredients; thawing; cooking; cooling; reheating; hot holding, cold holding; or freezing.

__ PREPARATION, SALE AND SERVICE OF TIME/TEMPERATURE CONTROL FOR SAFETY FOOD;* In advance, where preparation involves two or more of the following steps: combining time/temperature control for safety ingredients; thawing; cooking; cooling; reheating; hot holding; cold holding; or freezing. For delivery to and consumption at a location off the premises of the food establishment where it is prepared.

__ PREPARATION, SALE AND SERVICE TIME/TEMPERATURE CONTROL FOR SAFETY FOOD;* In advance, where preparation involves two or more of the following steps: combining time/temperature control for safety ingredients; thawing; cooking; cooling; reheating; hot holding; cold holding; or freezing. For service to a highly susceptible population.**

DEFINITION OF TERMS

* Time/Temperature Control for Safety Food: a food that requires time/temperature control for safety(TCS) to limit pathogenic microorganism growth or toxin formation.

** Highly Susceptible Population: Persons who are more likely than others in the general population to experience foodborne disease because they are immunocompromised, preschool age children or older adults and obtain food at a facility such as a child or adult day care center, kidney dialysis center, hospital, nursing home or senior center.

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health
Office of Food Protection

FOOD PREPARATION REVIEW

1. IDENTITY OF FOOD PREPARATION REVIEW

Name of Food Establishment _____

Applicant _____

Address of Food Est. _____

_____ Phone:_____

2. FOOD ESTABLISHMENT OPERATING CHARACTERISTICS

A. Total square footage of food establishment premises: _____ SQFT

B. Number of floors on which food operations are conducted: _____ FLOOR(S)

C. Type of meal service to be provided: (Check all that apply)

_____ Take Out Food
_____ Mobile Food Unit
_____ Catering on premises
_____ Highly Susceptible Population* (see definition below)
_____ Seated Dining
_____ Delivery of Prepared Food
_____ Catering off premises

* Highly Susceptible Populaton: means persons who are more likely than others in the general population to experience foodborne disease because they are immunocompromised, preschool age children or older adults and obtain food at a facility such as a child or adult day care center, kidney dialysis center, hospital, nursing home or senior center.

D. Number of seats for dining: Interior _____ Exterior _____

E. Hours of operation:
Sun _____ Mon_____Tue _____Wed _____ Thu _____Fri _____Sat_____

If seasonal, specify approximate dates of operation:
From _____ To _____

F. Approximate daily maximum number of meals to be served:
Breakfast: _____ Lunch: _____ Dinner: _____

3. FOOD HANDLING PROCEDURES

In each of the following sections, please provide a brief description of your standard procedures to ensure that food is safe, unadulterated, and honestly presented when offered to the consumer. Please use additional sheets, if necessary.

A. Receiving Approved Source

How will you ensure that all foods are purchased from inspected and approved sources, such as retail store, purveyor, commercial processor, etc.?

_____

_____

B. Storage Protection from Contamination, Refrigerated and Frozen

How will you ensure that foods are maintained at 41°F or below, or frozen food maintained frozen?

_____

_____

FOOD PREPARATION REVIEW

How will you prevent cross-contamination between raw foods (meats, poultry, seafood) and cooked ready-to-eat foods?

_____

_____

C. **Preparation** Protection from Contamination

How will frozen foods be thawed before cooking?

_____

How and where will foods (meat, poultry, seafood, produce) be washed and rinsed on-premises?

_____

How will you minimize the time foods are in the Danger Zone (41°F - 135°F) during preparation?

_____

How will ready-to-eat foods made by combining ingredients, such as tuna or chicken salad, be chilled after preparation?

_____

D. **Cooking** Destruction of Organisms

How will you measure the required final cooking temperatures of time/temperature control for safety foods (thermometers, etc)?

_____

E. **Service** Limiting Growth of Organisms

How will hot foods be maintained at 135°F or above during hot holding for service (steam tables, warmers)?

_____

How will cold foods be maintained at 41°F or below during cold holding for service (cold pan units, buffet tables, etc)?

_____

D. **Cooling** Limiting Growth of Organisms

How will foods be cooled from 135°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours (ice bath, etc.)?

_____

E. **Reheating** Limiting Growth of Organisms

Describe how foods for hot holding will be rapidly reheated to 165°F for 15 seconds within 2 hours (range, microwave).

_____

F. **Disposal** Segregation and Disposition of Distressed or Contaminated Food

Describe the location for separation of contaminated/distressed foods. Describe your procedures to discard foods from unapproved sources, adulterated foods, and foods contaminated by employees or consumers.

_____

Thank you for completing this Food Preparation Review. For information concerning food safety principles involved in these procedures, consult State of Delaware Food Code, or contact Office of Food Protection.

DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health
Office of Food Protection

FOOD ESTABLISHMENT EQUIPMENT SCHEDULE

NAME OF FOOD ESTABLISHMENT:

DATE: ____/ _____/_____

SUBMITTED BY:

ITEM NO.	ITEM DESCRIPTION	MANUFACTURER	MODEL NO.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

(USE ADDITIONAL SHEETS, IF NECESSARY, TO CONTINUE EQUIPMENT SCHEDULE)

FOOD ESTABLISHMENT FLOOR PLAN & EQUIPMENT LAYOUT

Scale 1/4″ = 1 foot
(If other scale, specify:_____)

NAME OF FOOD EST._____Submitted by _____

New Transient System Information Sheet

Name of Business: _____

Applicant Name: _____

Address: _____

City: _____ ***State:*** _____ ***Zip Code:*** _____

County: _____

Telephone: _____ ***Alternate Telephone:*** _____

System Type: __ Restaurant __ Child Care Facility __ Fraternal Organization

__ Other _____

Building Owner's Name: _____
(If applicant does not own building)

Building Owner Telephone: _____

Location of Business: _____

Number of Staff Part time and Fulltime: _____

Number of Customers Served by your Water System per Day:_____

Projected Date of Opening: _____ ***Hours of Operation:*** _____

Number of Days Open each Week: _____ ***Open all year: Yes ___No___***

Well Permit Number (metal tag on well): _____

Number of Buildings Served by the Water System? _____

Are There Any Plans for Expansion? _____

Comments:

_____
_____
_____
_____
_____

Please complete and return to: Office of Drinking Water
Attn: Kevin W. Cottman
43 S. DuPont Hwy
Dover, DE 19901
Phone: (302) 741-8582
Fax: (302) 741-8631
Email: Kevin.Cottman@state.de.us