

## Food Protection Hearing and Advisory Board Meeting Notice and Agenda

### Members

Christopher Romm  
Sergio Guzman  
Michael Chaump  
David DeMars  
J.P. Pinocchio  
George Heinemann  
Christopher Thompson

Tuesday, February 25, 2020  
1:00 p.m.

Washoe County Administration Complex, Building B  
Health District South Conference Room  
1001 East Ninth Street  
Reno, NV

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An item listed with asterisk (\*) next to it is an item for which no action will be taken.  
1:00 p.m.

1. \*Roll Call and Determination of Quorum

2. \*Pledge of Allegiance

3. \*Public Comment

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

4. Approval of Agenda – (For possible action)

February 25, 2020

5. Approval of Draft Minutes – (For possible action)

July 17, 2019

6. Public Hearing to consider Staff's Recommendation for Approval of Variance Case No.

1-20FP Rocky Mountain Chocolate Factory Application for Variance to Sections 200.005 (Outdoor food establishment, applicable requirements), 060.205(A) (Food equipment, certification and classification) and 070.020 (Plumbing system) of the Regulations of the Washoe County District Board of Health Governing Food Establishments. **Case #1-20FP -(For possible action)**

Staff Representative: Latricia Lord

7. Public Hearing to consider Staff's Recommendation for Approval of Variance Case No.

2-20FP Levy Premium Food Service Application for Variance to Sections 200.005 (Outdoor food establishment, applicable requirements), 060.205(A) (Food equipment, certification and classification) and 070.020 (Plumbing system) of the regulations of the Washoe County

District Board of Health Governing Food Establishments. **Case #2-20FP - (For possible action)**

Staff Representative: Latricia Lord

8. Discussion and possible action to establish a regular schedule for future Food Protection Hearing and Advisory Board meetings as needed. – **(For possible action)**

9. **\*Board Comment**

Limited to announcements or issues for future agendas.

10. **\*Public Comment**

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

11. **Adjournment – (For possible action)**

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**Possible Changes to Agenda Order and Timing.** Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

**Special Accommodations.** The Food Protection Hearing and Advisory Board Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at the Washoe County Health District, 1001 E. 9th St, Reno, NV 89512, or by calling 775.328.2416, 24 hours prior to the meeting.

**Public Comment.** During the “Public Comment” items, anyone may speak pertaining to any matter either on or off the agenda, to include items to be heard on consent. For the remainder of the agenda, public comment will only be heard during items that are not marked with an asterisk (\*). Any public comment for hearing items will be heard before action is taken on the item and must be about the specific item being considered by the Board. In order to speak during any public comment, each speaker must fill out a “Request to Speak” form and/or submit comments for the record to the Recording Secretary. Public comment for individual agenda items is limited as follows: three minutes for individual speakers.

**Response to Public Comment.** The Food Protection Hearing and Advisory Board can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Food Protection Hearing and Advisory Board. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Food Protection Hearing and Advisory Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District Staff action or to ask that a matter be listed on a future agenda. The Food Protection Hearing and Advisory Board may do this either during the public comment item or during the following item: “Board Comments – Limited to Announcement or Issues for future Agendas.”

**Posting of Agenda; Location of Website.**

Pursuant to NRS 241.020, Notice of this meeting was posted at the following locations:

Washoe County Health District, 1001 E. 9th St., Reno, NV  
Reno City Hall, 1 E. 1st St., Reno, NV  
Sparks City Hall, 431 Prater Way, Sparks, NV  
Washoe County Administration Building, 1001 E. 9th St, Reno, NV  
Downtown Reno Library, 301 S. Center St., Reno, NV  
Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health)  
State of Nevada Website: <https://notice.nv.gov>

**How to Get Copies of Agenda and Support Materials.** Supporting materials are available to the public at the Washoe County Health District located at 1001 E. 9<sup>th</sup> Street, in Reno, Nevada. Ms. Susy Valdespin, Administrative Secretary to the District Board of Health is the person designated by the Washoe County District Board of Health to respond to requests for supporting materials. Ms. Rogers is located at the Washoe County Health District and may be reached by telephone at (775) 328-2415 or by email at [svaldespin@washoecounty.us](mailto:svaldespin@washoecounty.us). Supporting materials are also available at the Washoe County Health District Website [www.washoecounty.us/health](http://www.washoecounty.us/health) pursuant to the requirements of NRS 241.020.

## Food Protection Hearing and Advisory Board Meeting Minutes

### Members

Christopher Romm, Chair  
Sergio Guzman  
Michael Chaump  
David DeMars  
J.P. Pinocchio  
George Heinemann  
Christopher Thompson

Tuesday, July 9, 2019  
1:00 p.m.

Washoe County Administration Complex, Building B  
Health District South Conference Room  
1001 East Ninth Street  
Reno, NV

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### 1. \*Roll Call and Determination of Quorum

Chair Romm called the meeting to order at 1:12 pm.

The following members and staff were present:

Members present: Christopher Romm  
Sergio Guzman  
George Heinemann  
Christopher Thompson

Members absent: Michael Chaump  
David DeMars  
J.P. Pinocchio

### Ms. Valentin verified a quorum was present

Staff present: Charlene Albee, Environmental Health Division Director  
Tony Macaluso, Environmental Health Specialist Supervisor  
Amber English, Senior Environmental Health Specialist  
Michael Lupan, Environmental Health Specialist  
Christabell Sotelo-Zecena, Environmental Health Specialist Trainee

### 2. \*Pledge of Allegiance

Those present pledged allegiance to the flag.

### 3. \*Public Comment

Lisa Metzger – Stated she has been a self-practitioner for the last 25 years, 20 years in Reno. She partnered with Dorinda's LiveKAYA business because she feels it is important to have good products to refer to her clients. She likes that Dorinda is conscientious where she sources all her materials, 3<sup>rd</sup> party testing coming into her company as well as 3<sup>rd</sup> party testing coming out of her property. She has been referring products to clients. She stated she has lost considerable income since of the shutdown. Opined this is something that is naturally

occurring product in our bodies as in other plants as well and that in her view it is a non-harm thing that she can refer to her clients and would like to be able to move forward with referring products to her clients.

All others choose to speak during agenda item 6.

#### **4. Approval of Agenda**

July 9, 2019

Chair Romm moved to approve the agenda for the July 9, 2019, Food Protection Hearing and Advisory Board meeting. Mr. Thompson seconded the motion which was approved four in favor and none against.

#### **5. Approval of Draft Minutes**

March 19, 2018

Chair Romm moved to approve the minutes for the March 19, 2018, Food Protection Hearing and Advisory Board meeting. Mr. Thompson seconded the motion which was approved four in favor and none against.

#### **6. Public Hearing to consider the appeal of the Health District's decision to place food produced by Dorinda's Chocolates and packaged as LiveKAYA on a hold order according to Section 240.045 (B) of the Regulations of the Washoe County District Board of Health Governing Food Establishments and order the owner or person-in-charge of the food which was placed under the hold order to discard the food. Case #1-19FP**

Staff Representative: Amber English

Ms. English stated that Board Member's packets contained staff recommendations, and documentation outlining the circumstances leading to this request for appeal. She provided a brief background on agenda item and offered to answer questions.

Mr. Thompson requested clarification that this additive is an unapproved product established by the Food and Drug Administration (FDA) and would declare this product to be adulterated. Ms. English confirmed that was correct.

Chris Romm inquired how this is different from how items are sold in cannabis. Ms. English responded that CBD only has trace amounts of THC and can be sold legally in the dispensaries. It is just not the correct license to approve it as food is regulated under FDA and State license is under tax regulation.

Chair Romm inquired about state guidance. Ms. English confirmed State Health regulations follow the same FDA guidelines. Chair Romm asked about Clark County and received confirmation the FDA guidelines are federal so they apply statewide and Clark County has the same regulations regarding food additives. Ms. English confirmed there have been statewide conference calls with the other Health Agencies to confirm the regulations are being applied consistently across the state.

Mr. Thompson asked to clarify THC edibles. Ms. English stated CBD in edibles is allowed in dispensaries and these are not under our jurisdiction. Anything manufactured under state taxation department is approved for dispensaries but not outside dispensaries.

Ms. English confirmed Denver, Colorado just approved additives but that California does not allow it. Dispensaries are completely different than approved food sources. Ms. English clarified there are different CBD products available. Oils and lotions not intended for consumption are allowed and not overseen by the WCHD because they are not intended for

human consumption. A consumer can buy the oil and choose what to do with it. A food establishment cannot add the oil into a food product as an ingredient.

Chris Thompson inquired about the difference between products sold at a dispensary, wondering if it was based on the regulated CO2 extraction process. Ms. Albee stated that in Nevada, all marijuana regulation is done at the state taxation dept. When Taxation took over the program, the State Health Registered Environmental Health Specialist transferred to Taxation to oversee the cultivation, processing and manufacturing of THC containing products. They oversee the licensing of the production of those food items, under the NRS. When you get outside of taxation, there is no oversight. It falls under the FDA nationwide for food standards for food preparation and sale. The production and extraction (of THC oils) in Washoe County AQM actually oversees the processing and production of the oils.

Mr. Thompson asked if they had a dispensary license would they be able to continue to sell their product. Ms. Albee confirmed that yes, that was an option presented to them.

Will Adler introduced himself as a Silver State Government Relations representing Dorinda's Chocolates and inquired when the CBD seizure occurred. Ms. English stated the timelines were in the agenda packet. The Washoe County Health District (WCHD) has received several calls and inquiries in the last year. Recognizing this is a growing national issue, Washoe did participate in the statewide call in January 2019. Our intent was not to search out violations but to respond to complaints or take an action if an inspector identified CBD during an inspection. In May, EHS staff noticed an advertisement for a business providing CBD products. Staff conducted an investigation, found the CBD product, and ordered it removed from the facility. As a result of that investigation, we have since received multiple complaints and each one was of those was addressed.

Mr. Thompson inquired on the initial business that was out compliance and asked if their product was seized. Ms. English stated the product was removed but was unsure as she was not the inspector who investigated that facility. Mr. Thompson added that on June 3, the food establishment volunteered to cease production.

Chair Romm asked if their product had CBD and a cease and desist order was issued, and if anybody followed up. Ms. English replied we could follow up with the inspector. Mr. Thompson inquired if that was that other coffee shop selling direct or shipping. Ms. English confirmed the product was being added on-site.

Mr. Heinemann inquired about how the complaint system worked (e.g., written, anonymous calls, emails etc.) Ms. English answered that typically the complaints have been verbal, as a result of the inspection, the facilities will point out they aren't the only ones selling CBD products and provide names of other facilities. As names are provided or WCHD staff have identified the products, a complaint is generated and staff follow up. Ms. English included we have also received information from other Health Departments in the state. Ms. English explained that once a Cease & Desist is issued, there are follow up inspections if it is deemed necessary. Most facilities do comply and it is very rare to have someone disregard the notice.

Chair Romm asked if the farm bill contained any guidance or information. Ms. English responded that was a separately different bill. Farm bill has to do with the farming and production of the hemp product while the FDA has the authority over the ingredients added into food. These are totally different and separate processes. The WCHD included the Department of Agriculture (Ag) in the statewide decision so everyone would have the answers to questions regarding the two programs. Chair Romm confirmed the State and

County are following FDA guidelines for food. There are no Federal regulations for cannabis so the State developed regulations. Dispensaries are following State regulations. Washoe County is following federal FDA regulations for food safety and the State has regulations on the cannabis side.

Mr. Thompson commented directly to Chair Romm stating that THC is still federally illegal so the State developed regulations since it was voted in. Since it is being used as a food additive, it would fall under USDA.

Ms. English stated the WCHD regulates all food additives and receives a lot of calls regarding essential oils or CBD. Staff references the Generally Recognized as Safe list to determine if products can be approved.

Chair Romm inquired if the County was inspecting the chocolates. Ms. English responded no, that all inspections are done by the State Department of Taxation.

Mr. Adler inquired when the CBD FAQ was posted on the website and if notification was sent to facilities identifying CBD as an unapproved additive. Stated it seemed this is a new interpretation of the regulations and all commercial kitchens should have been notified. Ms. English responded the WCHD didn't have the exact date. It was after the initial facility was identified and the Dorinda's Chocolates issue resulted in an influx of complaints. A food advisory was sent via the ServSafe email blast. A postcard will also be sent to all food permit holders. The postcard was delayed due to the end of the fiscal year spending limitations.

Mr. Thompson inquired when a new food establishment opens up an ingredient list must be provided, was the CBD included in the list of ingredients? Ms. English responded that Mr. Lupan, REHS, opened the facility but did not see the CBD on the initial ingredient list. Staff did meet with Dorinda's Chocolates representatives and asked if they had consulted with WCHD prior to starting to use the CBD and they indicated they had not.

Mr. Adler stated his understanding is that Dorinda's did contact Ag in April before starting to use CBD. He opined Ag is the agency responsible for regulating hemp products in Nevada. This seems to be a new enforcement policy, why did WCHD start enforcing this all of a sudden? Had a notice been sent out? How were they supposed to know it was an unapproved additive ahead of time? They went to Ag and thought they went to the right spot before. Dorinda's Chocolates did the best they could. They had their distillates tested before they brought it into the State of Nevada. They tested again locally in a marijuana lab to ensure there were 30mg of CBD oil without THC. Dorinda's Chocolates thought they were operating in compliance because they had never heard from the WCHD before that CBD oil was not approved. Mr. Adler requested policy or ordinances be passed to allow for the use of CBD. Give us a notice and give us a time to respond.

Mr. Thompson asked if CBD oil is found in hemp oil. Mr. Adler responded that cannabis sativa is both hemp and marijuana, hemp oil is produced from hemp which by definition contains less than 3% THC. Through concentration and extraction, CBD isolate is produced.

Mr. Thompson stated he understood going to Ag for hemp oil, but why wasn't CBD addressed. Mr. Adler stated CBD is only derived from hemp and can be shipped across state line. Hemp is a lack a THC so it is not a marijuana product.

Chair Romm inquired if all hemp oil contained CBD. Mr. Adler responded that it does to some degree. Even if it is a product from the protein for the seeds, it will still have a trace of CBD because it is in the plant unless it is purposely taken out.



Chair Romm inquired if hemp based oil is legal to transport across state lines. Mr. Adler responded that yes, you can go online and order a thousand products right now.

Mr. Thompson inquired if you could order chocolates with hemp oil, CBD chocolates. Mr. Adler responded yes, since 2015 FDA issued warning letters to companies with CBD products that claim a medical benefit. To his knowledge, they have never seized or stopped the production. FDA does have CBD medical drug plans in the process for approval which takes 10 – 15 years.

