

Chapter H 96

RESTAURANTS

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DEFINITIONS

H 96.01 Utensils. Utensils shall include any kitchenware, tableware, glassware, cutlery, containers or other equipment with which food or drink comes in contact during storage, preparation or serving.

PERMITS

H 96.06 Displaying of permit and posting of rules. Before opening for business, every restaurant owner or manager shall obtain a permit from the state board of health, made upon an application blank furnished by the board. The restaurant permit must be conspicuously displayed. A copy of the restaurant rules and regulations must be posted in a convenient place for employes.

CONSTRUCTION

H 96.07 Decorating kitchen and storerooms. Walls, ceilings, and floors in every kitchen, pantry and food storeroom must be kept clean and in good condition at all times. The ceilings and walls must be

plastered or covered with metal or other acceptable nonabsorbent material, and painted as often as necessary. The use of paper or calcimine on walls and ceilings in kitchens, pantries and food storerooms is prohibited.

H 96.08 Screening. The doors, windows and any other openings shall be properly screened against flies and other insects.

H 96.09 Ventilation and lighting of kitchen. Every such kitchen connected with a restaurant shall be properly lighted and ventilated. Ventilation must be sufficient to remove the gases and fumes caused by the preparation of foods.

TOILET FACILITIES

H 96.10 Number, location and lighting of toilets. The number of toilets required in the state building code shall be provided. Every toilet room and toilet compartment shall have adequate artificial illumination the entire period that the building is occupied wherever and whenever adequate natural light is not available, so that all parts of the rooms are visible. The approaches and entrances to such toilet rooms shall be separate from the kitchen and storerooms.

H 96.11 Towels. Washrooms or lavatories must be supplied with clean individual towels as provided by law. The use of the common roller towel is prohibited.

H 96.12 Code requirements. All plumbing shall be installed, repaired and maintained in accordance with the state plumbing law and code.

H 96.13 Code requirements for toilets. All toilet rooms within the kitchen or accessible by a door opening into the kitchen shall be so constructed as to meet all the requirements prescribed in the state building or plumbing code.

H 96.14 Outdoor toilets. In localities where public water and sewerage systems are not available, every restaurant shall provide and maintain on the premises suitable, adequate, and properly located outdoor toilets, with vaults properly constructed, fly and vermin proof to receive night soil. Such toilets must be kept clean and well screened at all times. Separate buildings or compartments properly designated shall be provided for each sex. Other approved, properly installed and maintained sanitary facilities may be used in lieu of such toilets.

(Note: For location and construction of outside toilets, see state plumbing code issued by the state board of health.)

WATER SUPPLY

H 96.15 Connection to sewer and water supply; installation of toilets, lavatories and grease catch basins. All restaurants located adjacent to a public sewer and water system shall be provided with sewerage and water connections and a suitable sink properly located, connected to the drain pipe and equipped with hot and cold running water. At least one toilet and one lavatory for the use of patrons

shall be provided and properly maintained. Grease catch basins of adequate capacity shall be installed and properly maintained wherever greasy wastes in considerable volume are discharged into the sewer. (For details of construction, size and location, see state plumbing code.)

H 96.16 Safe water supply. The water supply for drinking and culinary purposes shall be adequate and safe. All private supplies shall be tested at least once each year by an accredited laboratory. Any such supply that is in apparent danger of pollution shall be tested at regular intervals. When water from a public supply is carried in, clean containers shall be used. The use of contaminated ice in drinks or for cooling of foods by direct contact is prohibited.

H 96.17 Fountain or cooler installation. The use of the common drinking cup is prohibited. The use of any fountain or cooler for filling glasses or other drinking receptacle where the top rim of receptacle comes in contact with any part of the appliance is prohibited.

H 96.18 Installation of pump. All wells whether dug, driven point or drilled and cased, shall be so located, constructed and topped and the pump so attached as to guard against the pollution of the well water.

H 96.19 Use of spring water. No surface spring water shall be used for drinking or for preparing foods unless amply protected against pollution and not before it has been tested and pronounced safe.

H 96.20 Testing of wells. Newly constructed or reconstructed wells, whether drilled and iron pipe cased or driven point, and pumps, water pressure systems, and new piping shall be sterilized with chloride of lime and duly tested by an accredited laboratory before use.

H 96.21 Cross connection or pollution of private water supply. Private water supply systems and all water supply piping and appliances shall conform with the requirements prescribed under H 62.18 and 62.19 of the state plumbing code. No plumbing fixture, device or construction shall be installed nor maintained which will provide a cross connection between a distributing supply for drinking and domestic purposes, and a polluted supply, a drainage system, a soil or waste pipe so as to permit or make possible the back flow of sewage, polluted water or waste into the water supply piping or system.

UTENSILS AND EQUIPMENT

H 96.34 General sanitation of dining rooms. Dining rooms and all places where meals or lunches are served shall be kept clean, well ventilated, heated and lighted, and all openings properly screened against flies and other insects. This requirement shall include the proper cleaning and painting of ceiling and walls, proper cleaning of floors, tables, shelves, counters, chairs, trays and other dining room equipment.

