

21 Health Code Violations and how to avoid them!

1. Incorrect water temperature

The hot water at your handwashing sinks must reach 100 degrees Fahrenheit within a few seconds. If it doesn't, you will lose points, typically for each sink that does not reach temperature. Water temperature is also important in your dishwashers. Inspectors are generally looking for dishwashers to reach at least 100 degrees for the initial wash cycle and at least 171 degrees Fahrenheit for sanitizing cycles.

Hotter is not necessarily better, especially when it comes to handwash sinks. If the hot water at your handwash sink is above 108 degrees and is not adjustable, you could also lose points. Water temperature issues are the most common violation I have seen working in restaurants. These issues can be frustrating because they seem so simple to avoid, and they can be.

Keep thermometers on hand and check your hot water temperature daily. If your hot water falls below 100 degrees, call a plumber to diagnose the problem. In a shared building, the hot water system may fall under your landlord's jurisdiction. If that's the case, contact your landlord the second you notice any hot water issues so they can be fixed as soon as possible.

2. Employees eating, drinking, or chewing tobacco in food or service areas

Employees eating, drinking from open containers, or using tobacco products in food preparation or service areas is a huge no-no. The risk of foodborne illness and cross-contamination is simply enormous. But it is easy to lose sight of that when your staff simply wants to take a quick break. If a health inspector witnesses one of your cooks or servers snacking on a samosa or drinking from an open coffee mug in the kitchen or a server station, it's typically a minor violation.

The bigger issue is when your staff is in the habit of drinking from open containers and leaving them in service stations and prep areas. Each orphaned coffee cup is its own violation. And if the cups are stowed above areas where food is prepped (which is common in kitchens), that's a major violation. Losing points for this can make you want to fire everyone.

But before you do, consider gifting your employees with health department-compliant beverage containers. Typically, these will be containers with lids and straws that do not require a person to touch the mouthpiece with their hands to drink from it. You should also create a designated employee break area for eating and drinking that is away from food prep and service areas. Then, the only trick is training your team to use the correct containers in the correct location. But I have seen this work incredibly well at numerous restaurants.

And, it should go without saying, but you should have a zero-tolerance policy for tobacco products in your food prep areas. Require your staff to leave any tobacco products with their personal belongings in a staff locker. Providing staff lockers is a smart step for general food safety. If you don't yet have lockers, you should install some.

3. Poorly stocked handwash sinks

Handwash sinks are scrutinized by health inspectors because they are a critical part of preventing foodborne illness. First off, you'll need to ensure that you have enough handwash sinks in the correct locations. Standards vary, so check with your local health department. The important thing to remember is that handwash sinks are separate from ware washing sinks. A health inspector will mark you down if they see staff dumping beverages or washing spoons in your handwash sink.

A health inspector will also check that all of your handwash sinks get hot and cold running water and that they are stocked with soap and paper towels. In most locations, hand sanitizer is optional at a handwash station; it won't earn you points, and it is not an acceptable replacement for soap. Every unstocked handwash sink can cost you points. If you are unable to correct your unstocked handwash sinks while the inspector is present, you could even be shut down.

So make it a part of your team's daily side work to stock all handwash sinks. And keep standing orders for soap and hand towels so you never run out of stock. Know exactly where your nearest grocery or

convenience store is, so in a pinch, you can send a staff member on a soap and paper towel run to avoid a closure.

4. Towels in food prep areas

There is another type of towel in restaurants, commonly called a “bar mop” or “side towel.” These are excellent for wiping up spills and for acting as pot holders for your kitchen team. In most places, you can only keep bar mops fully submerged in a container of diluted sanitizing solution. And this sanitizer container must be positioned below any food preparation counters. In some locations, you can keep dry bar mops on a shelf or counter. Check with your local health department for your regulations.

The best thing to do to stay in compliance with bar mops is to train your staff to use sanitizer containers and to discard bar mops once they are used. When a health inspector arrives, designate a staff member to do a quick bar mop sweep, going through the entire restaurant and collecting any bar mops that are out of place.

5. Sanitizing solution at incorrect potency

Speaking of sanitizer, your sanitizing solution needs to be diluted to the correct concentrations to be effective. Depending on your sanitizer type, the concentration will vary. A health inspector will check the potency of your sanitizing solution. You can test your sanitizer, too.

You should have sanitizer test strips on hand to test the concentration of your sanitizing solution. I’ve known health inspectors to ask to see where we keep our test strips. The key is to get test strips—and use them.

6. Missing health and safety signage

Food service businesses are required to place signage like their health department rating and employee hand wash signs. Hand wash signs are those placards that state “employees must wash hands before returning to work.” In most locations, these placards must be placed above hand wash sinks and in restrooms that employees use. Some restaurants, especially upscale restaurants, feel that these signs are unattractive, so they don’t display them where they should. Missing signs definitely cost you points with the health department.