Mr. Thompson inquired if Lisa Metzger prescribed/recommended CBD oil for patients. Mr. Adler responded physicians in Nevada cannot prescribe CBD oil but they can recommend anything that can be purchased legally, similar to recommending jogging because you need to lose a little weight. Asked why a CBD tablet at a gas station or oil legal but not in a food product. Stated Assembly Bill 209 was passed in order to address these supplements that are claiming medical benefits. State of Nevada is working on regulations that are supposed to be done by July 2020. Nevada needs time to address this. They are asking to enforce by policy and provide notice loudly across the board, not just picking on small business without advance notice. Whole Foods, Sprouts, smoke shops, etc. all have the product on their shelves. Is that an additive or finished food product? Requested these rules need to be written down.

Mr. Thompson inquired what other ingredients were listed in those tablets that can be bought at 7-11. Mr. Adler responded they may use some other fillers, MCT Oil (like coconut oil), like triglyceride. He stated if this is a new ruling, they need advance process. They want notification ahead of time, not just enforcement.

Chair Romm inquired if any of these were made and sold in Nevada or all shipped in from other states. Mr. Adler responded that there are products made in the State, hemp farmers are growing and selling a variety of hemp products. Hemp production has been allowed since 2015. The first product produced in 2012 was meant to be eaten.

Chair Romm inquired if food products contain hemp oil, are they considered adulterated. Mr. Macaluso responded that it depends because generally speaking FDA does allow three things that are safe (hemp seed oil, powder or protein).

Chair Romm inquired if to the best of Mr. Macaluso's knowledge did that include CBD (trace amounts). Mr. Macaluso responded it was unknown, but he did believe it contained trace amount. He confirmed Dorinda's did due diligence by enlisting a lab for testing and contacting Ag, but failed to contact us. While Dorinda's has been in business for years making chocolates, this is something new and different. The focus of this issue is looking at food additives and the product that Dorinda's Chocolates is putting in their product is not on the safe list. As we come across other products like essential oils, we check to see if they are on the FDA list. Whether any products that are sold as CBD oil or how people use them is not the issue. Using CBD as an additive does not fit in FDA guidelines. Another product considered as adulterated is kratom which is being used in teas and we are also not allowing that product. Any product being put into food has to be on the safe list.

Mr. Thompson stated the issue is really about keeping people safe, making sure the general public is safe and knows what they are putting into their bodies. If you are buying a THC pill, it is sold as such. There's no mention of CBD on the packaging is there? It says hemp oil and there's no mention of CBD on the box. It says hemp derived isolate.

Mr. Adler responded that a vast variety of hemp oil waters/chocolates, CBD oil, distillate or isolate is without the THC. Posing the questions “If you have the perception it is allowable all around you, why would you think you have to contact WCHD? Why would you not allow a local business to use it? If it is unsafe we need to stop using it but did all these other businesses contact WCHD to make sure they are allowed to sell CBD products?” Ms. English responded the WCHD has received calls from business owners. When we get those calls we tell them it is not allowed. As soon as we became aware of the issue, we did send out a notice to our list serve, posted on social media and posted the FAQ on our website. It has also been in the news and FDA has identified it as not allowed so the businesses contacting us were doing their due diligence before they started using it.

Mr. Thompson inquired if Hemp Seed Oil is allowed. Ms. English responded that only the items listed as deriving from the hemp seed is allowed, hemp seed oil, powder, and protein. They have only trace amounts of CBD and are not marketed as CBD products. She stated the WCHD did provide these products as an alternative additive to Dorinda’s Chocolates.

Mr. Heinemann inquired is the full spectrum hemp another way of saying it contains CBD? Ms. English responded that the WCHD looks at the ingredients. If it says hemp oil, we have to ask for additional information to be able to determine if it contains CBD.

Chair Romm inquired if someone purchases hemp oil and adds it there is no issue with that? Ms. English responded if a food establishment buys Hemp Seed Oil, they can add it to food products. If they buy hemp oil that contains CBD, they are not allowed to use it.

Mr. Adler stated it all contains some CBD. The stalk and roots contain less than around all the buds and seeds at the top that have the higher concentration. My question is this, if FDA does have a position on this, then why are there companies selling this all over the U.S? The FDA should take a stance on it. The only warning or notice is that you cannot claim medical benefits. How are business supposed to know what to do since it’s not written down anywhere? What should people do, just order it online for themselves and be done? There is due diligence for local business to be allowed to get rid of this product line rather than destroy it all now.

Chair Romm inquired if the product that Dorinda’s is using, if there was any backup information on the product. Mr. Adler responded the lab results showed there was no THC in the CBD product before they purchased it from the supplier in Oregon.

Chair Romm inquired when the product was supplied to Dorinda’s, if there was information provided with the product packaging. Do we have access to that information? Mr. Adler responded that information can be looked up on line as well.

Mr. Thompson asked Mr. Adler if there were side effects that people could be affected by from CBD. Mr. Adler responded no. Mr. Thompson offered a quick Google search that mentioned drowsiness from a Harvard School of Medicine paper. Mr. Adler responded those symptoms have not been classified as impairment.

Mr. Guzman inquired what the purpose of adding CBD to this recipe was. Mr. Adler responded it was because of the calming effects. There is a lag in research regarding the medical benefits but there are many research projects in process. Dustin Vance – COO of Dorinda’s Chocolates responded every product has information on each package for allergy warning, who should not use the product, and product not intended to diagnose, treat or



prevent disease. Additional warning that the FDA has not evaluated this product for safety or effectiveness.

Chair Romm requested to stop the meeting as he had an appointment and requested to obtain more information from Dorinda's Chocolates. Ms. Vance stated this was costing her lots of money and is going to cost her even more money in legal fees. She stated her attorney has not even been able to speak yet. Agrees things need to be regulated but she makes over a 100 different truffles and did not know she needed to contact the WCHD to ask them about a new ingredient. Her product is on hold at Crystal Creek Distribution Center which is not a temperature controlled facility that is charging storage fees and with a wholesale cost of \$60,000 it needs to be in a safe place. Since this cease and desist occurred, they have lost their contract and need to move the product. This has cost Washoe County lost taxes of over \$3,000. Additionally, the CBD product would have purchased in-state but Nevada does not have an FDA approved facility.

Chair Romm reiterated he was asking for information sheets on the CBD product from the vendor. Dustin Vance responded they provided the REHS staff with all the information requested. Dorinda Vance added they also spent a lot of money on attorneys to get the labeling correct and were advised not to put CBD on the label.

Five Minute Recess while Chair Romm adjusted his schedule to continue the meeting.

Mr. Macaluso requested to bring the attention back to the main point. He recognized the topics are confusing and it does not matter to WCHD whether the product comes from the roots, buds or whatever, it doesn't matter. It doesn't matter to WCHD if there is THC in it. If there is THC in it, it's our obligation is to call the Department of Taxation to let them know there is a marijuana product that is being sold outside of a dispensary. The main point is there is chocolate being sold containing CBD. CBD oil is an unapproved additive and is not on the approved safe product list from the FDA. It doesn't matter if it is CBD or olive oil being added in a product if it is an unapproved source in a product that is being sold. Our duty as the WCHD is to put the product on hold with a cease and desist and they have the ability to appeal as they have done. We have asked them to have the product destroyed. The main point is that regardless of where the product came from or the test results, the product is not on the GRAS list (generally recognized as safe).

Mr. Heinemann asked one question. Can they submit to the department of taxation to try to legalize this product? Mr. Macaluso stated that was one of the recommendations.

Mr. Thompson confirmed the Department of Taxation regulates the sale of CBD products and they would be the ones to regulate. Ms. English added that WCHD did suggest they partner with a Nevada licensed dispensary to produce the product if they want to produce the product in the future. Ms. Vance spoke out that it was after they seized the product they recommended it.

Chair Romm asked what if the product was labeled strictly as hemp oil or as a distillate? Ms. English offered it was already determined to contain CBD which is an unapproved additive, rendering the product adulterated.

Ms. English reiterated again the labeling was not the issue, that it includes an unapproved food additive. Regulations state that if a food source is adulterated, the corrective action is that it needs to be discarded. The labeling was not an issue.

Mr. Adler inquired if all food additives were on a list along with non-approved additives. Ms. English stated the FDA database is used to identify approved additives. If an additive is not on the list, it has not been determined to be safe through FDA testing.

Mr. Adler offered the 2018 Farm Bill took hemp products off the Schedule 1 list and will be legal. Every state was directed to submit a plan for testing and regulation of production of hemp products. FDA acknowledged there would be a lag in regulations as they had not been allowed to research hemp products in the past.

Mr. Adler opined that hemp and its derivatives will become legal. CBD products have been on shelves for several years and this was not previously being enforced, but it is today. Inquired when did the notice get sent out to inform businesses? The Farm Bill legalized hemp products, FDA has a lag in regulations, State of Nevada will have regulations in July 2020 so with CBD containing products everywhere a business could assume it's legal.

Mr. Thompson stated as a business you shouldn't assume. Are others selling the CBD product or as oils? Mr. Adler offered there are oils and a variety of products at local stores and smoke shops. Inquired why Dorinda's can't finish selling this product line and stop afterwards before coming up with new product once the regulations are developed. Opined WCHD should have provided prior notice.

Mr. Thompson inquired if there was a disconnect between Ag, Farm Bill and FDA. Mr. Adler stated the Ag governs what can be grown and FDA approves products that are intended to be consumed. This way anything that goes into your body is supposed to be safe. For over 5 years he knows of CBD products sold and being consumed in Washoe County, so how is this not a change of enforcement.

Chair Romm inquired if the products Mr. Adler was talking about are manufactured in Washoe County. Mr. Adler stated a few products were made in Nevada and sold in Nevada, but most products are produced and shipped in from other countries.

Chair Romm asked if no other company was producing CBD food products in Washoe County. Mr. Adler offered he knows of other products being manufactured in Washoe County with CBD but does not know the WCHD permitting any other than commercial kitchens. Ms. English stated they were not aware of any other facility that is manufacturing any food products that contain CBD. As we become aware, action will be taken.

Chair Romm inquired on items that contain CBD in convenience stores, vape shops, etc. that are permitted by WCHD, were they in violation? Ms. English stated if the product is advertised that it is for consumption, WCHD does challenge. As inspectors see the products they are investigating including where it is made. Denver has developed regulations to allow for CBD production and use in some products, but not all. This creates a problem when products are provided online even though it is not approved outside of the area. It is a resource issue in finding all these suppliers. It is just that it has not been caught and enforced. Just because it is happening does not mean it is legal.

Mr. Adler – Argues it is not illegal because of the Farm Bill but the FDA simply needs to update policy in mass before enforcement hits. There are hundreds of businesses that are carrying CBD. The State Farm Bill took it on in February and addressed State Bill of Pharmacy as a Schedule 5 product that it is safe. There is legality of gray area that needs to be addressed before enforcement actions are taken by WCHD. We are asking for leniency that this is coming and provide notice of an enforcement change. WCHD is citing Federal law even though State law will be allowing for sale of all CBD products when regulations are

completed in 2020. Mr. Adler offered he has met with Nevada Legislators and this will be addressed within the next year.

Mr. Thompson stated they have done your due diligence in testing to provide a safe product in the community, yet WCHD does not allow CBD as an additive. When you went to Ag, did you tell them that you were planning to put 86% CBD into chocolate? Who gave you that information? It is my understanding that the Ag cannot approve the use of a product that the FDA has not yet approved. The confusion over this information is where my decision is hinging.

Attorney Miller referenced the Consolidated Appropriations Act of 2018 stating FDA does not have the ability to regulate hemp. Took it off a controlled substance list and it has its own specific subsection, 21 U.S. Code 802.16B. Mr. Thompson reiterated the FDA states CBD is an unapproved additive so it is illegal to put in food.

Attorney Miller opined CBD comes from hemp and marijuana. He stated Nevada law allows CBD products per the definition provided in NRS 557.270, allowing hemp products that contain less than 0.3% THC. Mr. Thompson shared there are different types of CBD (hemp and marijuana). He questioned Attorney Miller by asking if FDA says CBD from hemp plant is okay but not allowed to be put in food from a marijuana plant?

Attorney Miller stated the Appropriations Act prevents the FDA from limiting CBD from the hemp plant. Marijuana is still Schedule 1 so they do have ability to prevent interstate transport of that product. Hemp has different laws as a result of SB209 becoming effective in a year, cannot prohibit the CBD but will need to establish regulations and testing which was already done in this case. The big issue is we are looking at all the derivatives from the hemp plant are legal and able to be used. Offered Ms. Vance went to the Department of Agriculture as agency slated to manage hemp. Attorney Miller referenced new laws coming down, other than the WCHD rules and protocols, containing common themes that CBD products are legal and intended to be used and sold outside of dispensaries. Department of Taxation would allow CBD in products sold in a dispensary then WCHD would not have any jurisdiction. Considering a standalone food item, not just an additive, hemp products are allowed for consumption after testing. Under the Ag regulations, regarding hemp it is allowed to be consumed after it has been tested.

Mr. Thompson stated that you can buy it stand alone and asked where does it say it can put it in chocolate? Ms. English referred to approved food additives list. Mr. Thompson inquired if it had anything dangerous in it. Ms. English referenced District Regulation 050.050 and reiterated that it is not an approved food additive in our food regulations which refers to the federally approved list. She stated the WCHD is not arguing the legal ability to produce CBD, but since it is not in the approved additive list or the generally recognized as safe list, it is not allowed to be added to food.

Mr. Thompson asked how items become part of the list. Ms. English answered that extensive testing includes dosage as part of it and needs to be approved through FDA.

Chair Romm expressed everybody who uses this product is in a gray area with the exception that is made under the auspices of the Department of Taxation. Ms. English confirmed it is not a gray area for a food establishment as it is not an approved additive. Even though the production of the crop is legal, the addition of the ingredient is not approved. Chair Romm questioned if State superseded Washoe County code by allowing production for dispensaries. Ms. English responded these items are regulated by a completely different authority being Department of Taxation instead of WCHD.

Mr. Adler stated that being an unapproved food additive does not mean it is a dangerous food additive that should not be allowed. He has known about CBD for years and this is a drastic change in enforcement policy. It makes no sense that a product can be an unapproved food additive but that you can take it on its own. When added to chocolate, there is no change in chemical composition, seems like a very gray, petty area. Enforcement is very inconsistent and not noticed in advance. Mr. Adler offered in one year's time this will be an approved substance. Opined it was not clear what was or was not legal before confining and declaring product destruction. The request was made to formalize regulations and avoid harassment of small business by the WCHD. They requested to please allow them to continue their business until this can be legalized. Request was made for equal enforcement to all and not just a single business. Whether it is an additive or standalone product, these have been sold in mass for several years. We did due diligence and had lab testing and we have gone above and beyond. Destruction of product is too much.

