

Chapter 8 Compliance and Enforcement

Parts:

[8-1 Code Applicability](#)

[8-2 Plan Submission and Approval](#)

[8-3 Permit to Operate](#)

[8-4 Inspection and Correction of Violations](#)

[8-5 Prevention of Foodborne Disease Transmission By Employees](#)

8-1 Code Applicability

8-103 Variances**8-103.10 Modifications and Waivers.**

The REGULATORY AUTHORITY may grant a VARIANCE by modifying or waiving the requirements of this Code if in the opinion of the REGULATORY AUTHORITY a health HAZARD or nuisance will not result from the VARIANCE. If a VARIANCE is granted, the REGULATORY AUTHORITY shall retain the information specified under § 8-103.11 in its records for the FOOD ESTABLISHMENT.

8-103.12 Conformance with Approved Procedures.

If the REGULATORY AUTHORITY grants a VARIANCE as specified in § 8-103.10, or a HACCP PLAN is otherwise required as specified under § 8-201.13, the PERMIT HOLDER shall:

- (A) Maintain the approved variance at the food establishment; ^{Pf} and
- (B) Comply with the HACCP plans and procedures that are submitted as specified under § 8-201.14 and approved as a basis for the modification or waiver; ^P and
- (C) Maintain and provide to the regulatory authority, upon request, records specified under § 8-201.14 (D) and (E)(3) that demonstrate that the following are routinely employed;
 - (1) Procedures for monitoring the CRITICAL CONTROL POINTS, ^{Pf}
 - (2) Monitoring of the CRITICAL CONTROL POINTS, ^{Pf}
 - (3) Verification of the effectiveness of the operation or process, ^{Pf} and

(4) Necessary corrective actions if there is failure at a CRITICAL CONTROL POINT. ^{Pf}

8-2 Plan Submission and Approval

8-201 Facility and Operating Plans

8-201.14 Contents of a HACCP Plan.

For a food establishment that is required under § 8-201.13 to have a HACCP PLAN, the PERMIT applicant or PERMIT HOLDER shall submit to the REGULATORY AUTHORITY a properly prepared HACCP PLAN that includes:

- (A) General information such as the name of the PERMIT applicant or PERMIT HOLDER, the FOOD ESTABLISHMENT address, and contact information;
- (B) A categorization of the types of TIME/TEMPERATURE CONTROL FOR SAFETY FOODS that are to be controlled under the HACCP PLAN;^{Pf}
- (C) A flow diagram or chart for each specific FOOD or category type that identifies:
 - (1) Each step in the process;^{Pf} and
 - (2) The steps that are CRITICAL CONTROL POINTS;^{Pf}
- (D) The ingredients, recipes or formulations, materials and equipment used in the preparation of each specific FOOD or category type and methods and procedural control measures that address the FOOD safety concerns involved;^{Pf}
- (E) A CRITICAL CONTROL POINTS summary for each specific FOOD or category type that clearly identifies:
 - (1) Each CRITICAL CONTROL POINT,^{Pf}
 - (2) The significant HAZARDS for each CRITICAL CONTROL POINT,^{Pf}
 - (3) The CRITICAL LIMITS for each CRITICAL CONTROL POINT,^{Pf}
 - (4) The method and frequency for monitoring and controlling each CRITICAL CONTROL POINT by the designated FOOD EMPLOYEE or the PERSON IN CHARGE,^{Pf}
 - (5) Action to be taken by the designated FOOD EMPLOYEE or PERSON IN CHARGE if the CRITICAL LIMITS for each CRITICAL CONTROL POINT are not met,^{Pf}
 - (6) The method and frequency for the PERSON IN CHARGE to routinely verify that the FOOD EMPLOYEE is following standard operating procedures and monitoring CRITICAL CONTROL POINTS,^{Pf} and

(7) Records to be maintained by the PERSON IN CHARGE to demonstrate that the HACCP PLAN is properly operated and managed; ^{Pf}

(F) Supporting documents such as:

(1) FOOD EMPLOYEE and supervisory training plan that addresses the FOOD safety issues of concern; ^{Pf}

(2) Copies of blank records forms that are necessary to implement the HACCP PLAN; ^{Pf}

(3) Additional scientific data or other information, as required by the REGULATORY AUTHORITY, supporting the determination that FOOD safety is not compromised by the proposal. ^{Pf}

(G) Any other information required by the REGULATORY AUTHORITY.