My best advice is to post all required signs. I have known restaurants that put these signs in picture frames and only bring them out when the health inspector arrives, but honestly, the stress is not worth it. Find signs that display the required messages in a design you can live with. And post them where the health code specifies, even if it is in a restroom that employees share with customers.

7. Scoops left in food or ice bins

It is inevitable that, at some point, you or an employee will accidentally leave the ice scoop in the ice bin. Or that you will leave measuring scoops inside your flour or sugar bins. This is against health code and each scoop can cost you points.

The easiest way to avoid leaving scoops inside bins is to have a place near the ice machine or food storage bins where scoops can be placed. If the scoop holder is empty, then someone has probably left a scoop somewhere they shouldn’t have.

8. Mold or mildew in ice machines

While we’re on the subject of ice machines, when was the last time you checked the evaporator and evaporator cover for mold or mildew? Ice machines are commonly leased rather than owned, so it is easy to forget that cleaning the ice machine is part of your job.

You only need to clean your ice machine every six months, but it’s important to remember to do it. I found it was easier to remember when I made it a monthly cleaning task. Doing it once a month also meant that multiple staff members ended up performing the task, so more people learned how to do it. Each machine is a little different, so check with the manufacturer for cleaning instructions for your machine.

9. Mold in beverage dispensers

Any equipment that stays wet or serves sugary liquids is prone to mold buildup. And the health department will check. The best way to avoid this is to be conscientious about cleaning your beverage dispensers (including draft beer taps) nightly. If you have a full bar program and a staff of bartenders, you likely already

do this (in which case you should have a manager check the bar side work every night). The restaurants that I see struggle the most with this are quick service spots that have self-service soft drink stations.

So get cleaning instructions from your beverage dispenser manufacturer. Make cleaning the beverage dispenser nightly side work for someone. And have a manager check the side work every single day to make sure it was done correctly.

10. Staff member is visibly ill

Many restaurant workers work while sick either because they can't afford to take a sick day or they are passionate about their work. Personally, I don't think it is a great look for the industry, and we should all do better to give hourly staff sick time. If you need a little incentive to encourage ill staff to take a sick day, remember that if a health inspector sees a visibly ill staff member, that could lower your health rating. Visible signs of illness a health inspector will look for are coughing, sneezing, and running nose.

You can avoid losing points for having an ill staff member on your premises. Create a sick leave policy and allow sick staff members to take the day off.

11. Staff member touches face, mouth, etc. then touches food

Even healthy staff members can dock your health score if a health inspector sees them touch their mouth, nose, hair, or face and then touch servingware or food without first washing their hands. This could lead to the spread of illness or cross-contaminate food or serving implements.

Train your staff to always wash their hands after touching the face or body. That's what those well-placed, well-stocked handwash sinks are for.

12. Improper glove use

Various dishes and food preparation tasks are required to be performed while wearing gloves. The regulations vary a bit from location to location, but generally anytime you are handling food that will be eaten uncooked, you should wear gloves while preparing it. This could include cold cuts for sandwiches or sushi. Check with your local health department for glove requirements in your area. Another time gloves are required is when a staff member has a cut or wound on their hands.

If a health inspector sees someone performing a prep task that requires gloves without using gloves, you'll definitely lose points. If a health inspector sees someone with a bandaged hand prepping food without gloves, that is a huge violation and could lead to losing a lot of points.

Make gloves available to your staff, and make sure everyone is trained and knows when to use them.

13. Refrigerators or freezers not cold enough

To effectively preserve food and prevent the growth of bacteria, refrigerators and freezers need to keep food below a certain temperature. One of the major things health inspectors check is the temperature of your refrigerators and freezers. They are looking for refrigerators to run at 40 degrees Fahrenheit or less and for the food in them to measure below 42 degrees Fahrenheit. Freezers should measure 0 degrees Fahrenheit or lower. To maintain your food quality and get the most shelf life out of your products, you should already be checking the operating temperature of your refrigerators and freezers daily. If haven't been, start now. Also, start spot-checking the temperatures of a few items in each piece of equipment to ensure products truly are getting and staying cold. Even if your cooling equipment is operating at a low temperature, your products could be too warm if you overfill them.

14. Mislabeled or unlabeled food

Health code typically requires that all prepared foods be labeled with the food name and the prep date. If a health inspector discovers unlabeled food in your storage areas or refrigerator/ freezer, you'll have to discard it in front of the inspector to avoid losing points on your health rating. Ensure your foods get labeled by making it easy for your staff. Set up label stations with markers and label tape in popular prep areas. Many restaurants rely on making tape for labels, which is fine if your staff uses it correctly. Rolls of pre-printed labels with fields to mark who prepped an item and when make the task even easier. Most pre-printed labels have the benefit of being dissolvable. So you don't have to worry about removing them before washing; they will dissolve in the wash water.