Chair Romm inquired how long the chocolate has been sold with CBD. Mr. Adler responded since April of 2019. Chair Romm restated that Dorinda's has been selling chocolates for 9 years prior. Mr. Adler opined this is a single additive which has created a huge overreaction from WCHD.

Ms. Albee offered this is a new issue and only recently found CBD being put in food products. The WCHD office has been contacted by other businesses in the last six months as a result of the actions taken by the Legislature. She opined they will be getting direction from FDA in the next year or so in response to the hearing in D.C. last month where over 140 people provided testimony. She restated that Ms. English referred to the FDA basing decisions on scientific data and it is currently being studied. The REHS staff took action as soon as we were notified. This is when the FAQ was developed and staff got together to form a task force so we had a consistent message. We tried to do the best that we could with the tools we had at the time. We follow the FDA regulations and the Regulations adopted by the District Board of Health.

Chair Romm inquired if any company would be able to apply for a waiver. Ms. Albee responded anyone could apply for a waiver; however, the WCHD would not support it unless so directed by the District Board of Health.

Attorney Miller stated statutes have been taken out of the federal level. He opined regulations under what the division is operating under are taken out of the law. The law says hemp is legal. The regulations have to change. To wait a year or two to have the FDA respond is too long. The WCHD is operating under the state law that says hemp can and will be allowed. Law requires hemp be regulated through testing, labels, etc. We have to work with the law and not promulgated separately. Mr. Miller requested the hold order be lifted to allow for the product to be moved to a different location. They are no longer contracted for this location and are not able to safely store the product long term during litigation process. The security of the \$60k wholesale product value is of concern.

Chair Romm inquired how long the chocolate product could be stored if that was possible to be held quality wise. Mr. Adler responded one year in the appropriate place.

Mr. Heinemann asked if they had a facility to store it. Mr. Vance answered Dorinda's has a new facility on Wells Avenue where it would be safe. Ms. Vance added the product could be wrapped.

Mr. Adler asked for a time lag between notice and enforcement. Would like to have a more friendly approach and is willing to work with the WCHD. Stated this is someone's

livelihood. Washoe County's lack of notice was heavy handed issuing a cease and desist with an order to destroy. Opined that in the year 2020, there will be fully fleshed out regulations on all CBD products.

Mr. Heinemann inquired to the WCHD staff that in their due diligence, had they met any resistance with other companies or had it been complete compliance? Ms. English answered the WCHD has not had any other facility refuse to discard product.

Mr. Thompson asked if anyone had this quantity or on this scale of \$60,000 wholesale value. Ms. English stated they did not have a way to quantify.

Chair Romm inquired if it would be a tremendous hardship to secure the product to their satisfaction. If that did occur and they were able to hold the product until this issue could be resolved, would the County approve? Ms. English identified there was no temperature requirement, so it would be possible to secure the product and ensure it was not made available to the public.

Mr. Macaluso stated it was his understanding that the law that was passed has to come up with clarifying language regarding these types of products. There is no guarantee that it will be allowed to be input into food products.

Mr. Adler read from Assembly Bill 209, "Unless federal law or regulation otherwise requires a person shall not sell... a product intended for human consumption...", the State of Nevada has addressed the issue. He opined Dorinda has gone above and beyond what the State of Nevada has required. There are testing results to ensure safety of CBD. CBD is being eaten right now. That is the intent of the bill.

Ms. Albee requested Mr. Adler to read it again and stopped him when he stated "FDA is the federal regulator for food products".

Mr. Adler stated a case for continuing to make chocolates inside and outside of Washoe County. He opined this CBD issue is literally in the works for the State of Nevada and asked to allow this business to continue operations.

#### **Public Comment on Agenda Item #6**

Aaron Lewis stated a marijuana seed was a felony when he was a kid and there is a difference between hemp and marijuana. As an active member in the Naval reserve, he was introduced to Dorinda's chocolates eight years ago. This is world class and is manufactured right here. Dorinda does change her product all the time and keeps some lines as well. His wife told me about a CBD product and talked him into checking into it. As an Engineer by trade he looked into the reports and testing. Dorinda's uses local labs and is paying taxes. He would hate to see them lose \$60,000 in product and not be able to move forward in business if this goes to litigation.

Jaci Goodman, editor of Edible Reno-Tahoe Magazine, which contained the advertisement for the original coffee shot that started this CBD issue. Ms. Goodman expressed that when the WCHD stops Dorinda from doing business it hurts her business. Great Basin Co-op could not be here, but they have also lost serious income from selling their product. Stated she personally consumes the product and wants to continue. The original coffee shop is now providing the CBD oil separately and customers are allowed to add it themselves.

Sean Devlin – Local physician, bio-chemist in the cannabidiol industry for years. CBD has medicinal properties and has used it on 12-14,000 patients. With testing before and after,



he has not seen any ill effects or negative lab reports. Offers it is one of the safest things he has ever recommended to any patients. Patients die from opiates, aspirin and Tylenol. One of the biggest issues today is opiates have been taken out of the hand of doctors because they over-prescribed them leading to many deaths. Patients now have no other options and seek relief from CBD. CBD has strong components as a pain reliever, muscle relaxant and reduces anxiety. It would be sad if customers could not continue to rely on this product.

### **BOARD DISCUSSION**

Mr. Thompson claimed CBD oils helped people in his family get off medications for depression and are used for cancer patients and understands what Dorinda's was trying to do. According to the Farm Act he thinks Dorinda's Chocolates did what they were supposed to do. The board members are charged with keeping Washoe County safe and regulations need to be upheld. He acknowledged the financial hardship and asked if they were able to keep the product safe and promise it would not disappear, continue with their business which has been successful for 9 years, they could they keep it until such future time as regulations may allow? His recommendation would be to allow for the safe storage of the product for the next year until the regulations are established to allow for the legal sale of the product.

Chair Romm agreed with Mr. Thompson and said as a small business himself, he sees Dorinda's Chocolates side and understands WCHD stance on this. It is a difficult position as they enforce code based on Federal Food Code and couldn't afford to lose \$60,000 either. Asked if they could hold the product until this can be clarified, it would not be an unreasonable outcome for this situation. He does understand the challenge of not being able to receive the income for it too. He stated everyone wants to be fair and also have the County enforce codes they are mandated to do. My suggestion would be to hold the product until such time as the State or FDA can clarify this.

Mr. Heinemann agreed with Chair Romm and suggested possibly running through the state run Department of Taxation outlet in case they can move the product through them. Mr. Vance informed him the dispensaries can only sell marijuana produced in Nevada. Mr. Adler confirmed only marijuana products made at a licensed marijuana facility can be sold. His one comment again was that the first violator is still selling CBD oils, just separately. Deputy District Attorney Admirand stopped the conversation.

Mr. Guzman stated this has been tough as I have been listening to both sides. This is the future and we have to lead with these changes. I agree we have to put this product on hold but we have to abide with the laws of the County. If the law says no CBD in food items, that is how it is going to be for now. Hopefully next year it will change and then we see. I know that is a lot of money and did everything in good faith. Made your product for a good consumption, but right now that is how it is going to be. I agree we should put the product in a safe place and go from there.

### **MOTION**

**Chair Romm made a motion to amend the appeal and be modified so Dorinda's Chocolates would be able to hold the product in a secure location until such time as State, Federal and County Government clarifies regulations until such time as that occurs, modifying the destruction order. Mr. Heinemann seconded the motion which carried four in favor and none against.**

Deputy District Attorney Admirand added that for clarification she informed Chair Romm that the recommendation will go before the WCHD Health Officer for final decision.

Dorinda Vance requested a time frame for the decision. Ms. Albee responded WCHD would try to get it out by the end of the month.

Chair Romm thanked everyone for their assistance.

**7. \*Board Comment**

**There was no Board Comment.**

**8. \*Public Comment**

**As there was no one wishing to speak, Chair Romm closed the Public Comment period.**

**9. Adjournment –**

**Chair Romm adjourned the meeting at 3:40 p.m.**

**Staff Report**  
**Board Meeting Date: February 25, 2020**

**TO:** Food Protection Hearing and Advisory Board

**FROM:** Latricia Lord, REHS, Senior Environmental Health Specialist  
(775) 328-2689, [llord@washoecounty.us](mailto:llord@washoecounty.us)

**SUBJECT:** Rocky Mountain Chocolate Factory  
Staff's Recommendation for Approval of Variance Case No. 1-20FP Rocky Mountain Chocolate Factory Application for Variance to Sections 200.005 (Outdoor food establishment, applicable requirements), 060.205(A) (Food equipment, certification and classification) and 070.020 (Plumbing system) of the Regulations of the Washoe County District Board of Health Governing Food Establishments.

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**Authority to hold hearing on variance requests:**

Pursuant to Section 240.085 of the regulations of the Washoe County District Board of Health Governing Food Establishments, the Food Protection Hearing and Advisory Board shall hold hearings to consider variance requests to any section of the regulations.

**District Health Strategic Objective supported by this item: Healthy Environment** – Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

**Applicable Regulations:**

Section 200.005 Outdoor food establishments must comply with all applicable requirements of these regulations. When facilities or equipment are inadequate to protect the public health, the Health Authority may impose operational and/or menu restrictions on an outdoor food establishment to protect against potential health hazards.

Section 060.205(A) Except as provided in Subsections B and C of this section, food equipment that is certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program is deemed to comply with these regulations.

Section 070.020 Except as otherwise provided in these regulations, all plumbing systems including individual sewage disposal system piping, must be sized, constructed, installed, located and maintained according to the requirements in the most recent edition of the Uniform Plumbing Code or pursuant to the authority having jurisdiction.

**Previous Action:**

On May 13, 2019 Washoe County Health District (WCHD) staff met with Rocky Mountain Chocolate Factory owner Greg Zrinyi at his store located at 5100 Mae Anne Ave in Reno to explain proposed changes to the Regulations Governing Food Establishments. The proposed changes included disallowing portable hand sinks to be utilized at Outdoor Food Establishments.

The proposed changes would also require all equipment to be ANSI certified and all plumbing systems to have individual sewage disposal system piping. WCHD staff presented the possibility of Rocky Mountain Chocolate Factory relocating within Greater Nevada Field to Mr. Zrinyi at that time and suggested he work with Levy Premium Food Services staff to explore that option.

On October 10, 2019, WCHD staff conducted a routine inspection of the Rocky Mountain Chocolate Factory food establishment located inside Greater Nevada Field at 250 Evans Ave in Reno. It was noted during the inspection that the food establishment met the definition of an Outdoor Food Establishment and required a written Operational Plan to be submitted to the WCHD. It was also noted during that inspection that the Regulations of the Washoe County District Board of Health Governing Food Establishments require all Outdoor Food Establishments to have a plumbed hand sink, rather than a portable unit with fresh and gray water tanks. Since this outlet does not have a plumbed hand sink, it was noted that the operators will be required to request a variance from the Food Protection Hearing and Advisory Board or relocate to an area within Greater Nevada Field where adequate plumbing is available.

Rocky Mountain Chocolate Factory owners, Greg and Brita Zrinyi have indicated to WCHD that due to the length of time their food establishment has been located on the walkway in front of Concession Stand #4 at Greater Nevada Field they preferred to not relocate and pursue the variance. They have prepared and submitted an Operational Plan for their Outdoor Food Establishment and the plan has been conditionally approved by WCHD. The Operational Plan includes procedures for the maintenance of the proposed portable handwashing sink.

### **Findings of Fact:**

Under established precedent, the Hearing Board may recommend a variance only if, after a hearing on due and proper notice, it determines by a preponderance of evidence the following:

**1. Can the proposed operation of the food establishment avoid endangering the health and safety of persons living in the Washoe County Health District, if this variance is granted?**

The proposed operation can be conducted in such a way as to avoid endangering the health and safety of persons living in or visiting the Washoe County Health District. Consequently, the Health District is supportive of the variance request. Our support is predicated on the inclusion of and strict adherence to the conditions provided in our recommendation below.

**2. Would compliance to these Regulations produce a hardship on the applicant without equal or greater benefit to the public?**

The applicant has indicated that compliance with the Regulations would require either moving from their long-standing location or the addition of plumbing infrastructure and both could create significant financial hardship. While the Health District believes compliance with the Regulations provides benefit to the public, approval of the variance and recommended conditions and strict adherence to those conditions will provide an equal benefit.

**3. Will the owners of property in the general vicinity of the food establishment be adversely affected if this variance is approved?**

The owners of property in the general vicinity will not be adversely affected if this variance is

approved.

**Recommendation:**

Staff recommends that the Board advise the District Board of Health to grant the variance. Staff also recommends that the variance be contingent on strict adherence to the following conditions:

1. The fresh and gray water tanks in the portable hand sink must always be maintained per the Operational Plan and manufacture’s recommendations.
2. All staff working in this food establishment must be able to verbalize to WCHD inspectors the provisions described in the Operational Plan.
3. No changes to the foodservice operations or menu are allowed without prior approval from WCHD.
4. Rocky Mountain Chocolate Factory must maintain full compliance with all conditions. Failure to maintain compliance may result in the revocation of the variance at which time full compliance with Sections 200.005, 060.205 (A), and 070.020 will be required.

**Alternatives:**

1. The Hearing Board members can recommend that the District Board of Health approve the variance under modified conditions (this can include conditions other than or in addition to those recommended by staff).
2. The Hearing Board members can recommend that the District Board of Health deny a variance request.

**Possible Motion:**

Should the Board agree with staff’s recommendation, a possible motion would be “Move to recommend that the District Board of Health approve Rocky Mountain Chocolate Factory’s variance request providing Rocky Mountain Chocolate Factory comply with conditions 1 - 4 as presented in this staff report.”



