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### Food Safety Program Reinspection Policy

**Purpose:** This document outlines the criteria the LCHD Food Safety Program uses for determining when and how a reinspection is completed at a licensed food facility. The scope of this policy applies to all food service operations (FSOs), retail food establishments (RFEs), Micro Market C's, and Vending. Critical violations are usually cited during a Standard Inspection of a facility; however, critical violations can also be cited during Complaint Inspections, Consultations, and other inspection types.

If a violation of the Ohio Uniform Food Safety Code (OAC 3717-1), OAC 3701-21, or OAC 901:3-4 is cited at a licensed food facility, it must be corrected for the violation to be removed from the inspection report and for the facility to regain compliance. Violations are separated into two categories, Critical and Non-Critical. Appendix A lists all citable critical violations during an inspection from OAC 3717-1, OAC 3701-21, and OAC 901:3-4.

**Critical Violations:** Critical violations are of greater importance than non-critical violations due to the increased risk of foodborne disease occurrence and/or deleterious outcomes in the facility if the violations are not corrected. Therefore, all critical violations cited during an inspection must be corrected for the licensed food facility to avoid having its food license suspended or revoked.

- If no critical violations are cited during the inspection, no further action will be taken
- If all critical violations are corrected at time of inspection, no further action will be taken.
- If a critical violation(s) is not corrected at time of inspection, then a reinspection must be scheduled to observe the violation corrected and the facility regaining compliance.
- If a critical violation is corrected, it is to the discretion of the REHS if a reinspection will still be conducted to ensure the corrective action has been maintained. Ultimate authority of this decision is given to the Director of Indoor Environmental Health.

All reinspections must occur no later than **10 business days** after the day of inspection. If a reinspection is completed and it is found that the critical violation in question has still not been corrected or has reoccurred, then subsequent reinspections must be scheduled. If the critical violation is still present after the second completed reinspection, then enforcement procedures will be taken by the LCHD Food Safety Program as outlined in the Enhanced Enforcement Program (EEP) Policy. The 10-business day requirement does not apply to Micro Market C's and Vending. This is because it can be difficult to readily complete a reinspection since the vending company has to be notified prior to scheduling an onsite meeting for access. The REHS will work

closely with the vending company to ensure a reinspection can be completed as soon as reasonably possible.

**Noncritical Violations:** Noncritical violations also need to be corrected for the licensed facility to regain compliance, however, there is no required frequency or timeframe for compliance to be obtained. During a typical inspection, noncritical violations will not receive a reinspection, but rather the REHS will work with the facility operator to develop action plans and targets for compliance. There may however be instances, given the severity or repetitive nature of the violation, that a reinspection will be required for a noncritical violation. Ultimate authority of this decision is given to the Director of Indoor Environmental Health.

**Revision: 09-2024**



Critical Violations for Chapter 3717-1 OAC:

Code	Description
3717-1-02.1(A)	Employee health: Reporting by food employees.
3717-1-02.1(B)	Employee health: Reporting by the person in charge.
3717-1-02.1(C)	Employee health: Person in charge responsibilities regarding conditional employees.
3717-1-02.1(D)(1)	Employee health: Conditions of restriction of food employee w/ symptoms.
3717-1-02.1(D)(2)	Employee health: Conditions of exclusion and restriction of food employee w/ diagnosed illness.
3717-1-02.1(E)	Employee health: Removal of exclusions and restrictions.
3717-1-02.2(A)	Hands and arms: clean condition.
3717-1-02.2(B)	Hands and arms: cleaning procedure.
3717-1-02.2(C)	Hands and arms: when to wash
3717-1-02.2(D)	Hands and arms: where to wash.
3717-1-02.3(E)	Animals - handling restriction.
3717-1-02.4(A)(1)	Person in charge: assignment of responsibility.
3717-1-02.4(B)	Person in charge: demonstration of knowledge.
3717-1-02.4(C)(2)	Person in charge: duties - ensure unnecessary persons are not allowed in food prep or storage areas.
3717-1-02.4(C)(3)	Person in charge: duties - ensure persons entering food prep or storage areas comply. with this chapter
3717-1-02.4(C)(4)	Person in charge: duties - ensure food employees are effectively washing their hands.
3717-1-02.4(C)(5)	Person in charge: duties - ensure employees are visibly observing foods upon receipt.
3717-1-02.4(C)(6)	Person in charge: duties - Employees are verifying that foods delivered during non-operating hours are approved, maintained at proper temperatures, protected, unadulterated.
3717-1-02.4(C)(7)	Person in charge: duties - ensure employees are properly cooking TCS foods.
3717-1-02.4(C)(8)	Person in charge: duties - ensure employees are rapidly cooling TCS foods.
3717-1-02.4(C)(9)	Person in charge: duties - ensure employees are properly maintaining temperatures of TCS foods during thawing.

