

“Potentially hazardous food” means a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting:

1. The rapid and progressive growth of infectious or toxigenic microorganisms;
2. The growth and toxin production of *Clostridium botulinum*; or
3. In raw shell eggs, the growth of *Salmonella* Enteritidis.

“Prepared food ready-to-eat” means food which is subject to processing or handling, or which is prepared, cooked, or packaged for sale in other than its original unopened container. This term shall include, but not be limited to, operations such as delicatessens, soup or salad bars, meat or seafood markets, but shall not include hot or cold beverages or commercially packaged precooked foods, which may be heated and served in the original package.

“Processing” means conversion of raw food products into a state ready for human consumption, including but not limited to, cutting, washing, heating, cooling and packaging.

“Rating” means an appraisal of a food service establishment based in sum or in part on the following factors: the presence /absence of Critical Violations, the presence or absence of Risk Factor Violations of the Regulations of Connecticut State Agencies, the training and demonstrable knowledge of food service personnel, or overall sanitary conditions in the facility at the time of inspection. The Rating is based on the scoring system described in Section 15 of this Code.

Ratings are only issued to Class III and Class IV food service establishments. Class I and II, Seasonal and Temporary Food Service Establishments, Schools, Nursing and Long Term Care Facilities, and establishments operated by Non Profit Organizations and Government are not rated.

“Risk Factor Violations” means violations that are likely to cause food-borne illness. Risk Factor violations are described in Appendix I of this Code.

“Seasonal Permit” means a permit issued to a non-profit an individual or organization using the same menu on multiple dates for a period of time not to exceed ninety (90) calendar days, or a permit issued to a Connecticut farmer selling “Farm products” at a “Certified Farmers’ market” as these terms are defined in Section 22-6r of the Connecticut General Statutes for a period of not more than one hundred twenty (120) calendar days.

“Temporary food service establishment” means any food service establishment that operates from a fixed location within the Naugatuck Valley Health District only for a period of time not to exceed fourteen (14) days in connection with a celebration or single event such as a festival, fair, carnival, circus or rodeo.

2. Terms defined in other codes.

Where terms are not defined in this code and are defined in either the Connecticut General Statutes or the building, fire safety or public health codes, they shall have the same meanings ascribed to them as in the general statutes or as in these codes.

14. Reinstatement of suspended and revoked licenses.

A. Suspension: Whenever a license has been suspended, the holder of the suspended license may make a written request for license reinstatement. Such written request shall specifically indicate how each of the conditions, which caused the suspension, have been corrected and shall be signed by the license holder. Within ten (10) days following receipt of written request, the Director of Health shall make a reinspection. If the Director of Health determines that the applicant has complied with the requirements of the code and the Public Health Code of the State of Connecticut, the suspension shall be lifted.

B. Revocation: After a period of sixty (60) days from the date of revocation, a written application may be made for the issuance of a new license, as provided for in sections 9 and 10 of this code, and payment of the annual fee.

15. Inspections.

A. Prior to the issuance of a license and periodically thereafter, the Director of Health shall visit every food service establishment within the Naugatuck Valley Health District to make as many inspections and additional reinspections as are necessary to ensure effective compliance with and enforcement of this code and the Public Health Code of the State of Connecticut. Every person operating a food service establishment shall, upon the request of the Director of Health permit access during business hours, or, in the case of a public health hazard, upon notification by the Health District, to all parts of the establishment to determine compliance with the requirements of this code and the examination of all records of food purchased or received if a public health hazard is suspected. If the Director of Health discovers a violation of any provision of this code, he shall notify the responsible person of the condition found, provide a reasonable period for correction and explain that failure to correct within the specified time may result in suspension or revocation of the license or prosecution. An opportunity for a hearing will be provided if a written request for a hearing is filed with the Director of Health within two (2) business days following service of such notice, provided that when any condition found is deemed an imminent public health hazard, the Director of Health shall send the operator an official notice of immediate suspension of the license. In the case of temporary food service establishments, violations must be corrected within a specified period of time not to exceed twenty four (24) hours. Failure to comply with such notice shall result in immediate suspension of the license.