<p>WASHOE COUNTY HEALTH DISTRICT ENHANCING QUALITY OF LIFE</p>	<p>WASHOE COUNTY HEALTH DISTRICT ENVIRONMENTAL HEALTH SERVICES DIVISION 1001 East Ninth Street, Bldg B, Reno, Nevada 89512 Telephone (775) 328-2434 • Fax (775) 328-6176 www.washoecounty.us/health</p> <p><b>APPLICATION FOR VARIANCE</b></p>	<p><b>Office Use Only</b></p> <p>Fee Paid _____</p> <p>Date Paid _____</p> <p>Cash/CC/Check _____</p> <p>Receipt No. _____</p>
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DATE 2/7/2020

NAME OF APPLICANT Levy Premium Food Service

ADDRESS 250 Evans Avenue

CITY Reno STATE NV ZIP 89501

PHONE 530-249-9906 FAX \_\_\_\_\_

EMAIL ADDRESS sfinch@prosports catering.com

TITLE OF REGULATIONS Regulations of the Washoe County District Board  
of Health Governing Food Establishments

SECTION(S) OF REGULATIONS TO BE VARIED 060.205, 070.020, 070.030  
200.025

REASON FOR VARIANCE REQUEST See attached sheet

SIGNATURE [Signature] DATE 2/7/2020

-----  
(Office Use Only)

DATE RECEIVED \_\_\_\_\_ CATEGORY TYPE \_\_\_\_\_

VARIANCE FEE \_\_\_\_\_ PUBLIC NOTICE DATES \_\_\_\_\_



*Mark Levy*

PROFESSIONAL SPORTS  
CATERING

To Whom It May Concern,

Due to a recent change in the Food Establishment regulations many of our portable permits here at Greater Nevada Field were reclassified as Outdoor Food Establishments. With that being said, we now need to apply for a variance regarding regulations 060.205, 070.020, 070.030 & 200.025.

These portables are not self-contained and the regulations state the we need to have a plumbed hand sink and an Operational Plan as well. The reasoning behind the request for this variance is that the building is over 10 years and was not designed with having these portables in mind.

There is currently no plumbing at these portable locations that would allow us to have such a sink. The cost to run new water pipes through the concrete floor of the ballpark would be highly expensive. However, we have created an Operational Plan and plan to purchase and install multiple handwashing stations along the line of portables.

Lastly it is important to note that we have hired and sanitarian this year whose focus will solely be on ensuring that we are compliant with all local health and safety requirements.

We appreciate your consideration for this variance and look forward to the hearing at which we can state our case.

Regards,

Shaun Finch

A handwritten signature in black ink, appearing to read "S. Finch".

WASHOE COUNTY  
HEALTH DISTRICT  
ENHANCING QUALITY OF LIFE

OPERATIONAL PLAN REVIEW APPLICATION  
Washoe County Health District  
Regulations of the Washoe County  
District Board of Health Governing Food Establishments

NAME OF ESTABLISHMENT Lew Premium Foodservice PERMIT NUMBER See attached  
ADDRESS 250 Evins Ave CITY Reno ZIP 89501  
PERSON TO CONTACT Shaun Finch DAYTIME PHONE (530) 249-9906

I am submitting an Operational Plan for (select all that apply):

- Barbeque  
 Bed & Breakfast  
 Portable Unit for Service of Food, Operation of Pool Decks  
 Outdoor Food Establishments  
 Food Establishments with Catering to include those providing meals to School Kitchens  
 Satellite Food Distribution Facilities with more than one drop off location

Will process be used at more than one location?  Yes  No

If yes, list name(s) and permit number(s) See next page

Will product be served at more than one location?  Yes  No

If yes, list name(s) and permit number(s) See next Page

How will the product be sold? (Select all that apply):  Retail  Wholesale

\*Note: The Operational Plan - Initial Review Fee must be paid in full and an Operational plan containing all of the required documentation as outlined in the WCHD Checklist for General Operational Plan Requirements and the applicable process specific checklist must accompany this application. Failure to submit required documentation may result in the rejection of the proposed Operational plan.

Signature Finch

Date 11/12/19

**Permits #'s and Locations**

<b>Cart Name:</b>	<b>Location:</b>	<b>Permit#</b>
Flocchini Sausage	Portable Alley #1	H20-0001FOOD
BBQ		
Popcorn		
Wine Bar		
Crafters Corner		

Steakadelphia	Portable Alley #2	H20-0002FOOD
Dippin Dots #2		

Theme Cart H17-0343FOOD  
 Margarita Bar H20-0003FOOD  
 Hop Valley H20-0004FOOD



3. Theme Cart

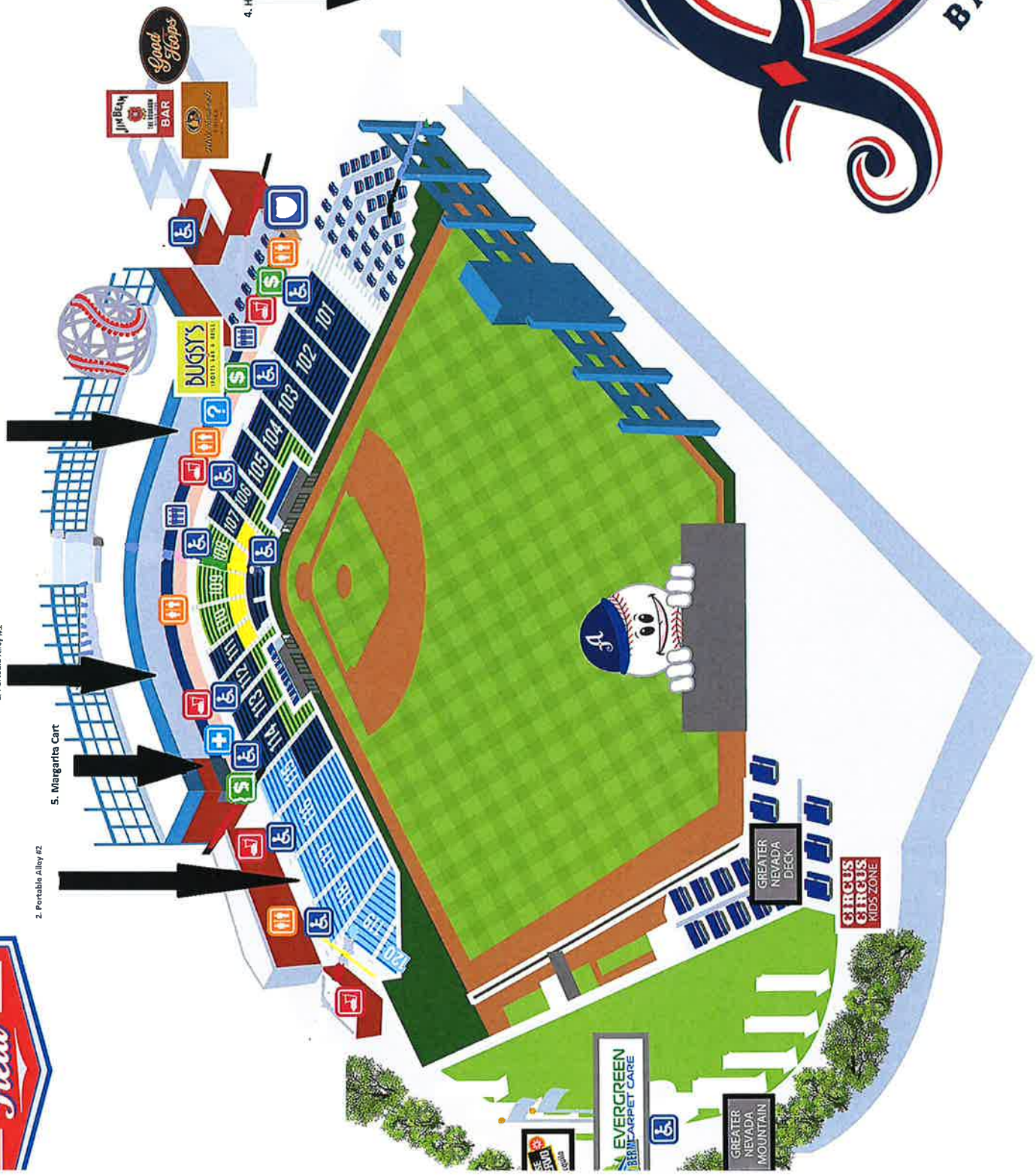
1. Portable Alley #1

2. Portable Alley #2

5. Margarita Cart

Location:	Permit#	Permit Type:
1. Portable Alley #1	H20-0001FOOD	
2. Portable Alley #2	H20-0002FOOD	
3. Theme Cart	H17-343FOOD	
4. Hop Valley	H20-0004FOOD	
5. Margarita Cart	H20-0004FOOD	

4. Hop Valley







## **General Information**

The Maximum Occupancy for our stadium is 9100 guests.

The Main Kitchen will prep your food for you designated cart. All your prepared food will be placed in a labeled Hot Box for you to wheel out to your portable. The amount of food prepared varies each day (quantity is based off of the days projected attendance). You will sell the food until it's gone or hits it 4 hour time located on your Time as a Control log. If you run out of food before the top of 7<sup>th</sup> inning (Baseball) or end of halftime (Soccer) please radio a low call of the items you will need to reach these designated times and we will transport the needed product to you.

Guests are not allowed to cook their own food in any way, so please stay at your stand at all times. If you need a break please radio into your direct manager so that we may find a temporary replacement.

All employees conducting food operations will be trained on this plan

Your menu and average sales for each of the Portables is as follow:

- **DC104 Menu**
  - Premium Cocktails
  - Well Cocktails
  - Draft Beer
  - Bottled Water
  - Peanuts
  - Average sales \$2,312.79
  
- **Sausage Cart Menu**
  - Bacon wrapped Hot Dog
  - Italian Sausage
  - Andouille Sausage
  - Bratwurst
  - Foot long Hot Dog
  - Sauerkraut
  - Peppers and Onions
  - Bottled Water
  - Bottled Soda
  - Iced Tea

Average Sales \$1,816.70

- **BBQ Cart Menu**

Pulled Pork Sandwich

Brisket Sandwich

Smoked Turkey Leg

Mac & Cheese

Coleslaw

Bottled Soda

Bottled Water

Iced Tea

Average Sales \$589.70

- **Dip N Dots #2 Menu**

Sizes: Regular and Large

Flavors: Aces Ice, Cookies & Cream, Brownie Batter, Rainbow Ice, Cotton Candy and Banana Split.

Average Sales \$384.28

- **Popcorn Cart Menu**

Popcorn

Cotton Candy

Licorice Rope

Lemonade

Shaved Ice

Churro

Bottled Water

Average Sales \$969.95

- **Margarita Cart Menu**

Premium Cocktails

Well Cocktails

24oz Canned Beer

24oz Domestic Draft

16oz Premium Draft

Bottled Water

Peanuts

Average Sales \$1,350.33

- **Steakadelphia Menu**

Cheesesteak sandwich  
Italian Sausage  
Andouille Sausage  
Bratwurst  
Sauerkraut  
Peppers & Onions  
24oz Canned Beer  
16oz Canned Beer  
Soda  
Bottled Water  
Average Sales \$472.92

- **Wine Bar Menu**

Red wines  
White wines  
Merlot wines  
Zinfandel wines  
Average Sales \$867.73

- **Hop Valley Menu**

Hop Valley crafted brews  
Coors light  
Cocktails  
Average Sales \$1,078.35

- **Theme Cart Menu**

Chicken wings  
Street Tacos  
Tortas  
Chile  
Hot Dogs (Foiled wrapped)  
Average Sales \$102.27

At NO Time is a guest aloud to prepare or cook their own food anywhere in the Ballpark.

## SCPS Food Services Standard Operating Procedures (SOPs)

### Employee Health Policy

**PURPOSE:** To prevent contamination of food and spread of illness by foodservice employees.

**SCOPE:** This procedure applies to all foodservice employees.

**KEY WORDS:** Personal Hygiene, Cross-Contamination, Contamination

#### INSTRUCTIONS:

1. Train foodservice employees on using the procedures in this SOP.
2. Follow State or local health department requirements.
3. Foodservice employees must be encouraged to report health problems to the manager before working.
4. If an illness develops during work hours, they must immediately report their condition to the manager.
5. The following will be used as a guide for employee restriction or exclusion:
  - o If the employee has a sore throat with fever, they must be restricted from working with or around food. The employee should be excluded if they are primarily serving a high-risk population.
  - o If the employee has symptoms including vomiting, and/or diarrhea, and/or jaundice, they are to be excluded from the environment.
    - If the person has vomiting and/or diarrhea, they are not allowed back into the establishment until they are symptom free for 24 hours or has a written medical release from a medical practitioner.
    - Employees with jaundice are not to return to work unless they have a written medical release from a medical practitioner.
  - o If a medical doctor has diagnosed the employee with a foodborne illness caused by Salmonella Typhi, Shigella spp., Shiga toxin-producing E. coli, Hepatitis A virus, or Norovirus, they must be excluded from the environment and administration must be notified immediately. Employees are not to return to work until they are cleared by administration.
6. Label and store medicines for employee use in a designated area and away from food contact surfaces. Do not store medicines in food storage areas.
7. Store refrigerated medicines in a covered, leak proof container where they are not accessible to children and cannot contaminate food.

SCPS Food Services Standard Operating Procedures (SOPs)

Employee Health Policy, continued

MONITORING:

- A designated foodservice employee will inspect employees when they report to work to be sure that each employee is following this SOP.
- The designated foodservice employee will monitor that all foodservice employees are adhering to the personal hygiene policy during all hours of operation.

CORRECTIVE ACTION:

1. Retrain any foodservice employee found not following the procedures in this SOP.
2. Discard affected food.

VERIFICATION AND RECORD KEEPING:

The foodservice manager will verify that foodservice employees are following this SOP by visually observing the employees during all hours of operation. The foodservice manager will complete the Food Safety Checklist. Foodservice employees will record any discarded food on the Damaged or Discarded Product Log. The Food Safety Checklist and Damaged or Discarded Product Logs are to be kept on file for a minimum of 1 year.

DATE IMPLEMENTED: 1/29/19 BY: Stacy Finch

*Stacy Finch executive chef*

DATE REVIEWED: \_\_\_\_\_ BY: \_\_\_\_\_

DATE REVISED: \_\_\_\_\_ BY: \_\_\_\_\_



# Standard Operating Procedure

## Handwashing

This will explain the proper technique and time required to wash your hands properly. Hand washing is very important to protect our guest from Cross Contamination of their food. You want to wash your hands after handling money or switching job duties.

### Portable Hand Sinks

- Check and make sure that your wells located under the sink are ready.
  - 1. Is your rinse water this should be full of clean tap water.
  - 1. Is your waste water this should be empty.
- Check and make sure you have hand soap and towels to dry your hands.
- How to properly wash your hands.
  - Turn on water as hot as you can bear.
  - Squirt hand soap on hands.
  - Scrub both hands together vigorously for 20 seconds. (Sing row row row your boat twice).
  - Dry your hands with a clean paper towel.
  - Using a paper towel, turn off facet to protect from Cross Contamination.
- Please contact a manger if you have problems with your equipment, water well is empty, missing product or have any concerns.

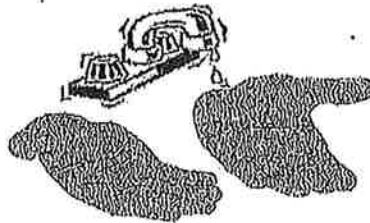
## Proper Handwashing is a Must!