Code	Description
3717-1-02.4(C)(10)	Person in charge: duties - ensure employees are properly maintaining temperatures of TCS foods during hot and cold storage.
3717-1-02.4(C)(11)	Person in charge: duties - ensure consumers who order raw or undercooked foods are provided a consumer advisory.
3717-1-02.4(C)(12)	Person in charge: duties - ensure employees are properly sanitizing equipment and utensils.
3717-1-02.4(C)(13)	Person in charge: duties - ensure consumers are notified to use clean tableware at self-service areas.
3717-1-02.4(C)(14)	Person in charge: duties - ensure employees are not contacting food w/ bare hands.
3717-1-02.4(C)(15)	Person in charge: duties - ensure employees are properly trained in food safety, including food allergy awareness.
3717-1-02.4(C)(16)	Person in charge: duties - ensure employees are informed of their responsibility to report their health information in a verifiable manner.
3717-1-02.4(C)(17)	Written procedures and HACCP plans are maintained and implemented.
3717-1-03.1(A)	Sources - compliance with food law.
3717-1-03.1(B)	Food in a hermetically sealed container – source.
3717-1-03.1(C)	Fluid milk and milk products – source.
3717-1-03.1(D)	Fish – source.
3717-1-03.1(E)	Molluscan shellfish – source.
3717-1-03.1(F)	Wild mushrooms - source.
3717-1-03.1(G)	Game animals.
3717-1-03.1(H)	Temperature - specifications for receiving.
3717-1-03.1(I)	Additives – specifications for receiving.
3717-1-03.1(J)	Eggs – specifications for receiving.
3717-1-03.1(K)	Egg and milk products – pasteurized.
3717-1-03.1(L)	Package integrity – specifications for receiving.
3717-1-03.1(M)	Ice – specifications.
3717-1-03.1(N)	Molluscan shellfish – packaging and identification.
3717-1-03.1(O)	Shellstock identification - specifications for receiving.
3717-1-03.1(R)	Molluscan shellfish - maintaining identification.
3717-1-03.1(S)(2)	Pre-packaged juice - obtained pasteurized or otherwise treated.
3717-1-03.1(S)(3)	Pre-packaged juice - obtained from an ODA food processing establishment.

Code	Description
3717-1-03.2(A)(2)	Preventing contamination from hands - bare hand contact.
3717-1-03.2(B)	Preventing contamination when tasting.
3717-1-03.2(C)	Packaged and unpackaged food - preventing contamination by separation, packaging, and segregation.
3717-1-03.2(E)	Pasteurized eggs - substitute for raw eggs for certain recipes.
3717-1-03.2(F)	Protection from unapproved additives.
3717-1-03.2(G)(3)	Washing fruits and vegetables – Devices for on-site generation of chemicals
3717-1-03.2(H)	Ice used as exterior coolant - not permitted as ingredient.
3717-1-03.2(J)	Food contact with equipment and utensils.
3717-1-03.2(N)(1)	Gloves - single use gloves.
3717-1-03.2(R)(2)	Food Storage – excluded location, toilet rooms.
3717-1-03.2(U)	Food display - preventing contamination by consumers.
3717-1-3.2(W)	Consumer self-service operations.
3717-1-03.2(X)	Returned food and re-service of food.
3717-1-03.3(A)(1)	Raw animal foods – cooking.
3717-1-03.3(A)(4)	Raw animal foods - cooking of meat roasts.
3717-1-03.3(B)(3)	Microwave Cooking – Minimum cooking temperature.
3717-1-03.3(C)	Plant food - cooking for hot holding.
3717-1-03.3(D)	Raw animal foods - non-continuous cooking.
3717-1-03.3(E)	Manufacturer cooking instructions.
3717-1-03.3(F)	Parasite destruction – freezing.
3717-1-03.3(G)	Records, creation and retention - freezing.
3717-1-03.3(I)	Reheating for hot holding.
3717-1-03.4(D)	Cooling - temperature and time control.
3717-1-03.4(E)	Cooling methods.
3717-1-03.4(F)(1)	Time/temperature controlled for safety food - hot and cold holding.
3717-1-03.4(F)(2)	Time/temperature controlled for safety food - cold holding of eggs.
3717-1-03.4(G)	Ready-to-eat, time/temperature controlled for safety food - date marking.

