

Imminent Health Hazard

8-404.11 Ceasing Operations and Reporting.

(A) Except as specified in ¶ (B) and (C) of this section, a PERMIT HOLDER shall immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMEDIATE HEALTH HAZARD may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, SEWAGE backup, misuse of POISONOUS OR TOXIC MATERIALS, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health.

(B) A PERMIT HOLDER need not discontinue operations in an area of an establishment that is unaffected by the IMMEDIATE HEALTH HAZARD.

(C) *Considering the nature of the potential hazard involved and the complexity of the corrective action needed, the REGULATORY AUTHORITY may agree to continuing operations in the event of an extended interruption of electrical or water service if:*

(1) A written emergency operating plan has been APPROVED;

(2) Immediate corrective action is taken to eliminate, prevent, or control any FOOD safety risk and IMMEDIATE HEALTH HAZARD associated with the electrical or water service interruption; and

(3) The REGULATORY AUTHORITY is informed upon implementation of the written emergency operating plan.

8-404.12 Resumption of Operations.

If operations are discontinued as specified under § 8-404.11 or otherwise according to LAW, the PERMIT HOLDER shall obtain approval from the REGULATORY AUTHORITY before resuming operations.

Annex.

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During crisis, industry and public health are partners with a common purpose; to restore normalcy to the community quickly while protecting the public health in the process. Pre-approval of emergency operating plans by the regulatory authority enables food establishments to remain in operation under conditions of loss of electrical service or water service and allows the regulatory authority to ensure in advance that appropriate precautions are planned for and taken to provide food safety protections under predetermined and agreed upon parameters.