### *The Handsinks Must Have:*

- Hot, running water
- Liquid soap in a dispenser
- Paper towels in a wall-mounted dispenser
- Trash receptacle
- Easy access (Handsinks cannot be blocked by anything, including: carts, boxes, or mop buckets.)

### *Proper Handwashing:*

1. Wet hands with hot running water.
2. Apply soap.
3. Rub hands together for at least 20 seconds.
4. Clean under fingernails and between fingers.
5. Rinse hands under running water.
6. Dry hands with a paper towel.
7. Dispose of paper towel in trash receptacle.



*Levy Restaurants*

# Personal Hygiene Checklist

*Before you start work, make sure you have:*

- Hairnet or hat (not a visor if working directly with food).
- Clean apron or uniform.
- Washed your hands.
- New disposable gloves.
- Covered cuts on hands with a bandage and disposable glove.

*While working, make sure you:*

- Wash hands and change gloves when dirty or after touching anything other than food or utensils.
- Do not eat or drink at work stations - You may be able to drink from an enclosed container with a straw.



Provided by CNS/RQA/QA, Inc.  
112251.a Daya Dr., Suite 212  
Westlake Village, CA 91362  
Ph: (818) 874-9626  
www.foodsafety.com

*Levy Restaurants*

Paul's Account Reorder

<http://www.galwebstore.com/2560VEHSE>

## Crown Verity CV-EHS-E 15 Gallon Economy Warm Wash Portable Outdoor Hand Sink - Single Bowl

★★★★★ [Read 1 reviews](#) Item #: 2560VEHSE MFR #: CV-EHS-E

Custom Quote for Pro Sports Catering  
**\$1,755.60**/Each



- ✓ Perfect for outdoor events
- ✓ Built-in 1440W, 120V water heater
- ✓ 15 gallon fresh water capacity; 19 gallon waste water capacity
- ✓ Extra-large basin for full forearm immersion
- ✓

849712001710

New

Shipping!  
Usually Ships In 3-4 Business Days

Approximately 300 Individual hand washes per full tank

- ✓ Includes soap dispenser and paper towel dispenser
- ✓ Extra-large basin for full forearm immersion
- ✓ Hand truck design allows for easy transportation

UPC Code:

Condition:

**CROWN VERITY**

CROWN VERITY CV-EHS-E 15 GAL

Length	22 inches
Width	18 inches
Height	62 inches
Voltage	120 Volts
Color	Gray
Faucet Included	Yes
Fresh Water Tank Capacity	15 gal.
Installation Type	Portable
Made In America	Yes
Material	Plastic
Number of Compartments	1
Style	Hot and Cold Water
Type	Carts
Waste Water Tank Capacity	19 gal.

### Crown Verity CV-EHS-E Details

Perfect for catering services, outdoor fairs, concerts, and more, this Crown Verity CV-EHS-E 15 gallon single bowl warm water economy outdoor portable hand sink gives you all the conveniences of a fully functioning hand washing station in a

mobile form! This unit can hold up to 15 gallons of fresh water at a time, dispensed by a foot pump on the bottom of the unit for hands-free operation. The clean water filling port is conveniently located next to the sink bowl, and it accommodates a hose for quick refills. The unit also comes standard with built-in paper towel and liquid soap dispensers, providing everything your guests will need. A 19 gallon waste water capacity ensures that you won't have to drain the tank before clean water runs out.

This hand sink boasts a 1440W, 120V built-in water heater to give customers a far more effective way to remove oils, germs, and bacteria, and heats the water to 110 degrees Fahrenheit within 1 hour of being plugged in.

Each full tank yields approximately 300 individual hand washes, while the extra large sink basin is designed to allow users to immerse their entire forearm for a complete cleaning! When the waste water needs to be emptied, simply drop down the drainage hose located along the back of the unit. A separate drain plug for the clean water is located next to the foot pump.

As the leading source in outdoor and portable food service equipment, Crown Verity places an extraordinary emphasis on versatility and transportability. This sink is no different, with a number of features that make this item ideal for nearly any setting. Transportation is easy, thanks to an integrated handle that is paired with heavy-duty, non-marking rubber wheels in order to make this device move just like a hand truck. Furthermore, a lightweight design (weighing just 189 lb. when filled with water) ensures that nearly anyone can transport this sink to and from your destination.

Overall Dimensions:

Length: 22"

Width: 18"

Height: 62"

Fresh Water Tank Capacity: 15 gallons

Waste Water Tank Capacity: 19 gallons



This Item Ships via Common Carrier. For more information and tips to help your delivery go smoothly, click [here](#).

Because this item is not stocked in our warehouse, processing, transit times and stock availability will vary. If you need your items by a certain date, please contact us prior to placing your order. Expedited shipping availability may vary. We cannot guarantee that this item can be cancelled off of the order or returned once it is placed.



This item was made in the United States of America.



This item complies with guidelines set forth by the Occupational Safety and Health Administration (OSHA), whose mission is to promote safe working conditions for employers and employees.



This unit comes with a NEMA 6-15P plug.

## Resources and Downloads for Crown Verity CV-EHS-E

### Resources

[How to Clean Stainless Steel](#)

[Other Products from this Line](#)

Crown Verity CV-EHS  
15 Gallon Economy  
Portable Outdoor

**\$823.20** /Each

**Employee Cooking and Serving**  
**for Guests**

While working with Professional Sports Catering (PSC) you are not allowed to let a guest cook their own food. For the safety of the guest this is unacceptable because they could injure themselves and/or damage the equipment. Since they are a Guest and not an employee this is a liability for the company.

Failure to follow this rule will result in automatic and immediate termination.

## Standard Operatlon Procedures for Portable

1. Determine location, Menu and number of people, then get
  - Sternos
  - Utensils
  - Sanitizer bucket with sanitizer (Red bucket)
  - Degreaser bucket with degreaser (Green bucket)
  - Serving gloves
2. Portable hot and cold units will need
  - Water
  - Ice
  - Hot units to be turned on after water is added
  - Hand soap (Wash hands for 20 seconds)
  - Paper towels
3. Pick up your Hotbox in the main kitchen. (Be sure to take the box which is labeled for your destination).
  - Hot boxes will contain 3 to 6 Sternos to keep food hot
  - Only hot food is to be stored in hot boxes
  - Place Hot food in chafers or Hot steam table with the proper utensils
4. Hot boxes are labeled with Time as a Public Control Procedure sheets which need to be followed and food discarded at the proper time. (When picking up your box the Manager will let you know the attendance for the day).
  - Replace food as needed during event (pulling from hot box).
  - Monitor lite Sternos and replace as need to ensure a constant proper holding temperature (155').
  - Record all food temperatures on the Time & Temperature Control sheets located on all hot boxes.
5. Cold food will be delivered on Speed rack. Be sure to fill out proper information on Time & Temp Control logs located on your hotbox.
  - Place cold food on tables or in cold holding units with ice. Then place "backups" in a proper holding area.
  - Replace cold food as needed pulling from the "back up" speed rack.
6. Closing procedures:
  - Bring back all hot & cold food to the Main kitchen to be inventoried.
  - Remove all Sterno cans if empty from hot box and discard of them properly.
  - Discard all food that is left over per the Time as a Public Control procedure. (This is based on Health Department Standards)
  - Wipe down and sanitize inside and outside of hot boxes that were used in your area.

- Clean all tables at your event's location.
- Bring make chaffers and utensils to be washed.
- Ask to be checked out by a Manager before clocking out to ensure that all above items have been full filled to company standards.

\*\*\*\*\*At no time may a customer use the equipment and/or cook\*\*\*\*\*

## **Food Preparation of Menu Items**

### **for BBQ Cart**

This is step by step instructions in preparation of your menu items at your Portable. When you are ready to pick up your hot box with all your prepped food, please proceed to the Main Kitchen and get in contact with either the Sous Chef and/or the Concessions Supervisor. They will then give you your designated Hot Box labeled to your location and Time as a Control Log will be located on the side of the box. You will then pull the hot box to your location ensuring not to hit any guests (be mindful of cracks as well sometimes they will tip your box over).

Tools you will need.....

- Tongs
- Disposable gloves
- Sanitation Bucket (RED Bucket)
- 2 Slotted Serving Spoons

#### **General Operation**

- Turn on flat top to 350 degrees.
- Fill steam well half way full with hot water and turn on to med/high heat also designated as the number 3 on the dial.
- Place half pan lids over your peppers and onions and Sauerkraut to keep warm.

Now on to the step by step preparation of your menu items.....

#### **Pork Sandwich**

1. Wash your hands for 20 seconds.
2. Place gloves on your hands.
3. Remove burger bun from bag and place opened in a 3# boat.
4. Using tongs place 4oz. of meat on bottom bun and close.
5. Serve to customer and allows cashier to collect the money to prevent cross contamination.

#### **Turkey Leg**

1. Wash your hands for 20 seconds.

- 2.
3. Place gloves on your hands.
4. Using Tongs remove turkey leg from hot box.
5. Place turkey leg in a 3# boat and ladle 2oz. BBQ sauce on top..
6. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Mac & Cheese**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using a serving spoon fill your 5oz cup up.
4. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Coleslaw**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using a serving spoon fill your 5oz cup up.
4. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Brisket Sandwich**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Remove burger bun from bag and place opened in a 3# boat.
4. Using tongs place 4oz. of meat on bottom bun and close.
5. Serve to customer and allows cashier to collect the money to prevent cross contamination.

If you have any questions or problems with the equipment tell your stand lead to contact a Manager.

**Remember every time you touch something other than food or you use the sanitizer to wipe down your station please wash your hands and change your gloves before you touch food again.**



## **Food Preparation of Menu Items** **for Sausage Cart**

This is step by step instructions in preparation of your menu items at your Portable. When you are ready to pick up your hot box with all your prepped food, please proceed to the Main Kitchen and get in contact with either the Sous Chef and/or the Concessions Supervisor. They will then give you your designated Hot Box labeled to your location and Time as a Control Log will be located on the side of the box. You will then pull the hot box to your location ensuring not to hit any quests (be mindful of cracks as well sometimes they will tip your box over).

Tools you will need.....

- Tongs
- Disposable gloves
- Sanitation Bucket (RED Bucket)
- 2 Slotted Serving Spoons
- 2 Half pan sized lids

### **General Operation**

- Turn on flat top to 350 degrees.
- Fill steam well half way full with hot water and turn on to med/high heat also designated as the number 3 on the dial.
- Place half pan lids over your peppers and onions and Sauerkraut to keep warm.

Now on to the step by step preparation of your menu items.....

### **Bacon Wrapped Hot Dog**

1. Wash your hands for 20 seconds.
2. Place gloves on your hands.
3. Using Tongs remove a Bacon wrapped hot dog and place on the grill to brown the bacon.
4. Place foot long bun in a foot long hot dog boat.
5. Spread open the bun just enough to place the hot dog in it.
6. Once the bacon has browned use tongs to place hot dog into the bun.

7. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Foot Long Hot Dog**

1. Wash your hands for 20 seconds.
2. Place gloves on your hands.
3. Using Tongs remove a foot long hot dog and place on the grill to sear the outside.
4. Place foot long bun in a foot long hot dog boat.
5. Spread open the bun just enough to place the hot dog in it.
6. Once the bacon has browned use tongs to place hot dog into the bun.
7. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Italian Sausage**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using Tongs remove an Italian Sausage from the hot box and place on the grill to sear both sides.
4. In a 3# boat Place a hot dog bun and split open enough to place the sausage.
5. The customer has a choice of peppers and onions or sauerkraut. Ask for them for their choice and use the serving spoon to place item on top of sausage.
6. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Andouille Sausage**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using Tongs remove an Andouille Sausage from the hot box and place on the grill to sear both sides.
4. In a 3# boat Place a hot dog bun and split open enough to place the sausage.
5. The customer has a choice of peppers and onions or sauerkraut. Ask for them for their choice and use the serving spoon to place item on top of sausage.

6. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Beer-Cheese Bratwurst**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using Tongs remove a Bratwurst from the hot box and place on the grill to sear both sides.
4. In a 3# boat Place a Hot dog bun and split open enough to place the sausage.
5. The customer has a choice of peppers and onions or sauerkraut. Ask for them for their choice and use the serving spoon to place item on top of sausage.
6. Serve to customer and allows cashier to collect the money.

### **Peppers & Onions**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using a serving spoon evenly pour peppers & onions over desired entrée.
4. Serve to customer and allows cashier to collect the money.

### **Sauerkraut**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using a serving spoon evenly pour Sauerkraut over desired entrée.
4. Serve to customer and allow cashier to collect the money

If you have any questions or problems with the equipment tell your stand lead to contact a Manager.

**Remember every time you touch something other than food or you use the sanitizer to wipe down your station please your hands and change your gloves before you touch food again.**

## **Food Preparation of Menu Items**

### **for Popcorn Cart**

This is step by step instructions in preparation of your menu items at your Portable.

Tools you will need.....

- Disposable gloves
- Sanitation Bucket (RED Bucket)
- Latex gloves
- Small ice scoop

#### **General Operation**

- To turn on your Popcorn machine you will see a switch box inside of the unit. Turn on all the toggles (one is for heat and one is for the oil pump).

Now on to the step by step preparation of your menu items.....

#### **Popcorn**

1. Wash your hands for 20 seconds.
2. Place gloves on your hands.
3. Using a Cup pour 32 oz of kernels into top of machine by opening the lid to the kettle and turn on the machines auger.
4. Press the oil toggle; It will dispense the proper amount of oil for you. It should be 8-12 ounces of oil.
5. Once the popping of the kernels have slowed to a pop every two seconds, turn off the machine and dump product out into built in storage unit.

#### **Cotton Candy**

1. Wash your hands for 20 seconds.
2. Place gloves on your hands.
3. Mix 1T of Flousine with 10 pounds of white sugar.
4. Using a scoop pour mixture into center of Basket.
5. Turn on the machine.

6. Using a Paper stick swirl the stick around inside the basket as cotton candy is being spun out.
7. Place cotton candy in bag and date & label.

### **Lemonade**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Mix together two bags of Lemonade mix with two gallons of water.
4. Pour into Lemonade dispenser and turn on the Condenser.

### **Shaved Ice**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Turn on Ice shaver.
4. Fill a 24oz clear cup with shaved ice.
5. Ask guest for desired flavors and pour them on for the guest.
6. Serve to customer and allows cashier to collect the money to prevent cross contamination.

