

Inspection Procedures

581-051-0305

Food Safety Inspection Definitions

Definitions:

- (1) "Central Kitchen" means a foodservice site where food is prepared at a facility and then some or all of the food is delivered to a meal serving site(s) at a place(s) other than the preparation site.
- (2) "CNP" means Child Nutrition Programs.
- (3) "Competitive Food Sales" means any foods sold in competition with the NSLP and SBP in foodservice areas during the breakfast and lunch meal periods.
- (4) "Competitive Food Sales vendor" means any person or organization selling competitive foods in the Sponsor's foodservice areas during the lunch and breakfast meal periods.
- (5) "Critical Violation" means a Food Safety Inspection violation that is more likely than other Food Safety Inspection violations to cause food contamination, illness or an environmental health hazard. Priority and Priority Foundation item violations are critical violations.
- (6) "Finishing Kitchen" means a foodservice site that receives prepared foods for reheating, assembling, portioning, and serving.
- (7) "Food Safety Inspection Annual Report" means the report of completed Sponsor site(s) Food Safety Inspections. The Annual Report is prepared by the Sponsor ~~Sponsor state and local public health authorities who conduct the inspections~~ and submitted to ODE CNP by June 30 each school year.
- (8) "Food Safety Inspection document of findings" means any form used by the state or local public health authority to document a Food Safety Inspection.
- (9) "Food Safety Inspection: National School Lunch Program and School Breakfast Program Requirements" means schools shall at least twice each school year obtain a Food Safety Inspection conducted by a state or local governmental agency responsible for food safety inspections. (7 CFR 210.13 and 7 CFR 220.7)
- (10) "Foodservice Area" means any area on school premises where NSLP and SBP meals are both served and eaten as well as any other areas where programs meals are served and eaten. Areas where students eat NSLP and SBP meals that are completely separate from the serving area are also part of the foodservice area.
- (11) "Notice of Non-Compliance" means documentation that a Critical violation(s) has not been corrected nor has the Sponsor ~~or~~ Competitive Food Sales vendor implemented an alternative plan, approved by the state or local public health authority.
- (12) "NSLP" means the National School Lunch Program.
- (13) "ODE" means the Oregon Department of Education.
- (14) ~~(a)~~ "On-site Preparation Kitchen" means a foodservice site where food is prepared and served at one location.
- (15) "Person in Charge" means the person responsible for food safety and sanitation, and who is present at the food establishment during the NSLP, SBP, and Competitive Food Sales hours of operation. The Person in Charge is designated by Public and Private schools and RCCI Sponsors and Competitive Food Sales vendors for each meal site and each Competitive Food Sales site.

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(16) "Priority Item" means a provision in the [Food Code](#) whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard. Priority items include items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling and hand washing

(17) "Priority Foundation Item" means a provision in the [Food Code](#) whose application supports, facilitates or enables one or more priority items. Priority foundation items include an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factor that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, [Hazard Analysis Critical Control Point plans](#), documentation or record keeping and labeling

(186) "Private School" means any entity, except as provided in ORS 339.030(1)(~~de~~) and (~~ed~~), that:

(a) Is not supported with state funds;

(b) Is operated by a non-governmental, religious or non-religious group or organization;

~~(c) Is registered as a private school under the provisions of ORS 345.505-345.565;~~

(~~cd~~) Provides educational services to students at any level, pre-K through grade 12;

(~~de~~) Has a teacher or teachers who provide instruction;

(~~ef~~) Has an administrator or head teacher; and

(~~fg~~) Occupies one or more buildings.

(197) "Program meals," means the National School Lunch Program meals and School Breakfast Program meals.

(2048) "Public School" means any entity that has been recognized as a school by the district school board through a resolution adopted by the board [or by the State Board of Education for a public charter school sponsored by the board](#) and:

(a) Is supported with public funds;

(b) Is operated by a local education agency, education service district or state education agency;

(c) Provides educational services to students at any level, pre-K through grade 12;

(d) Has a teacher or teachers to provide instruction;

(e) Has an administrator or head teacher;

(f) Provides Oregon statewide assessment to its students; and

(g) Occupies one or more buildings.

(2149) "Residential Child Care Institution (RCCI)" means any Public or Nonprofit Private Residential Child Care Institution, or distinct part of such institution, which operates principally for the care of children. An RCCI is considered a school. Private RCCIs must be licensed to provide Residential Child Care services under the appropriate licensing code by the state or a subordinate level of government.

(229) "Satellite Kitchen" means a foodservice site where food is received fully prepared from another location and is ready to serve.

(234) "SBP" means the School Breakfast Program.

(242) "School Year" means a period of 12 calendar months beginning July 1 of any year and ending June 30 of the following year.

(253) "Sponsor" means Public and Private Schools and RCCIs who participate in the NSLP and SBP.

(264) "State or local public health authority" means the state or local governmental authority responsible for conducting Sponsor and Competitive Food Sales vendor Food Safety Inspections.

(275) "USDA" means the United States Department of Agriculture.

