

**Subtitle**

**H**

# **Special Requirements**

## **Chapters**

<b>36</b>	<b>MISCELLANEOUS HEALTH &amp; SAFETY (Reserved)</b>
<b>37</b>	<b>MOBILE STRUCTURES &amp; TEMPORARY STANDS (Reserved)</b>
<b>38</b>	<b>RESIDENTIAL KITCHENS IN BED &amp; BREAKFAST OPERATIONS</b>
<b>39</b>	<b>CATERERS</b>
<b>40</b>	<b>CATERED ESTABLISHMENTS</b>

**Chapter 36 MISCELLANEOUS HEALTH & SAFETY**

**Reserved**

**Chapter 37 MOBILE STRUCTURES & TEMPORARY STANDS**

**Reserved**

**Chapter 38 RESIDENTIAL KITCHENS IN BED & BREAKFAST OPERATIONS**

**Sections**

<b>3800</b>	<b>Code Applicability</b>
<b>3801</b>	<b>Food Supplies, Preparation, Protection, and Restrictions</b>
<b>3802</b>	<b>Personal Health and Hygiene</b>
<b>3803</b>	<b>Handwashing and Toilet Room Facilities</b>
<b>3804</b>	<b>Equipment and Utensils</b>
<b>3805</b>	<b>Physical Facilities</b>

**3800 RESIDENTIAL KITCHENS – CODE APPLICABILITY**

3800.1 *Residential kitchens* in bed & breakfast operations where the available guest bedrooms do not exceed (3) and the number of guests served do not exceed nine (9) are exempted from this Code, except that they must inform the *consumer* 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 *Department*.

3800.2 *Residential kitchens* in *bed and breakfast operations* where the available guest bedrooms are between four (4) and ten (10) and the number of guests served do not exceed eighteen (18) shall:

- (a) Obtain a *food establishment* license;
- (b) Comply with the requirements of this chapter as well as Subtitle I: Compliance & Enforcement, and Definitions;
- (c) Be exempted from Chapter 42, “Plan Submission and Approval” and only submit an intended menu with the application for a *food establishment* license; and
- (d) Comply with all other District laws and regulations as to construction and renovations.

3800.3 *Residential kitchens* in *bed and breakfast operations* where the available guest bedrooms are ten (10) or more shall comply with all provisions of this Code, and shall obtain a *food establishment* license.

**3801 RESIDENTIAL KITCHENS – FOOD SUPPLIES, PREPARATION, PROTECTION AND RESTRICTIONS**

3801.1 *Food* shall be prepared and protected in *bed and breakfast operations* in accordance with section 3800.

3801.2 *Food* shall be obtained from *approved* sources, shall be in sound condition, and be safe for human consumption. *Foods* which do not comply with this Code shall not be served to the public in accordance with section 3800.

3801.3 *Food* intended for public consumption shall either be stored separately or labeled from *food* intended for private use. A separate shelf or portion of a shelf within a refrigerator shall be an acceptable form of separate storage. *Packaged foods* shall meet the requirements in chapters 7, 11 and 33.

3801.4 *Food, utensils* and *equipment* shall be stored in a manner to avoid contamination.

3801.5 *Potentially hazardous foods* shall not be:

- (a) Cooled and reheated prior to service;
- (b) Subjected to hot holding for more than two (2) hours; or
- (c) Served as leftovers.

3801.6 All *food* temperature requirements of this Code shall be met. Hot and cold holding *equipment* shall be provided to maintain *potentially hazardous foods* at temperatures required in Subtitle C: Food.

**3802 RESIDENTIAL KITCHENS – PERSONAL HEALTH AND HYGIENE**

3802.1 *Food employees* shall conform to *employee* health and hygiene requirements in Chapters 3 and 4.

**3803 RESIDENTIAL KITCHENS – HANDWASHING AND TOILET ROOM FACILITIES**

3803.1 A soap dispenser and disposable towels for use in handwashing shall be provided at the kitchen sink. This sink shall not be used for handwashing after toilet use but may be used for *food* preparation and *warewashing* provided it is cleaned and sanitized prior to and between use.

3803.2 A toilet room shall be available for use by **food employees**. Toilet rooms opening to the kitchen or dining area shall have adequate ventilation. Ventilation may be provided by window(s) or by mechanical means. A soap dispenser and disposable towels shall be provided for handwashing in toilet rooms used by **food employees**.