Field

### **Churro**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. You can obtain Churros from stand 1 or 2.
4. When it's busy radio in for more Churros. The kitchen staff will wrap each churro in foil to help keep warm.
5. Leave the left over Churros in a hot box to keep warm until your ready for them.
6. Serve to customer and allows cashier to collect the money to prevent cross contamination.

If you have any questions or problems with the equipment tell your stand lead to contact a Manager.

**Remember every time you touch something other than food or you use the sanitizer to wipe down your station please wash your hands and change your gloves before you touch food again.**

## **Food Preparation of Menu Items**

### **for Steakadelphia Cart**

This is step by step instructions in preparation of your menu items at your Portable. When you are ready to pick up your hot box with all your prepped food, please proceed to the Main Kitchen and get in contact with either the Sous Chef and/or the Concessions Supervisor. They will then give you your designated Hot Box labeled to your location and Time as a Control Log will be located on the side of the box. You will then pull the hot box to your location ensuring not to hit any guests (be mindful of cracks as well sometimes they will tip your box over).

Tools you will need.....

- Tongs
- Disposable gloves
- Sanitation Bucket (RED Bucket)
- 2 Slotted Serving Spoons
- 2 Half pan sized lids
- Metal Spatula

#### **General Operation**

- Turn on flat top to 350 degrees.
- Fill steam well half way full with hot water and turn on to med/high heat also designated as the number 3 on the dial.
- Place half pan lids over your peppers and onions and Sauerkraut to keep warm.

Now on to the step by step preparation of your menu items.....

#### **Cheesesteak Sandwich**

1. Wash your hands for 20 seconds.
2. Place gloves on your hands.
3. Using Tongs place 6oz of meat on the flat top.
4. Place 4oz of peppers & onions on top of meat on flat top and mix up.
5. Cook for 2 minutes (Your meat is already cooked through putting it on the grill is for "Show").



6. Remove Hoagie roll from bag. Open it and place it in a 3# boat.
7. Using the spatula scoop up the meat mixture and place on bottom half of the Hoagie roll.
8. Pour 4oz of Gehl's cheese sauce on top of the meat.
9. Place the Hoagie top on top of the cheese and meat to close the sandwich.
10. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Italian Sausage**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using Tongs remove an Italian Sausage from the hot box and place on the grill to sear both sides.
4. In a 3# boat Place a hot dog bun and split open enough to place the sausage.
5. The customer has a choice of peppers and onions or sauerkraut. Ask for them for their choice and use the serving spoon to place item on top of sausage.
6. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Andouille Sausage**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using Tongs remove an Andouille Sausage from the hot box and place on the grill to sear both sides.
4. In a 3# boat Place a hot dog bun and split open enough to place the sausage.
5. The customer has a choice of peppers and onions or sauerkraut. Ask for them for their choice and use the serving spoon to place item on top of sausage.
6. Serve to customer and allows cashier to collect the money to prevent cross contamination.

### **Beer-Cheese Bratwurst**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.

3. Using Tongs remove a Bratwurst from the hot box and place on the grill to sear both sides.
4. In a 3# boat Place a Hot dog bun and split open enough to place the sausage.
5. The customer has a choice of peppers and onions or sauerkraut. Ask for them for their choice and use the serving spoon to place item on top of sausage.
6. Serve to customer and allows cashier to collect the money.

### **Peppers & Onions**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using a serving spoon evenly pour peppers & onions over desired entrée.
4. Serve to customer and allows cashier to collect the money.

### **Sauerkraut**

1. Wash your hands for 20 seconds.
2. Place gloves on hands.
3. Using a serving spoon evenly pour Sauerkraut over desired entrée.
4. Serve to customer and allow cashier to collect the money

If you have any questions or problems with the equipment tell your stand lead to contact a Manager.

**Remember every time you touch something other than food or you use the sanitizer to wipe down your station please wash your hands and change your gloves before you touch food again.**

## Food Preparation of Menu Items

### For DipNDots #2

This is step by step instructions in preparation of your menu items at your Portable. The flavors we carry are as follows Aces Ice, Cookies & Cream, Brownie Batter, Rainbow Ice, Cotton Candy and Banana Split.

Tools you will need.....

- Ice cream scoops
- Disposable gloves
- Sanitation Bucket
- Large and Regular size Dip'N'Dot serving cups

Now how to prepare your ordered item.....

1. Wash your hands for 20 seconds.
2. With clean gloves on both hands pick up proper size cup ordered.
3. Using the Ice Cream scope fill the serving cup up to the top with the guests chosen flavor.
4. Hand the cup to the guest and allow the cashier to collect the money.

**Remember every time you touch something other than food or you use the sanitizer to wipe down your station please wash your hands and change your gloves before you touch food again.**

## Standard Operating Procedures for

### Cooking & Reheating food

In this SOP we will cover the proper procedures and temperatures to cooking food and/or reheating food for our guests. Cooking and reheating food is extremely important to understand inside and out because so many things can contribute to making food unsafe for consumption.

#### Cooking

There are many different ways to cook your food like on a stove top, Barbeque, Oven ect. whichever way you choose to prepare food doesn't matter when it comes to the safety of the food it's the Temperatures in which you are cooking the food. Eating under cooked food is extremely dangerous and can result in severe illness and even death. First we will cover the proper temperatures you must reach for each type of meat in order to make it safe and/or follow company policy.

**Beef= 165\* degrees (we only sell well done burgers)**

**Pork & Chicken= 165\* degrees**

When cooking these items always use a properly calibrated thermometer to check the temperature of the food to remove any "guess work" from your shift and it is a visual verification that the food has been cooked properly. If your designated temperature has not been reached give the item extra time to cook don't rush it or serve an under cooked item ***(Guests are happy to wait for a properly cooked meal rather than waiting, getting an under cooked meal and then waiting again for a new meal)***. Wash your hands before starting a new task and put on gloves when handling food and be sure to change them as needed or when a task has been completed.

#### Reheating

Now we will cover the proper reheating procedures and temperatures that should be followed in order to ensure safe reheating of the food.

When reheating food a few things to look for before you start the reheating process is; the date (is it still safe to eat or is it old and needs to be thrown out), check and make sure it was properly cooled by referring to

the kitchen's cooling chart (ask a Chef to check the records), has the food been contaminated somehow by not being covered properly ect. Once you've determined that the food is still good and in its time frame you can start to reheat the item by using the stove, oven and steamer. **When reheating food you want to make sure that you reach a temperature of 165\* degrees to make reheated food safe again.** By reaching this temperature you've killed any organisms that may have started to grow. Verify that you've reached your 165\* mark by using a calibrated thermometer and visually seeing that the mark has been met and the food is safe. . If your designated temperature has not been reached give the item extra time to cook don't rush it or serve an under cooked item (**Guests are happy to wait for a properly cooked meal rather than waiting, getting an under cooked meal and then waiting again for a new meal**). Wash your hands before starting a new task and put on gloves when handling food and be sure to change them as needed or when a task has been completed.

**The Magic Number to Remember for Cooking and Reheating food is 165\* degrees.**

## Standard Operating Procedures for

### Hot & Cold Holding

Food Safety doesn't just stop at just cooking the food, the way you hold the food hot or cold is very important to food safety. Making sure the way you are holding the food is important because in proper holding of food mixed with time can cause a severe illness or even death. We will learn how to hold hot food and cold food at their proper temperatures and what to do if they start to enter the Danger Zone of 40\*- 140\* degrees (this is the zone that bacteria's will grow at).

#### HOT Holding

There are many different ways to keep food hot like using an electric steam well, heat lamps or even sternos (cans of fuel). To keep food safe and out of the Danger Zone we want to keep our Hot food at or above 140\* degrees. A good way to make sure this is being accomplished is by using a thermometer to check the temperature of the food periodically and using a log sheet to record the temperatures throughout the service time frame.

If you have a steam well you first check to make sure the drain is closed before filling the wells a third of the way up with water. Once filled turn the steam well on most have dials on them turn the dial to medium high heat and cover the well to allow heat to stay trapped. Once the water is steaming you may place your food pan in the well to close up the whole and cover the food with a lid. Use your thermometer to periodically check the temperature of the food and recording the temperature on the log sheet. If the food has dropped in temperature use a radio to call the Kitchen to pick up the food, so they can reheat it properly. If you think you just need to turn up the steam well because it's cold out, please try that as well.

If your using Sternos to hold food then we will use Chaffer with 4 inch insert and a lid. First we will start by filling the insert with water a third of the way to the top (to ensure we don't have an overflow when we place the food in) and place the lid on top trapping in the heat. Now light 2 sternos on fire and place them under the insert of the chaffer to produce your heat. Once steam has started to develop you may now place your food in the chaffer. Use your

thermometer to periodically check the temperature of the food and recording the temperature on the log sheet. If the food has dropped in temperature use a radio to call the Kitchen to pick up the food, so they can reheat it properly. If you think you just need to turn up the steam well because it's cold out, please try that as well.

**Always keep hot food at or above 140\* degrees**

### **COLD Holding**

Here we are going to go over the proper holding temperature of cold food which is 40\* or below. To keep food safe and out of the Danger Zone we want to keep our Cold food at or below 40\* degrees. A good way to make sure this is being accomplished is by using a thermometer to check the temperature of the food periodically and using a log sheet to record the temperatures throughout the service time frame.

If your using ice to keep your cold food cold you will want to use enough ice to at least reach the same level as the food itself (any food that is above the ice will not hold safely and will enter the Danger Zone). If food has entered the Danger Zone radio the Kitchen so that we may either re cool the food if there is still enough time to keep it safe or dispose of the item and replace it.

**Always keep cold food at or below 40\* degrees.**



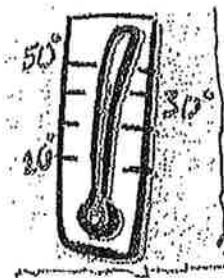
# Taking Food Temperatures

## *What You Need:*

- An approved and calibrated bi-metallic stemmed food thermometer. It should read from 0°F to 220°F.
- Food temperature chart.
- Alcohol swab or Quats sanitizer solution.

## *What To Do:*

- Clean and sanitize thermometer.
- Insert probe into thickest part of the food and wait for reading to stop. Take temperature in more than one area of food, if possible.
- Make sure adequate temperature is reached and maintained.
- Adjust the thermostat of holding unit if necessary.
- If holding unit does not maintain proper temperatures, use a different unit.



Provided by CNS/RQA/CA, Inc.  
31225 La Baya Dr., Suite 212  
Westlake Village, CA 91362  
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# Life Begins at 41 ... Degrees, that is.

Cool foods from 140°F to 70°F within 2 hours  
...and from 70°F to 41°F within 4 additional hours.

Bacteria Double:

Every 30 Minutes  
Every Hour  
Every 2 hours

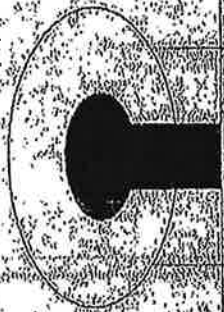
140°

KEEP FOOD OUT OF DANGER ZONE

Keep **HOT FOOD** Above 140°F  
Keep **COLD FOOD** Below 41°F

Maximum Refrigeration Temperature is 38°F

Temperature Chart



Minimum Internal Cooking Temperatures:

- 180°F - Whole Chicken
- 165°F - Chicken, Ground and pieces
- 155°F - Ground Beef, Veal, Pork
- 145°F - Beef, pork, eggs, whole fish
- 165°F - Reheating cooked food



## Calibrate Your Thermometer!

### *What You Need:*

- An approved bi-metallic stemmed food thermometer. It should read from 0°F to 220°F.
- Cup of water with lots of ice in it.

### *What To Do:*

- Place the thermometer in the ice water.
- Wait for the needle to stop moving.
- If it does not read 32°F, adjust the nut under the dial while the stem is still in the ice water.

The thermometer case may have a built-in tool for this or you may need a small pair of pliers.



Provided by CNS/RQA/CA, Inc.  
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Westlake Village, CA 91362  
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E-mail: [csr@faandca.com](mailto:csr@faandca.com)

*Levy Restaurants*

## Standard Operating Procedures

### For High Temp Dish machine

High Temperature Dish machines can sometimes be a little intimidating with all their components. Hopefully with this quick lesson in them, we can put some of those worries to rest.

The machine we use on property is a high temp machine; this means the water that is used to clean the dishes is around a **HOT** 180 degrees in its rinse cycle and 150-160 degrees in its wash cycle (so be careful putting away the dishes because some may still be hot coming out of the machine). The chemicals used for the machine are Diversey products and they are; A7 Suma Select Rinse Aid, P6 Suma Detergent and because this is a high temp machine we are using the 180 degree heat to sterilize the dishes no need for chemical Sanitizer. Now that you know we use heat to sterilize the dishes you now know how important it is to always check the temperature of the water by using the maximum registering thermometer, record the temps on your Dish machine temp log and **notify the Chef immediately if your rinse cycle isn't getting too 180 degrees or above because then the machine isn't sterilizing the dishes.**

When starting your shift record your temperatures on the log to verify that the machine is working properly if not notify the chef immediately. Second step check all your chemicals in use to make sure none need to be replaced. As long as your machine is hitting 180 degrees in rinse mode and your machine has the chemicals it will need for the day and you've recorded the temperature of the water on the dish log then you are ready to run your first load of dishes.

When ending your shift record your temperatures on the dish log, drain all sinks and dish machine, clean all food debris off counters and inside the sinks. Now with sanitizer (located across from the dish machine over the three compartment sink) wipe down all the counters and the inside of the sinks to sterilize the dish area too have it ready for the next shift. Sweep and mop the floors then check out with Chef before you leave.

**\*\*Never ever turn off the Dish Machine leave it on at all times\*\***

# Manual Ware Washing Procedures

**Step 1. Rinse, scrape, or soak**

Rinse, scrape, or soak all items before washing.

**Step 2. Wash**

Wash items in the first sink in hot soapy water.

**Step 3. Rinse**

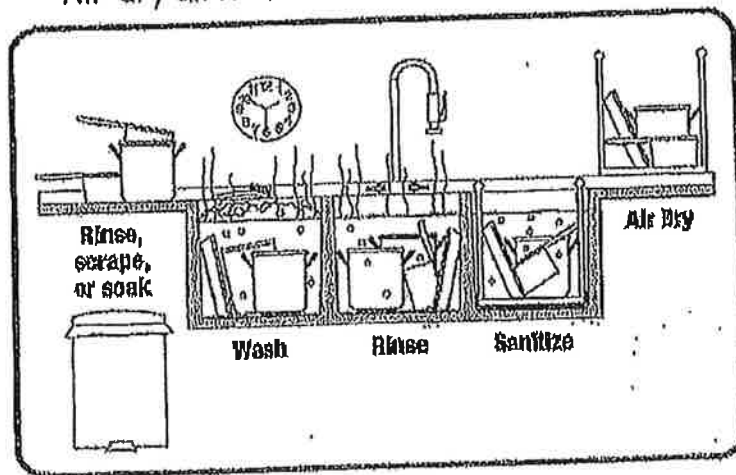
Immerse or spray rinse items in the second sink.