15. Improper cooling of cooked food

To stay safe, cooked food must be cooled to 68 degrees Fahrenheit or below within two hours of being cooked and from 68 degrees to 40 degrees within four hours. This may sound like an incredible amount of time, but if you are dealing with large quantities of very hot foods (like stews or stocks), it can be hard to hit the correct window. In busy kitchens, cooks can try to take shortcuts, like putting containers of hot food directly into a freezer (which can raise the temperature of the freezer and make other foods unsafe). Make sure your staff knows how to safely cool cooked foods by portioning out smaller amounts or using ice water baths, cooling paddles, or blast chillers. You can make it easier for your team to remember by placing signs with the correct steps in your kitchen.

16. Improper thawing of frozen food

Just like food can be improperly cooled, frozen foods can be improperly thawed. The most common way people improperly thaw food is by simply leaving frozen food out on a countertop. This can allow the food to sit for too long in the temperature danger zone (between 40 degrees and 140 degrees Fahrenheit) and encourage the growth of bacteria or pathogens. This is a major health code violation.

Train your staff to thaw foods correctly by thawing in the refrigerator, cooking to thaw, and using cold running water or the microwave. Give your staff the tools they need to thaw food safely—a microwave, a vacuum sealer—and post signs with the correct steps for safe thawing so you don't accidentally create breeding grounds for foodborne illness.

17. Re-serving foods

If you serve complimentary bread baskets or chips and salsa, the health inspector will watch your staff closely to see if any "re-serving" is happening. Re-serving is when you serve food that has come back from one table to another table. You can see how it happens; one table doesn't eat all their bread. Rather than throw it away, your staff makes a new bread basket using some of the returned bread. This will definitely earn you a health downgrade.

In many locations, bowls of shared snacks—like popcorn and mixed nuts—sitting on a bar top also count as "re-served" food. So, if you serve bar snacks, serve them in individual bowls directly to patrons and discard whatever the customers fail to eat. Beyond that, make sure your service team knows not to recycle discarded food.

18. Plumbing issues

Water is a major focus for health inspectors. Beyond water temperature, inspectors need to ensure that you have running water and that wastewater flows freely away from your building. If you have a clogged drain—especially a clogged floor drain—when an inspector visits, most inspectors will give you a chance to clear the clog while they are present. If you can clear the clog, most won't mark you down for it.

If you are unable to clear the clog, you'll lose points. If it's bad, you may get shut down. If you have lost running water while an inspector is present, you'll automatically get shut down. This makes sense; you can't wash hands or dishes without running water. If you lose running water, you should voluntarily shut down until the problem is fixed. An inspector will respect your decision and will return to inspect on another day.

19. Overflowing grease trap

An overfull or overflowing grease trap (sometimes called a grease interceptor) is a major violation, on par with having raw sewage backing up in your restaurant. An overflowing grease trap can lead the health department to actually shut you down until it is corrected. How does a grease trap overflow? Damage to the grease interceptor itself is one way. Waiting too long to have your grease trap drained is the most common way this happens, though.

Get your grease traps cleaned on a scheduled interval. Don't cancel or shift grease trap cleaning appointments to save money. Getting shut down because of an overflowing grease trap or losing an "A" health rating will cost you a lot more in the long run than the expense of a grease removal service.

20. Smoking or sous vide cooking without filing an HACCP plan

Low-temperature cooking techniques like smoking and sous vide are popular with chefs because of their great potential to impart flavor. These techniques raise concerns from the health department because of the time the foods can spend in the temperature danger zone between 40 and 140 degrees

Fahrenheit—temperatures that support the growth of bacteria and pathogens. Some health departments will ding you if you have sous vide or smoking equipment in your kitchen. In other locations—like Los Angeles—you simply have to provide the local health department with your plans for using these cooking techniques, detailing how you plan to prevent foodborne illness.

21. Rodents

A food business will inevitably attract rodents. If your building has been a restaurant for a while, chances are there were some vermin in the building before you moved in. If a health inspector finds evidence of cockroaches, mice, or other rodents in your restaurant, you will lose points and possibly even get shut down until the rodents are mitigated. The best way to reduce your risk of rodent and vermin infestations is to contract with a pest control company for regular mitigation measures. And don't store any food in paper or cardboard for long periods of time. Your storage rooms should be completely full with mouse and rodent-proof storage containers made of thick, high-grade plastic, glass, or metal. All food storage containers should have lids.

Even items that you think don't need an additional container—like sugar packets—should be stored in rodent-proof containers. Cardboard boxes full of sugar packets are incredibly attractive to rodents and cockroaches.