H 96.35 Furniture. The dining room shall be equipped with serviceable furniture.

H 96.36 Tablecloths and underpads. Tablecloths and underpads when provided must be kept clean.

H 96.37 Napkins. Cloth napkins, when provided, must be washed and ironed after being used by any guest.

H 96.38 Dishes, glassware, silverware. The use in restaurants of dirty or cracked dishes, badly tarnished or dirty silverware is prohibited.

H 96.39 Work surfaces. Surfaces on which food is prepared or served, or dishes washed, must be of hardwood construction with tight joints or covered with metal or other nonabsorbent material.

H 96.40 Finger bowls. Finger bowls, when used, must be kept clean and provided with fresh, pure water for each patron.

H 96.48 Storage. Utensils shall be stored in a clean, dry place protected from flies, splash, dust, overhead leakage and condensation and other contamination. Wherever practicable, utensils shall be covered or inverted.

SANITIZATION

H 96.50 Utensils sanitized. All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively sanitized after each usage.

H 96.51 Prewashing of utensils—recommendation. It is recommended that prewashing be made an integral part of both manual and mechanical utensil washing operation.

(Note: The term "prewash" is applied to the process of water scraping of utensils prior to washing. Better washing and sanitizing can be done with any utensil washing setup, either manual or mechanical, if prewashing is practiced.)

H 96.52 Manual cleaning. (1) **SINKS FOR HAND DISHWASHING.** A two-compartment sink shall be provided for all establishments and it is recommended that a three-compartment sink be provided for all new installations.

(2) **WASH WATER—HAND DISHWASHING.** The utensils shall be washed in hot water (temperature suggested 110° to 120° F.) containing an adequate amount of an effective soap or detergent. Water shall be kept clean by changing frequently.

(3) **RINSE—RECOMMENDATION.** It is recommended that all utensils following the washing operation be subjected to a hot water rinse (minimum temperature suggested 110° F.) to remove soap or detergent.

(4) **SANITIZING—HAND DISHWASHING.** After cleaning and rinsing all utensils shall be effectively sanitized by either of the following methods or by other approved means:

(a) Submergence for 30 seconds in clean water maintained at a temperature of at least 170° F.

(b) Submergence for two minutes in a hypochlorite solution. This solution shall be made up with a chlorine concentration of at least 100 parts per million and shall be discarded when it reaches 50 parts

per million. Caustic compounds shall not be added to the hypochlorite solution. It is recommended that utensils be racked in baskets so that all surfaces will be wetted during submergence. It is recommended that silverware and plastic dishes be sanitized only in hot water as stated in H 96.52 (4) (a).

(Note: Examples of caustic compounds are soaps, water softeners and washing compounds.)

H 96.53 Mechanical cleaning. (1) **RACKING OF UTENSILS.** Utensils shall be stacked in racks or trays so as to avoid overcrowding and in such manner as to assure complete washing contact with all surfaces of each article.

(2) **WASHWATER—MECHANICAL DISHWASHING.** The wash water temperature of the utensil washing machine shall be held at from 140° to 160° F. The utensils shall be in the washing section for at least 20 seconds.

(3) **DETERGENT.** A detergent shall be used in all utensil washing machines and it is recommended that they be equipped with automatic detergent dispensers so that the maximum efficiency of the machines can be obtained.

(4) **SANITIZING—MECHANICAL.** For sanitizing in a spray type machine, dishes shall be subjected to a rinse period of 10 seconds or more at a temperature of at least 170° F. For sanitizing in an immersion tank type machine, dishes shall be submerged for 30 seconds or more with water at a temperature of at least 170° F. There shall be a constant change of water through inlet and overflow.

(5) **DISHWASHER THERMOMETERS.** Thermometers shall be located in both the wash and rinse water lines and in such location as to be readily visible. Thermostatic control of the temperature of the wash and rinse water shall be provided in new equipment and is recommended for existing equipment.

(6) **DISHWASHER WATER PRESSURE.** The pressure of the water used in spray washing and rinsing shall be 15 to 25 pounds per square inch.

H 96.54 Drying of utensils—recommendation. It is recommended that utensils be allowed to drain and air dry in racks or baskets. Drying cloths, if used, shall be clean and shall be used for no other purpose.

H 96.55 Sanitizing of washing aids. Brushes, dish mops, dishcloths, drying cloths and other hand aids used in dishwashing operation shall be sanitized after each period of use.

H 96.56 Cleanliness of kitchen equipment. All stoves, sinks, dishwashing apparatus, wash racks, shelves, tables, counters, meat blocks and meat racks must be kept clean.

H 96.57 Sanitizing of dishes, silverware, glassware. All dishes, silverware, glasses and all other dining room utensils must be thoroughly washed and rinsed with boiling water or steam and properly dried after being used by any individual. All drying towels or cloths shall be kept in a clean condition at all times.