**Step 4. Sanitize**

Immerse items in the third sink filled with Quats sanitizer at 200 ppm.

**Step 5. Air dry**

Air dry all items on a drain board.



Provided by CNS/RQA/CA, Inc.  
31225 La Brea Dr., Suite 212  
Woodside Village, CA 91362  
Ph: (818) 874-9826  
E-mail: ens@foodsafe.com

Levy Restaurants



# Standard Operating Procedure

## Cleaning & Sanitization

This will explain the proper way to clean your area and what Chemicals will be used and how to hold the chemicals. Remember we never want to mix chemicals or place them in the wrong designated container. If you have any questions or concerns about the chemicals and their possible react actions, please refer to the MSDS binder located in every mop room or ask a manger for assistance. The Sanitizer we use on property is a cold sanitizer, so if the water is warmer than body temp please discard and start a fresh bucket. Store your degreaser and sanitizer 6 inches off the floor and away from all food products. Food Service ends at the top of the 7<sup>th</sup> for baseball or at the end of half time for Soccer.

Check the sanitizer solution by dipping a Sanitizer test strip into it. Watch the color change and match it to closest color given on the test strip container. The proper "PPM" (Parts per million) is between 200ppm and 400ppm anything under or above please contact a manger immediately.

### Tools Required

- Sanitizer (use red bucket only)
- De-greaser (use green bucket only)
- 2 Side towels
- Gloves

### Proper cleaning of Portables

- Remove all food products from portable and set aside wrapped or closed up.
- Turn off all Equipment.
- Place gloves on hands.
- Check your "PPM" in the solution using the proper test strip.
- Using the Sanitizer place one towel in bucket (Red bucket) and one towel in the degreaser (Green Bucket). Submerge both towels.
- If the table is soiled horribly or something doesn't want to come off try using the degreaser (Green bucket).
- Using the Sanitizer (Red bucket) towel, proceed to wipe down the Portable i.e. Counters, inside fridges or freezers and outside of them and heating wells.
- Don't wipe the Sanitizer off with a dry towel please allow to dry naturally.
- Never use the Sanitizer towel as the degreaser towel or vice versa.  
Remember we **do not** want to ever mix chemicals.

- Take all used pans and product back to main kitchen to be inventoried and washed and sanitized by the dishwashers.
- Once you feel that your Station has been closed properly. Please contact a manger for inspection before clocking out and going home.



## Time as a public Health Control Procedures

All food is prepared and cooked in the main kitchen (Permit # F090131).

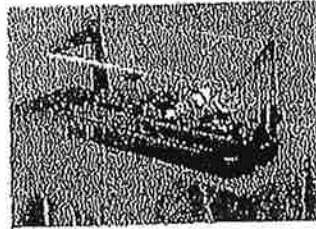
Hot boxes and speed racks are used to transport and hold hot food and cold food. Temperatures are monitored when the food has been removed from cooking and held in the hot box (check the side of the hot box to locate the Time and Temperature as a control log). Take note of the discard time on the log, so you know when to get rid of the food. When cold food is removed from the Walk In-cooler it must be logged on the Time and Temperature as a Control log with a discard time located taped to the speed rack. All food for the party will be discarded at the discard time at the end of the party, but to not exceed 4 hours after cooking is done.

After an event all untouched food which hasn't hit its 4 hour time frame will be placed out for family meal (employee lunch) for the remaining time left.



## Protect Food and Food Contact Surfaces

- Provide covers and/or sneeze guards for all open food on display.



- Do not place fruits with edible skins on ice.

- Store food, beverages, ice, foodservice equipment and supplies at least 6" off the floor.

- Keep chemicals away from food and food contact surfaces (chemicals include canned heat).



- Have a bucket of sanitizer and clean cloth available at each workstation.



Provided by CNS/RQVCA, Inc.  
31225 La Brea Dr., Suite 212  
Wattsco Village, CA 91362-4019  
Ph: (818) 874-9626  
E-mail: [cns@foodsafe.com](mailto:cns@foodsafe.com)

*Levy Restaurants*

# Safe Food Handling

## TEN RULES FOR HANDLING FOOD SAFELY

1. All employees must follow strict personal hygiene policies.
2. Potentially hazardous foods should be identified on the menu, and safe-handling procedures should be established for each.
3. Food must be obtained from approved suppliers.
4. Time/Temperature abuse must be avoided when handling prepared foods
5. Potentially hazardous raw foods must be kept separate from ready-to-eat foods.
6. Cross-contamination must be avoided; Establish hand-washing guidelines. Wash, rinse and sanitize all food contact surfaces.
7. Foods must be cooked to recommended internal temperatures.
8. Hot foods should be held hot (140°F or greater) and cold foods held cold (41°F or lower).
9. Foods must be cooled from 140°F to 70°F in 2 hours or less, and from 70°F to 41°F in 4 hours or less.
10. Leftovers must be heated to 165°F for at least 15 seconds within 2 hours. Leftovers should only be reheated once.

### Food Safety Check List

Check list	Y N		Comment
Are the Time and Temp log filled out?			
Are the Sternos lit under Chaffer?			
All smallwear pointed in the same direction?			
Are there serving gloves available?			
Are the sneeze gaurds in place?			
Is the Sanitizer bucket full of Sanitizer?			
Is there a slide towel in the Sanitizer?			
Do you have a thermometer?			
Is there enough serving utensils?			
Are the Napkins out?			
Check temperatures of all food every hour?			
Cold food iced/ kept cold properly?			
Are the sternos lit in the Hot Box?			
Did you check PPM of sanitizer?			





# CONCESSIONS - SELF INSPECTION CHECKLIST

Name of Stand/Bar: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Completed By: \_\_\_\_\_

Food Receiving & Dry Storage	Corrective Action
<input type="checkbox"/> Are food items received from approved sources, in good condition & proper temperatures?	_____
<input type="checkbox"/> Are food items free of dents & damage?	_____
<input type="checkbox"/> Are food and non-food products elevated at least 6 inches off the ground?	_____
<input type="checkbox"/> Are food items properly covered & stored in approved container?	_____
<input type="checkbox"/> Are all non-descript food products properly labeled (salt, sugar, etc.)?	_____
<input type="checkbox"/> Are food storage room clean & organized?	_____
<input type="checkbox"/> No scoop handles in food product?	_____

Cold Storage of Food	Corrective Action
<input type="checkbox"/> Are refrigerator temperatures at 40°F or less?	_____
<input type="checkbox"/> Are freezer temperatures at 0°F or less?	_____
<input type="checkbox"/> Are all food products covered in reach-in coolers?	_____
<input type="checkbox"/> Are food products labeled with name & date?	_____
<input type="checkbox"/> Are all refrigerator & freezer units equipped with thermometers inside unit?	_____
<input type="checkbox"/> Are all refrigerator & freezer units in good repair?	_____

Food Preparation Practices	Corrective Action
<input type="checkbox"/> Are fruits & vegetables properly washed before preparation?	_____
<input type="checkbox"/> Is bare hand contact with ready-to-eat foods minimized?	_____
<input type="checkbox"/> Are tongs/utensils used for handling fruit/vegetables?	_____
<input type="checkbox"/> No wedged or improperly stored in-use utensils?	_____
<input type="checkbox"/> Condiments properly protected or in dispensers?	_____

Employee Practices	Corrective Action
<input type="checkbox"/> Are employees in the correct, clean uniform?	_____
<input type="checkbox"/> Are all hand sinks accessible & in good repair?	_____
<input type="checkbox"/> Are hand sinks stocked with soap, paper towels, hot water at 100/110 degrees & hand washing sign?	_____
<input type="checkbox"/> Do employees wash hands at designated hand sink?	_____
<input type="checkbox"/> Are employees free of illness or infections?	_____
<input type="checkbox"/> Employees do not store food, drink or personal items in undesignated area?	_____

Concession & Equipment	Corrective Action
<input type="checkbox"/> Is all food equipment properly washed, rinsed & sanitized?	_____
<input type="checkbox"/> Is the sanitizer at the 3 compartment sink at the proper concentration (200 ppm QUAT)?	_____
<input type="checkbox"/> Is the dish machine final rinse at the proper concentration (50-100 ppm Chlorine or temp 180-194)?	_____
<input type="checkbox"/> Are test strips available?	_____
<input type="checkbox"/> Are wiping cloths in sanitizer buckets?	_____
<input type="checkbox"/> Are sanitizer buckets & bottles at proper concentration (200 ppm QUAT)?	_____
<input type="checkbox"/> Is the ice scoop properly stored in clean holder with handle out of ice?	_____
<input type="checkbox"/> Soda nozzles cleaned & sanitized?	_____
<input type="checkbox"/> Are hood vents & filters in place?	_____

Facility	Corrective Action
<input type="checkbox"/> Are all floors, walls & ceilings clean & in good repair?	_____
<input type="checkbox"/> Are restrooms properly stocked with supplies?	_____
<input type="checkbox"/> Does facility maintain proper hot water at 120°F?	_____
<input type="checkbox"/> Is the facility free of insect & rodent infestations?	_____
<input type="checkbox"/> Are chemicals properly labeled & stored separately from food areas?	_____
<input type="checkbox"/> Are all light fixtures properly protected with shields?	_____
<input type="checkbox"/> Are floor drains properly cleaned & in good repair?	_____
<input type="checkbox"/> Are all trash cans emptied?	_____

Pre-Shift Training	Corrective Action
<input type="checkbox"/> What was the topic for today? _____	_____

**Pre-Shift Training Topic is on the Back of the Daily Pre-Shift Notes Page**



**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

February 7, 2020

Levy Premium Foodservice

Attn: Shaun Finch

250 Evans Ave

Reno, NV 89501

H20-0001FOOD, H20-0002FOOD, H20-0003FOOD, H20-0004FOOD, H17-0343FOOD

RE: Conditional Operational Plan Approval

Dear Mr. Finch,

The Washoe County Health District (WCHD) has now completed the review of the written Levy Outdoor Food Establishment Operational Plan. This letter serves to inform you that your written plan submitted on January 31, 2019 has been **CONDITIONALLY APPROVED** for compliance with the requirements as outlined in the Regulations of the Washoe County District Board of Health Governing Food Establishments. Your facility may commence the food preparation and service processes outlined in this plan.

This approval is granted based on a thorough review of information provided in your written Operational Plan. Please be advised that final approval is subject to the condition that the facility will receive a validation site inspection by the WCHD. The purpose of the validation site visit is to verify procedures are conducted in conformance with the procedures outline in the written Operational Plan. Upon completion of the site inspection, the WCHD will either issue a final approval of the Operational Plan or request additional information and revisions to the plan.

Sincerely,



Michael Touhey, Senior Environmental Health Specialist  
Environmental Health Services Division

ec:

Amber English, Environmental Health Specialist Supervisor

Latricia Lord, Senior Environmental Health Specialist

Matt Christensen, Environmental Health Specialist

**Staff Report**  
**Board Meeting Date: February 25, 2020**

**TO:** Food Protection Hearing and Advisory Board

**FROM:** Latricia Lord, REHS, Senior Environmental Health Specialist  
(775) 328-2689, [llord@washoecounty.us](mailto:llord@washoecounty.us)

**SUBJECT:** Levy Premium Food Service  
Staff's Recommendation for Approval of Variance Case No. 2-20FP Levy Premium Food Service Application for Variance to Sections 200.005 (Outdoor food establishment, applicable requirements), 060.205(A) (Food equipment, certification and classification) and 070.020 (Plumbing system) of the regulations of the Washoe County District Board of Health Governing Food Establishments.

---

**Authority to hold hearing on variance requests:**

Pursuant to Section 240.085 of the regulations of the Washoe County District Board of Health Governing Food Establishments, the Food Protection Hearing and Advisory Board shall hold hearings to consider variance requests to any section of the regulations.

**District Health Strategic Objective supported by this item: Healthy Environment** – Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

**Applicable Regulations:**

Section 200.005 Outdoor food establishments must comply with all applicable requirements of these regulations. When facilities or equipment are inadequate to protect the public health, the Health Authority may impose operational and/or menu restrictions on an outdoor food establishment to protect against potential health hazards.

Section 060.205(A) Except as provided in Subsections B and C of this section, food equipment that is certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program is deemed to comply with these regulations.

Section 070.020 Except as otherwise provided in these regulations, all plumbing systems including individual sewage disposal system piping, must be sized, constructed, installed, located and maintained according to the requirements in the most recent edition of the Uniform Plumbing Code or pursuant to the authority having jurisdiction.

**Previous Action:**

On July 17, 2019, July 24, 2019, August 3, 2019 and August 24, 2019 Washoe County Health District (WCHD) staff conducted routine inspections of various Levy Premium Food Service food establishments located inside Greater Nevada Field at 250 Evans Ave in Reno. Many of these food establishments had been previously classified as Portable Units for the Service of

Food. Due to the business demands of the facility, additional equipment was frequently utilized in order to supply the units.

Therefore, it was noted during the inspections of specific units that they no longer met the definition of a Portable Unit because the food operations were not contained to a single unit. It was noted that the food establishments more closely met the definition of an Outdoor Food Establishment and required a written Operational Plan to be submitted to WCHD. It was also noted during the inspections that the Regulations of the Washoe County District Board of Health Governing Food Establishments were in the process of being revised and the proposed changes included disallowing portable hand sinks to be utilized at Outdoor Food Establishments. The proposed changes would also require all equipment to be ANSI certified and all plumbing systems to have individual sewage disposal system piping. With respect to Levy Premium Food Service, this meant that all Outdoor Food Establishments would be required to have a plumbed hand sink, rather than a portable unit with fresh and gray water tanks. Since these food establishments did not have a plumbed hand sink it was noted that the operators would be required to either install plumbed hand sinks or request a variance from the Food Protection Hearing and Advisory Board if the revisions to the regulations were approved.

The proposed changes to the Regulations were approved and became effective September 13, 2019. Therefore, Levy Premium Food Service operators have submitted a variance request to allow a portable hand sink. Additionally, Levy Premium Food Service operators have prepared and submitted an Operational Plan for their Outdoor Food Establishment and the plan has been conditionally approved by WCHD. The Operational Plan includes procedures for the maintenance of the proposed portable handwashing sink

### **Findings of Fact:**

Under established precedent, the Hearing Board may recommend a variance only if, after a hearing on due and proper notice, it determines by a preponderance of evidence the following:

**1. Can the proposed operation of the food establishment avoid endangering the health and safety of persons living in the Washoe County Health District, if this variance is granted?**

The proposed operation can be conducted in such a way as to avoid endangering the health and safety of persons living in or visiting the Washoe County Health District. Consequently, the Health District is supportive of the variance request. Our support is predicated on the inclusion of and strict adherence to the conditions provided in our recommendation below.