(286) "Vended Meals" means meals prepared by a facility other than the Sponsor and sold for service at a Sponsor's meal site(s); or meals prepared by the Sponsor and sold to another food service operation.

Stat. Auth.: ORS 326.051

Stats. Implemented: 7 CFR210 & 7 CFR220.7

Hist.: EB 15-1987, f. & ef. 7-30-87; EB 2-1996, f. & cert. ef. 1-29-96; ODE 5-2002(Temp), f. & cert. ef. 2-1-02 thru 6-30-02; ODE 15-2002, f. & cert. ef. 6-10-02; ODE 3-2011, f. 1-31-11, cert. ef. 2-1-11

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Food Safety Inspection Requirements

(1) Sponsors must have at least two Food Safety Inspections for every kitchen and meal-serving site in their foodservice operation each school year.

(2) Vended Meal Sponsors must have at least two Food Safety Inspections for the receiving and sending food preparation and serving meal sites each school year.

(3) Competitive Food Sales vendors may be subject to a Food Safety Inspection every school year as determined by the state or local public health authority.

(4) The Food Safety Inspection standards are set forth in the School Food Safety Inspection Requirements, which shall be known as the Food Code for Public School Sponsors, Private School Sponsors and Residential Child Care Institution Sponsors of the USDA, NSLP and SBP for Sponsors and Competitive Food Sale vendors that are adopted by reference. The complete Food Code is available through Oregon Department of Education, Child Nutrition Program.

(5) The Sponsor "Person in Charge" requirements for Responsibility, Knowledge and Duties as stated in the School Food Safety Inspection Requirements will be effective July 1, 2003.

(6) The Competitive Food Sales vendor "Person in Charge" requirements for Responsibility, Knowledge and Duties as stated in the School Food Safety Inspection Requirements will be effective July 1, 2003.

(7) New Sponsors must have a Food Safety Inspection conducted by the state or local public health authority and must meet school food safety inspection requirements before starting the NSLP and SBP.

Stat. Auth.: ORS 326.051

Stats. Implemented: 7 CFR210 & 7 CFR220.7

Hist.: ODE 5-2002(Temp), f. & cert. ef. 2-1-02 thru 6-30-02; ODE 15-2002, f. & cert. ef. 6-10-02; ODE 3-2011, f. 1-31-11, cert. ef. 2-1-11

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Food Safety Inspection Procedures

(1) Sponsors are required to contact their state or local public health authority for two Food Safety Inspections every school year.

(2) Competitive Food Sales vendors are required to contact their state or local public health authority to determine if they need a Food Safety Inspection every school year.

(3) Sponsors are responsible for the cost of the Food Safety Inspection and re-inspection(s), if applicable, for every kitchen and meal-serving site under their jurisdiction.

(4) Competitive Food Sales vendors are responsible for the cost of the Food Safety Inspection, if required by the state or local public health authority, and re-inspection(s), if applicable, for every Competitive Food Sales site under their jurisdiction.

(5) Sponsor Food Safety Inspections must be conducted during meal service operations.

(6) Competitive Food Sales vendor Food Safety Inspections must be conducted during business operations.

(7) The Sponsor Food Safety Inspection document of findings will be provided to the foodservice representative, site administrator, and Superintendent or Director, at the completion of each Food Safety Inspection by the state or local public health authority.

(8) The Competitive Food Sales vendor Food Safety Inspection document of findings will be provided to the vendor representative, Sponsor foodservice representative, Sponsor site administrator, and Sponsor Superintendent or Director, at the completion of each Competitive Food Sales Safety Inspection by the state or local public health authority.

(9) If the Sponsor Food Safety Inspection Critical Violation(s) are not corrected, or an alternative plan approved by the state or local public health authority is not implemented by the Sponsor, a Notice of Non-Compliance will be issued to the foodservice representative, site administrator, Superintendent or Director, and ODE CNP by the state or local public health authority. Effective July 1, 2003, Sponsor meal reimbursements may be withheld if the Sponsor receives a the Notice of Non-Compliance. When the Notice of Non-Compliance is corrected, Sponsor reimbursement payments will be released.

(10) If Competitive Food Sales vendor Food Safety Inspection Critical Violation(s) are not corrected or an alternative plan approved by the state or local public health authority is not implemented by the Competitive Food Sales vendor, a Notice of Non-Compliance will be issued to the vendor representative, Sponsor foodservice representative, Sponsor site administrator, and Sponsor Superintendent or Director.

(11) The Food Safety Inspection Annual Report will be provided to ODE CNP by June 30 of each year. by the inspecting agency.

Stat. Auth.: ORS 326.051

Stats. Implemented: 7 CFR210 & 7 CFR220.7

Hist.: EB 15-1987, f. & ef. 7-30-87; EB 2-1996, f. & cert. ef. 1-29-96; ODE 5-2002(Temp), f. & cert. ef. 2-1-02 thru 6-30-02; ODE 15-2002, f. & cert. ef. 6-10-02