#### **3804 RESIDENTIAL KITCHENS – EQUIPMENT AND UTENSILS**

3804.1 All **equipment** and utensils shall be constructed of **safe materials** and maintained in good repair.

3804.2 All **food contact surfaces**, counters, sinks and work surfaces in the establishment shall be **smooth**, non-absorbent and **easily cleanable**.

3804.3 **Food-contact surfaces** of **equipment**, **tableware** and **utensils** shall be cleaned and sanitized prior to **food** preparation for the public and after each use in accordance with this Code.

3804.4 For manual cleaning and sanitizing of cooking **equipment**, **utensils** and **tableware**, three (3) compartment sinks shall be provided and used, or a two (2) compartment sink may be used if single service **tableware** is provided, or when an **approved** detergent sanitizer is used in accordance with sections 1601 and 1813.

3804.5 A domestic or home-style dishwasher may be used provided the following performance criteria are met:

- (a) The dishwasher effectively removes physical soil from all surfaces of dishes, **equipment** and **utensils**;
- (b) On a daily basis, a maximum registering thermometer or a heat thermal label determines that the dishwasher's internal temperature is a minimum of 66°C (150°F) after the final rinse and drying cycle. Records of this testing shall be kept on file for thirty (30) days;
- (c) The dishwasher is installed and operated according to manufacturer's instructions for the highest level of sanitization possible when sanitizing **utensils** and **tableware**. A copy of the instructions must be available on the **premises** at all times;
- (d) There is sufficient area or facilities such as portable dish tubs and drain boards for the proper handling of soiled **utensils** prior to washing and of cleaned **utensils** after sanitization; and

(e) **Equipment**, **utensils** and **tableware** shall be air-dried.

**3805 RESIDENTIAL KITCHENS – PHYSICAL FACILITIES**

- 3805.1 ***Food*** service preparation and storage areas shall be constructed and maintained to prevent the entry of pests and other vermin in accordance with Chapter 32.
- 3805.2 Pets may be present on the ***premises***, but shall be kept out of ***food*** preparation and dining areas during ***food*** preparation and service to the public.
- 3805.3 Laundry facilities may be present in the kitchen, but shall not be used during ***food*** preparation and service to the public.
- 3805.4 Cooking facilities in the kitchen shall not be available to guests.
- 3805.5 Impervious receptacles shall be provided for storage of garbage and refuse in accordance with Chapter 27.
- 3805.6 Hot and cold water under pressure shall be provided in accordance with Chapter 23.

## Chapter 39 CATERERS

### Sections

3900	Additional Licensing Requirements
3901	Base of Operation
3902	Notification to the Department

### 3900 CATERERS – ADDITIONAL LICENSING REQUIREMENTS

3900.1 An applicant for a license as a *caterer* shall provide the *Department* with information on the:

- (a) Sources of the *food*;
- (b) Type and volume of *food* to be sold or otherwise provided;
- (c) *Equipment* used to sell or otherwise provide the *food*; and
- (d) Its base of operation.

### 3901 CATERERS – BASE OF OPERATION

3901.1 Each *caterer* shall have as its base of operations a *food establishment* that shall comply with the provisions of this Code, except that a facility holding a license as a *residential kitchen* shall not serve as the base of operation for a *caterer*.

### 3902 CATERERS – NOTIFICATION TO THE DEPARTMENT

3902.1 Each *caterer* shall notify the *Department* prior to serving any meal other than from its own *food establishment* and shall give written notice to the *Department* on a form provided by the *Department* either prior to or within seventy-two (72) hours after serving *food* other than from its own *food establishment*.

3902.2 A *caterer* whose *food establishment* is located outside the District shall provide a copy of its *food establishment* license prior to serving a meal in the District, if required by the *Department*.

## Chapter 40 CATERED ESTABLISHMENTS

### Sections

4000	Code Applicability
4001	Storage of Potentially Hazardous Food
4002	Receipt of Transported Individually Portioned Servings
4003	Receipt of Hot or Cold Transported Ready-to Eat Foods in Bulk Containers
4004	Reheating Transported Cold Foods Received in Bulk Containers

### 4000 CATERED ESTABLISHMENTS – CODE APPLICABILITY

4000.1 *Catered establishments* including *child development centers*, adult day care establishments, nursing homes, schools, *community residential establishments*, and other institutions that receive *food* from an *approved* catering firm or other *food establishment* shall obtain a *food establishment* license.