REFRIGERATION

H 96.60 Handling and refrigeration of foods. All readily perishable food and drink except when being prepared or served shall be kept in a refrigerator which shall have a temperature maintained at or below 50° F. This shall include all custard-filled and cream-filled pastries, milk and milk products, meat, fish, shellfish, gravy, poultry stuffing and sauces, dressings, and salads containing meat, fish, eggs, milk or milk products. The use of tainted or spoiled foods is prohibited. All foods, including vegetables, served raw shall be thoroughly washed in clean, safe water.

H 96.61 Handling of meats. Meats and foods must not be placed in direct contact with ice. Decayed, contaminated or unwholesome food shall not be stored or served. Contents of cans must be removed when cans are opened.

WHOLESOMENESS OF FOOD AND DRINK

H 96.63 Location of preparation room. No food can be served in any restaurant unless it is prepared on the premises or in a public commissary or other places approved by the state board of health.

H 96.64 Handling, preparation and serving of food and milk. All foods shall be handled, prepared and served under clean and sanitary conditions. Milk and cream shall be kept in covered containers under refrigerated condition until served or used.

H 96.65 Displayed foods. All foods when displayed must be protected from flies, insects, dust and from handling by the public.

H 96.68 Food storage. Foods shall not be stored in any basement or room or receptacle that is subject to sewage or waste water back flow, nor in any place having defective drain pipes or appliances making it possible for rodents or vermin to gain access to sewage or waste waters and to food.

H 96.69 Decorating of basement storerooms. Basement storerooms must be painted or whitewashed when required.

DISPOSAL OF WASTE

H 96.72 Garbage and kitchen refuse. All garbage and kitchen refuse must be kept in separate watertight metal cans provided with close fitting metal covers, unless otherwise protected from flies and insects, and the contents must be removed as often as necessary to prevent decomposition and overflow. The use of wooden containers for garbage is prohibited either in the kitchen or on the premises. No waste water, including dish water, shall be discharged on or near the premises so as to create a nuisance. Separate containers must be provided for cans, bottles and similar rubbish.

H 96.73 Containers and removal of garbage. All garbage while in the kitchen shall be kept in watertight containers and removed after each meal.

H 96.74 Drainage of ice boxes and refrigerators. Drains from ice boxes and refrigerators must be connected with the building drain and properly trapped. Where building drain is not available, a drain pipe must be provided and wastes disposed of in such a manner as to avoid a nuisance.

EMPLOYEES

H 96.76 Head covering for food handlers; use of tobacco. Cooks and helpers in restaurant kitchens and all waitresses must wear caps, bands or hair nets, and must refrain from using tobacco while on duty.

H 96.77 Dressing room and washroom facilities. Every restaurant shall be provided with suitable dressing rooms for employes which are to be separate from the kitchen. Employes or other persons must not use the kitchen or places where foods are kept as a dressing room, cloak room, loafing or sleeping room. Every restaurant must be supplied with soap and individual towels for employes, and all employes shall, before beginning work, after using toilets, and at all times when necessary, wash their hands with clean water and soap.

H 96.78 Sleeping quarters. All sleeping quarters where provided for employes must comply with requirements of the state building code.

(Note: All repairs, remodeling, additions or new buildings must conform with the state building code and plumbing law and code.)

COMMUNICABLE DISEASE CONTROL

H 96.80 Restrictions on employment—general. No person when ill or afflicted with a communicable disease shall be employed in any capacity in a restaurant except as permitted by the local health officer.

H 96.81 Restrictions on employment—typhoid fever. Persons who have had typhoid fever shall not be employed in a restaurant, kitchen or as a handler of foods or food materials until it has been definitely determined by appropriate tests that such persons are not typhoid carriers.

MISCELLANEOUS

H 96.85 Hermetically sealed sandwiches. All establishments required by section 160.02 (1), Wis. Stats., to have a permit shall be required to comply with these rules and regulations with the exception that establishments which sell or serve hermetically sealed sandwiches only and do not use dishes, glassware or silverware in connection with their business, shall not be required to maintain hot running water and dishwashing facilities.

H 96.86 Harboring of animals. Kitchens or storerooms must not be used for harboring cats, dogs, or other animals.

H 96.87 Enforcement of rules and regulations. Whenever, upon inspection of a restaurant by the state board of health or one of its representatives, it shall be found that such restaurant or the property so inspected is not conducted nor equipped as required in the above

rules, the state board of health shall notify the owner in writing and shall specify the requirements prescribed by law or rule to make such place of business conform with the standards set forth in the rules and the time limit within which compliance must be made. If the order is not fulfilled at the expiration of the time stipulated in said order or extension of the time given, then the restaurant may be closed until the order is complied with.

H 96.88 Appeal by operator. Any person aggrieved by an order made under H 96.87 may appeal to the board within 30 days after issuance of the order, in the manner prescribed by H 1.21 and 1.22. The board shall thereupon either summarily set aside or modify the order or set the matter for hearing as provided in H 1.21 and 1.22. The order for hearing may either suspend the order or continue it in force pending determination of the issues. If the board has summarily modified the order, the person aggrieved may appeal from the modified order as herein provided.