B. All Class III & IV food service establishments, except as noted in Section 1, shall receive a rating following inspection based on the following criteria:

~~1. Excellent~~

1. A

A food service establishment having an inspection score of 93-100 with no critical four (4) point violations and not more than one (1) risk factor violation. ~~A food service establishment having no critical four point violations or risk factor violations.~~ A Qualified Food Operator, Designated Alternate or other knowledgeable and trained staff was on site at the time of inspection. Records of training were available, accurate and up to date. Safe food handling practices and procedures were observed at the time of inspection and the facility was found to be in compliance with the Public Health Code.

2. ~~Good~~

2. B

A food service establishment having **an inspection score of 86-92** with no critical four point violations and no more than two risk factor violations. Establishment was free of major structural defects and exhibited safe food handling practices and procedures at the time of inspection. The facility was found to be substantially in compliance with the Public Health Code.

3. ~~Fair~~

3. C

A food service establishment having **an inspection score of 80-86 with** no uncorrected critical four point violations and no more than four risk factor violations. Establishment has conditions that need to be corrected such as structural defects or other violations and/or unsafe food handling practices likely to cause foodborne illness.

4. ~~Poor~~

4. D

A food service establishment having a rating score of less than 80 or any establishment with one or more uncorrected critical four point violations. An establishment with five or more risk factor violations **, or the presence of any chronic, previously identified risk factor violations that have not been corrected** at the time of inspection that are likely to cause foodborne illness or structural defects requiring correction. The establishment exhibited poor compliance with the provisions of the Public Health Code at the time of inspection.

C. All food service establishments must post their most current rating provided during the inspection by the Director of Health or Agent. The Rating must be posted in a conspicuous location clearly visible to the public and remain posted until the next scheduled inspection. If the owner or Qualified Food Operator requests a reinspection in accordance with Section 16 (A) of this Code, the Rating does not have to be posted until the requested reinspection is completed.

D. If a food service establishment fails to post the most recent rating as described in Section 15 (B) of this Code, the Director of Health may order the establishment to post its most current rating. If the order is not followed, the Director of Health may suspend the license in accordance with the provisions of Section 11 (A) of this code.

16. Reinspections

A. The owner or Qualified Food Operator of any food service establishment may at any time request an inspection for the purpose of improving the score or the Rating of the food service establishment. Within 10 (ten) days following receipt of a written request for the reinspection, a signed statement itemizing the corrective measures that have been taken and the appropriate rating reinspection fee, the Director of Health or his or her Agent shall make a complete reinspection and issue a new rating as appropriate. There can only be one request for reinspection made for each regular inspection.

B. If a food service establishment achieves a rating score of less than eighty (80) and/or has one or more four (4) point demerit items in violation during a routine inspection, the Director of Health shall, after

APPENDIX II

FOOD SERVICE ESTABLISHMENT RATING SYSTEM



A

A food service establishment having an inspection score of 93-100 with no critical four (4) point violations and not more than one (1) risk factor violation. A food service establishment having ~~no critical four point violations or risk factor violations.~~ A Qualified Food Operator, Designated Alternate or other knowledgeable and trained staff was on site at the time of inspection. Records of training were available, accurate and up to date. Safe food handling practices and procedures were observed at the time of inspection and the facility was found to be in compliance with the Public Health Code.



B

A food service establishment having **an inspection score of 86-92** with no critical four point violations and no more than two risk factor violations. Establishment was free of major structural defects and exhibited safe food handling practices and procedures at the time of inspection. The facility was found to be substantially in compliance with the Public Health Code.



C

A food service establishment having **an inspection score of 80-86 with** no uncorrected critical four point violations and no more than four risk factor violations. Establishment has conditions that need to be corrected such as structural defects or other violations and/or unsafe food handling practices likely to cause foodborne illness.



D

A food service establishment having a rating score of less than 80 or any establishment with one or more uncorrected critical four point violations. An establishment with five or more risk factor violations, **or the presence of any chronic, previously identified risk factor violations that have not been corrected** at the time of inspection that are likely to cause foodborne illness or structural defects requiring correction. The establishment exhibited poor compliance with the provisions of the Public Health Code at the time of inspection.