4000.2 *Catered establishments* shall comply with the requirements of this chapter as well as Subtitle I: Compliance and Enforcement, and shall be exempted from Chapter 42, “Plan Submission and Approval”.

4000.3 If a *catered establishment* serves only prepackaged, non-potentially hazardous *snack foods* the *food establishment* is exempted from this Code.

4000.4 If a *catered establishment* also prepares and serves *potentially hazardous foods* on the premise it shall comply with all provisions of this Code.

### 4001 CATERED ESTABLISHMENTS – STORAGE OF POTENTIALLY HAZARDOUS FOOD

4001.1 *Catered establishments* shall provide an *approved* refrigerator where storage of *potentially hazardous food* is required and the *food* cannot remain stored in the transport containers until served. *Potentially hazardous food* kept in the transport containers must be maintained at proper temperatures in accordance with Subtitle C.

4001.2 If milk is served, it shall be served in original individual commercially filled containers received from the distributor, from an *approved* bulk milk dispenser, or

poured from a commercially filled container of not more than one (1) gallon capacity which when not in use shall be immediately refrigerated.

#### **4002 CATERED ESTABLISHMENTS – RECEIPT OF TRANSPORTED INDIVIDUALLY PORTIONED SERVINGS**

4002.1 When a *catered establishment* receives *food* that is prepared elsewhere and is transported hot or cold in individually portioned and protected servings, it shall have the following on the *premises*:

- (a) A *food establishment* license with the notation “*Catered establishment - serving only*”;
- (b) A *certified limited food protection manager* on site during periods in which *food* is received and served;
- (c) A copy of the contract with the *caterer* who is providing the *food*;
- (d) A hand sink with running water or chemically treated towelettes;
- (e) A mop sink located within the establishment;
- (f) *Approved food* transport containers for hot or cold *foods*; and
- (g) A thermometer and log for recording the temperatures of *food* upon receipt.

#### **4003 CATERED ESTABLISHMENTS – RECEIPT OF HOT OR COLD TRANSPORTED READY-TO-SERVE FOODS IN BULK CONTAINERS**

4003.1 When a *catered establishment* receives and distributes hot or cold *food* that is prepared elsewhere and transported ready-to-serve in bulk containers, it shall have the following on the *premises*:

- (a) A *food establishment* license with the notation “*Catered establishment - serving only*”;
- (b) A *certified limited food protection manager* on site during periods in which *food* is received and served;
- (c) A copy of the contract with the *caterer* who is providing the *food*;
- (d) A hand sink with hot and cold or tempered running water;



- (e) A mop sink located within the establishment;
- (f) A single compartment general-purpose sink;
- (g) A formica work surface or an equivalently durable table or counter surface;
- (h) Hot water generation and distribution systems sufficient to meet the peak hot water demands throughout the establishment pursuant to section 2305;
- (i) *Approved food* transport containers for hot or cold *foods*; and
- (j) A thermometer and log for recording the temperatures of *food* upon receipt.

#### **4004 CATERED ESTABLISHMENTS – REHEATING TRANSPORTED COLD FOODS RECEIVED IN BULK CONTAINERS**

- 4004.1 When a *catered establishment* reheats *food* that is prepared elsewhere and is transported cold in bulk containers, it shall have the following on the *premises*:
- (a) A *food establishment* license with the notation “*Catered establishment*,”
  - (b) A *certified food protection manager* on site during periods in which *food* is received, reheated, and served;
  - (c) A copy of the contract with the *caterer* who is providing the *food*;
  - (d) A hand sink with hot and cold or tempered running water;
  - (e) A mop sink located within the establishment;
  - (f) A single compartment general-purpose sink;
  - (g) A formica work surface or equivalently durable table or counter surface;
  - (h) Hot water generation and distribution systems sufficient to meet the peak hot water demands throughout the establishment pursuant to section 2305;
  - (i) *Approved food* transport containers for hot or cold *foods*;

- (j) An oven or microwave oven; and
- (k) A thermometer and log for recording the temperatures of *food* upon receipt.