Code	Description
3717-1-03.4(H)	Ready-to-eat, time/temperature controlled for safety food - disposition.
3717-1-03.4(I)(2)	Time as a public health control - four hour time limit.
3717-1-03.4(I)(3)	Time as a public health control - six hour time limit.
3717-1-03.4(J)	Variance requirement.
3717-1-03.4(K)	Reduced oxygen packaging without a variance - criteria.
3717-1-03.4(L)	Contents of a HACCP Plan.
3717-1-3.5(C)(2)(e)	Food labels – Allergens.
3717-1-03.5(E)	Consumer advisory.
3717-1-03.6	Discarding/reconditioning unsafe, adulterated, or contaminated food.
3717-1-03.7(A)	Highly susceptible population - criteria applied to juice.
3717-1-03.7(C)	Highly susceptible population - foods that may not be served or offered for sale in a ready-to-eat form.
3717-1-03.7(D)	Highly susceptible population - pasteurized eggs or egg products substitution.
3717-1-03.7(E)	Highly susceptible population - time only as the public health control.
3717-1-04(A)	Multiuse utensils and food contact surfaces – material characteristics.
3717-1-04(C)	Lead - use limitation.
3717-1-04(D)	Copper – use limitation.
3717-1-04(E)	Galvanized metal – use limitation.
3717-1-04.1(B)	Food temperature measuring device – construction.
3717-1-04.1(C)	Food-contact surfaces – cleanability.
3717-1-04.1(K)	Food temperature measuring devices – accuracy.
3717-1-04.1(L)	Food monitoring devices – accuracy.
3717-1-04.1(M)	Ambient air and water temperature measuring device – accuracy.
3717-1-04.1(X)(1)	Molluscan shellfish tanks.
3717-1-04.1(Y)	Vending machines - automatic shutoff.
3717-1-04.1(CC)	Warewashing machines - temperature measuring devices.
3717-1-04.1(EE)	Warewashing machines - automatic dispensing of detergents and sanitizers.
3717-1-04.1(MM)	Micro market display of TCS foods - automatic shutoff.
3717-1-04.2(F)	Utensils – consumer self-service.

Code	Description
3717-1-04.2(H)	Food monitoring devices – available.
3717-1-04.2(K)	Cleaning agents and sanitizers – available.
3717-1-04.3(A)(1)(a)	Equipment and storage cabinets used to store food, cleaned and sanitized equipment, utensils, laundered linens, single-service articles, or single-use articles – storage prohibition, toilet rooms.
3717-1-04.4(G)	Warewashing equipment - cleaning agents.
3717-1-04.4(I)	Manual warewashing equipment - wash solution temperature.
3717-1-04.4(J)	Mechanical warewashing equipment - wash solution temperature.
3717-1-04.4(K)	Manual warewashing equipment - hot water sanitization temperatures.
3717-1-04.4(L)	Mechanical warewashing equipment - hot water sanitization temperature.
3717-1-04.4(N)(1)	Manual and mechanical warewashing equipment, using chemical sanitization (chlorine) - temp., pH, concentration, and hardness.
3717-1-04.4(N)(2)	Manual and mechanical warewashing equipment, using chemical sanitization (iodine) - temp., pH, concentration, and hardness.
3717-1-04.4(N)(3)	Manual and mechanical warewashing equipment, using chemical sanitization (quaternary ammonium) - temp., pH, concentration, and hardness.
3717-1-04.4(N)(4)	Manual and mechanical warewashing equipment, using chemical sanitization (other) – proper sanitization achieved.
3717-1-04.4(N)(5)	Manual and mechanical warewashing equipment, using chemical sanitization (other) – applied according to EPA registered label.
3717-1-04.4(R)	Single-service and single-use articles – used when cleaning and sanitizing facilities are not available.
3717-1-04.5(A)(1)	Cleanliness of equipment food-contact surfaces and utensils.
3717-1-04.5(B)(1)	Equipment food-contact surfaces and utensils - cleaning frequency.
3717-1-04.5(B)(3)	Equipment food-contact surfaces and utensils contacting TCS foods - cleaning frequency.
3717-1-04.6(B)	Sanitizing frequency of utensils and food-contact surfaces.
3717-1-04.6(C)	Hot water and chemical sanitizing – methods.
3717-1-04.8(F)(2)	Protection of clean items, cleaned and sanitized equipment, utensils, laundered linens, single-service articles, or single-use articles – storage prohibition, toilet rooms.
3717-1-05(A)	Water: Source - approved system.
3717-1-05(B)	Water: System flushing, development and disinfection.
3717-1-05(C)	Bottled drinking water.
3717-1-05(D)	Drinking water – quality standards.
3717-1-05(E)	Nondrinking water.

Code	Description
3717-1-05(F)	Private water system - sampling.
3717-1-05(H)	Water – capacity.
3717-1-05(I)	Water – pressure.
3717-1-05.1(A)	Plumbing materials - approved.
3717-1-05.1(D)	Backflow prevention - air gap.
3717-1-05.1(E)	Backflow prevention device - design standard.
3717-1-05.1(J)	Backflow prevention device - when needed.
3717-1-05.1(O)	Using a handwashing sink – operation and maintenance.
3717-1-05.1(P)	Plumbing system - Preventing a cross connection.
3717-1-05.1(R)	Water reservoir of fogging device – cleaning.
3717-1-05.2(A)	Mobile water tanks: materials – approved.
3717-1-05.2(G)	Mobile Water Tanks: Hose - construction and identification.
3717-1-05.2(K)	Mobile Water Tanks: System flushing and disinfection.
3717-1-05.2(N)	Mobile Water Tanks: Tank, pump, and hoses - dedication.
3717-1-05.3(C)	Sewage and Other Liquid Waste: Backflow prevention.
3717-1-05.3(E)	Sewage and Other Liquid Waste: Conveying sewage.
3717-1-05.3(F)	Sewage and Other Liquid Waste: Removing mobile food service operation or mobile retail food establishment wastes.
3717-1-05.3(H)	Sewage and Other Liquid Waste: Disposal facility - approved sewage treatment system.
3717-1-06.4(K)	Controlling pests.
3717-1-06.4(O)	Animals - Limitations.
3717-1-07(B)	Poisonous or toxic materials: Working containers - common name.
3717-1-07.1(A)	Poisonous or toxic materials - Storage: separation.
3717-1-07.1(C)	Poisonous or toxic materials - Conditions of use.
3717-1-07.1(D)	Poisonous or toxic material containers.
3717-1-07.1(E)	Sanitizers - criteria
3717-1-07.1(F)	Chemicals for washing, treatment, storage and processing of fruits and vegetables

Code	Description
3717-1-07.2	Poisonous or toxic materials: storage and display – separation.
3717-1-08(A)	Fresh juice production: labeling.
3717-1-08.1(B)(2)	Heat treatment dispensing freezers: heat treatment cycle.
3717-1-08.1(B)(3)	Heat treatment dispensing freezers: monitoring device.
3717-1-08.1(B)(4)	Heat treatment dispensing freezers: temperature indicating device.
3717-1-08.1(B)(5)	Heat treatment dispensing freezers: internal lockout device.
3717-1-08.1(C)	Heat treatment dispensing freezers: maintenance.
3717-1-08.2(A)	Custom processing: only at end of work shift.
3717-1-08.2(B)	Custom processing: conditions prior to entry.
3717-1-08.2(D)	Custom processing: segregation from retail products.
3717-1-08.2(E)	Custom processing: cleaning and sanitizing of equipment and utensils.
3717-1-08.3(B)	Special requirements: bulk water machine criteria - approved water supply.
3717-1-08.3(D)	Special requirements: bulk water machine criteria – Disinfection.
3717-1-08.3(E)	Special requirements: bulk water machine criteria - Monitoring Device.
3717-1-08.3(H)	Special requirements: bulk water machine criteria – Sampling.
3717-1-08.4	Special requirements: acidified white rice preparation criteria.
3717-1-08.5	Dogs in outdoor dining areas.
OAC 901:3-4-15(B)/3701-21-27	Embargo of adulterated, misbranded, or expired foods
OAC 901:3-4-15(E)	Embargo of meat, seafood, poultry, fruit or other perishable foods