**2. Would compliance to these Regulations produce a hardship on the applicant without equal or greater benefit to the public?**

The applicant has indicated that compliance with the Regulations would require significant capital improvements to install the applicable plumbing infrastructure and that would create significant financial hardship. While the Health District believes compliance with the Regulations provides benefit to the public, approval of the variance and recommended conditions and strict adherence to those conditions will provide an equal benefit.

**3. Will the owners of property in the general vicinity of the food establishment be adversely affected if this variance is approved?**

The owners of property in the general vicinity will not be adversely affected if this variance is approved.

**Recommendation:**

Staff recommends that the Food Protection Hearing and Advisory Board advise the District Board of Health to grant the variance. Staff also recommends that the variance be contingent on strict adherence to the following conditions:

1. The fresh and gray water tanks in all portable hand sinks must always be maintained per the Operational Plan and manufacturer's recommendations.
2. All staff working in any Outdoor Food Establishment operated by Levy Premium Food Service must be able to verbalize to WCHD inspectors the provisions described in the Operational Plan.
3. No changes to any foodservice operations or menu at any Outdoor Food Establishment operated by Levy Premium Food Service is allowed without prior approval from WCHD.
4. Levy Premium Food Service must maintain full compliance with all conditions. Failure to maintain compliance may result in the revocation of the variance at which time full compliance with Sections 200.005, 060.205 (A) and 070.020 will be required.

**Alternatives:**

1. The Hearing Board members can recommend that the District Board of Health approve the variance under modified conditions (this can include conditions other than or in addition to those recommended by staff).
2. The Hearing Board members can recommend that the District Board of Health deny the variance request.

**Possible Motion:**

Should the Board agree with staff's recommendation, a possible motion would be "Move to recommend that the District Board of Health approve Levy Premium Food Services' variance request providing Levy Premium Food Service comply with conditions 1 - 4 as presented in this staff report."

WASHOE COUNTY  
HEALTH DISTRICT  
ENHANCING QUALITY OF LIFE

WASHOE COUNTY HEALTH DISTRICT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
1001 East Ninth Street, Bldg B, Reno, Nevada 89512  
Telephone (775) 328-2434 • Fax (775) 328-6176  
www.washoecounty.us/health

Office Use Only

Fee Paid \_\_\_\_\_  
Date Paid \_\_\_\_\_  
Cash/CC/Check \_\_\_\_\_  
Receipt No. \_\_\_\_\_

APPLICATION FOR VARIANCE

DATE 2/10/20

NAME OF APPLICANT Rocky Mountain Chocolate Factory

ADDRESS 250 Evans Ave.

CITY Reno STATE NV ZIP 89523

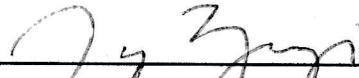
PHONE 775-742-6888 FAX \_\_\_\_\_

EMAIL ADDRESS rmcf.reno@sbcglobal.net

TITLE OF REGULATIONS Regulations of the Washoe County District Board of Health Governing Food Establishments

SECTION(S) OF REGULATIONS TO BE VARIED 200.005, 060.205, 070.020

REASON FOR VARIANCE REQUEST We are asking for a variance so that we may comply with new regulations for Outdoor Food Establishments being upgraded from a Snack Bar License. For this upcoming year; we have developed an Operational Plan to ensure the public is protected as we serve at all the events.

SIGNATURE  DATE 2/11/20

-----  
(Office Use Only)

DATE RECEIVED \_\_\_\_\_ CATEGORY TYPE \_\_\_\_\_

VARIANCE FEE \_\_\_\_\_ PUBLIC NOTICE DATES \_\_\_\_\_

**WASHOE COUNTY  
HEALTH DISTRICT**  
ENHANCING QUALITY OF LIFE

February 12, 2020

Rocky Mountain Chocolate Factory  
Attn: Greg Zrinyi  
250 Evans Ave  
Reno, NV 89501  
H20-0074FOOD  
RE: Conditional Operational Plan Approval

Dear Mr. Zrinyi,

The Washoe County Health District (WCHD) has now completed the review of the written Outdoor Food Establishment Operational Plan. This letter serves to inform you that your written plan submitted on 2/12/2020 has been **CONDITIONALLY APPROVED** for compliance with the requirements as outlined in the Regulations of the Washoe County District Board of Health Governing Food Establishments. Your facility may commence the food preparation and service processes outlined in this plan.

This approval is granted based on a thorough review of information provided in your written Operational Plan. Please be advised that final approval is subject to the condition that the facility will receive a validation site inspection by the WCHD. The purpose of the validation site visit is to verify procedures are conducted in conformance with the procedures outline in the written Operational Plan. Upon completion of the site inspection, the WCHD will either issue a final approval of the Operational Plan or request additional information and revisions to the plan.

Sincerely,



Michael Touhey, Senior Environmental Health Specialist  
Environmental Health Services Division

ec:

Amber English, Environmental Health Specialist Supervisor  
Latricia Lord, Senior Environmental Health Specialist  
Matt Christensen, Environmental Health Specialist

**OPERATIONAL PLAN REVIEW APPLICATION**  
**Washoe County Health District**  
**Regulations of the Washoe County**  
**District Board of Health Governing Food Establishments**

NAME OF ESTABLISHMENT BOCKY MOUNTAIN CHOCOLATE FACTORY PERMIT NUMBER H22:0074 FOOD  
ADDRESS 250 EVANS AVE (ACES BANK) CITY RENO ZIP 89501  
PERSON TO CONTACT GREG & BRITA ZRYNI DAYTIME PHONE (775) 742-6888

I am submitting an Operational Plan for (select all that apply):

- Barbeque
- Bed & Breakfast
- Portable Unit for Service of Food, Operation of Pool Decks
- Outdoor Food Establishments
- Food Establishments with Catering to include those providing meals to School Kitchens
- Satellite Food Distribution Facilities with more than one drop off location

Will process be used at more than one location?  Yes  No

If yes, list name(s) and permit number(s) \_\_\_\_\_

Will product be served at more than one location?  Yes  No

If yes, list name(s) and permit number(s) \_\_\_\_\_

How will the product be sold? (Select all that apply):  Retail  Wholesale

\*Note: The Operational Plan - Initial Review Fee must be paid in full and an Operational plan containing all of the required documentation as outlined in the WCHD Checklist for General Operational Plan Requirements and the applicable process specific checklist must accompany this application. Failure to submit required documentation may result in the rejection of the proposed Operational plan.

Signature 

Date 1/18/20

1/18/20

## **Outdoor Food Establishment Operational Plan**

**Name and Address: Zrinyi & Ingstad Investments DBA Rocky Mountain Chocolate Factory to operate at The Greater Nevada Field located at 250 Evans Ave Reno, NV 89501 (Reno Aces Ballpark).**

**Permit number: H20-0074FOOD**

**Supporting food establishment for the Reno Aces Baseball Team and 1868 Soccer Club: Pro Sports Catering.**

**Seating capacity: The Greater Nevada Field holds up to 9,013 attendees**

**Hours of operation are: 2 hours prior to as well as the duration of any scheduled event.**

**Materials and equipment used to cook the caramel apples and prepare chocolate dipped pieces include:**

NSF 3 compartment sink  
NSF Electric stove and copper kettle  
NSF Wood Stirring Stick  
NSF Cambros  
Wood apple skewers  
Cafeteria Trays  
NSF Chocolate tempering machines  
Saran wrap  
Apple cups

### **Food Preparation, Transport, and Storage:**

The Caramel apples and chocolate dipped pieces to be sold at the outdoor food location are prepared at our brick and mortar location at 5100 Mae Anne Ave Ste # 101, Reno, NV. 89523.

The Granny Smith green apples are washed and skewered with an apple stick. The apples are then dipped in the hot caramel cooked at over 275 degrees inside the copper kettle. After the apples are dipped, they are placed on cafeteria trays and decorated with chocolate and toppings. Once the apples are dry they are put inside apple cups and placed in apple boxes for transport. Caramel apples are a room temperature product. They are transported from the chocolate store to the aces inside an enclosed cargo van. Fresh product is delivered to the stadium daily with an approximate time of 15 minutes for travel to and from.

The chocolate dipped pieces are prepared at the store and stored frozen. Our outdoor menu includes chocolate dipped bananas, strawberries, and cheesecake. The items are all skewered then frozen. Once completely frozen, they are dipped into chocolate and when completely dry



we wrap the item in saran and place inside a box; in a chest freezer. They are transported inside the enclosed cargo van within an insulated chest freezer or cooler.

Once the product is delivered to the Aces outdoor Rocky Mountain Chocolate Factory it is put within appropriate storage. The caramel apples are stored inside an enclosed TRUE refrigerated deli case with locked doors. The wrapped chocolate covered pieces are stored inside a 7.0 cubic chest freezer with a pad lock.

### **Required Standard Operating Procedures:**

#### **Employee Handwashing:**

A Cambro Sink Kiosk will be provided inside the outdoor booth for Handwashing. Employees must practice effective hand washing. **Please see attached NSF Cambro sink specifications.**

#### **Follow Five Steps to Wash Your Hands the Right Way**

Washing your hands is easy, and it's one of the most effective ways to prevent the spread of germs. Clean hands can stop germs from spreading from one person to another and throughout an entire community—from your home and workplace to childcare facilities and hospitals.

Follow these five steps every time.

1. **Wet** your hands with clean, running water (warm or cold), turn off the tap, and apply soap.
2. **Lather** your hands by rubbing them together with the soap. Lather the backs of your hands, between your fingers, and under your nails.
3. **Scrub** your hands for at least 20 seconds. Need a timer? Hum the "Happy Birthday" song from beginning to end twice.
4. **Rinse** your hands well under clean, running water.
5. **Dry** your hands using a clean disposable towel.

### **Employee Health and Health and Exclusion:**

#### **1. Grooming:**

- a. Arrive at the Stadium in a clean condition – clean hair and clean outer clothing.
- b. Fingernails will be trimmed, clean, and maintained.
- c. Washing hands (including under fingernails) and up to forearms vigorously and thoroughly with soap and warm water as stated above. Additionally, handwashing will occur.
  - When entering the facility before work begins.
  - When handling equipment.

- As often as necessary and during when contamination occurs.
  - In the restroom after toilet use and when you return to your work station.
  - After touching face, nose, hair, or any other body part, and after sneezing or coughing.
  - After performing any cleaning duties.
  - Between each task performed and before wearing disposable gloves.
  - After smoking, eating or drinking.
  - Any other time an unsanitary task has been performed (i.e. taking out garbage, handling cleaning chemicals, and wiping tables.
- d. Wash hands only in Cambro Sink Kiosk which is designated for that purpose.
  - e. Dry hands with single use towels. Turn off faucets using a paper towel in order to prevent recontamination of clean hands.

## **2. Proper Attire:**

- f. Wear appropriate clothing- clean clothes and clean non-skid close-toes work shoes that are comfortable for standing and working on floors that can be slippery.
- g. Use disposable gloves when handling ready-to-eat foods that will not be heat-treated.
- h. Change disposable gloves as often as handwashing is required. Wash hands before putting on clean gloves or after discarding gloves.

## **3. Hair restraints and jewelry:**

- i. Effective hair restraints must be worn and long hair to be pulled back in food service area.
- j. Keep beard and mustaches neat and trimmed.
- k. No jewelry (except a wedding band or other plain ring or medical identification bracelet) is allowed during handling of food.

## **4. Illness:**

- l. Food employees shall report to Person in Charge when they have a symptom caused by illness, infection, or other source that is:
  - Associated with, diarrhea, vomiting or other acute gastrointestinal illness, jaundice or sore throat with fever.
- m. Employees with gastrointestinal symptoms (vomiting and/or diarrhea) will be excluded for a minimum of 24 Hours after symptoms have stopped.
- n. Employees with jaundice will be excluded until laboratory results indicate the individual is not currently infected with Hepatitis A.

- o. Employees with acute respiratory infection or sore throat with fever will be excluded until symptom free and/or cleared to work with doctor's note.

**5. Cuts Abrasions and Burns:**

- a. Employees shall bandage any cuts, sores, rash, lesion, abrasion or burn that has broken the skin.
- b. Employee shall wear disposable gloves to cover bandages on hands. Change as appropriate.
- c. Employee shall inform Person in Charge of all wounds.

**6. Smoking and eating:**

- p. Eating and drinking is prohibited in areas where contamination of exposed food, clean equipment, and utensils.
- q. Smoke only in designated areas. No smoking or chewing tobacco shall occur inside the service area.
- r. Employees shall have a closed beverage container may be used in the service area if the container is handled to prevent contamination.
- s. Employees shall refrain from eating inside the food service areas.

**7. No Bare Hand Contact with Ready To Eat (RTE) Foods No Bare Hand Contact with Ready To Eat (RTE) Foods**

- t. Food handlers may use single service gloves to prevent contact with ready to eat food items with bare hands during food service.

**Cleaning and Sanitization:**

**INSTRUCTIONS:**

-Employees shall follow the Washoe County Health District's requirements.

-Employees shall follow manufacturer's instructions regarding the use and maintenance of equipment and use of chemicals for cleaning and sanitizing food contact surfaces.

1. Employees shall wash, rinse, and sanitize food contact surfaces, tables, utensils, and equipment:
  - a. Before each use
  - b. Between uses
  - c. Any time contamination occurs or is suspected

2. Wash, rinse, and sanitize food contact surfaces of sinks, tables, equipment, utensils, thermometers, carts, and equipment using the following procedure:
  - a. Wash surface with detergent solution.
  - b. Rinse surface with clean water.
  - c. Sanitize surface using a sanitizing solution mixed at a concentration specified on the manufacturer's label.
  - d. Place any wet items in a manner to allow air drying.
  
3. Station #4 gives us the ability to use the 3 compartment sink in the following manner:
  - a. In the first compartment, wash with a clean detergent solution at or above 110 °F or at the temperature specified by the detergent manufacturer.
  - b. In the second compartment, rinse with clean water.
  - c. In the third compartment, sanitize with a sanitizing solution mixed at a concentration specified on the manufacturer's label. Test the chemical sanitizer concentration by using an appropriate test kit.

**MONITORING:**

Foodservice employees will:

1. During all hours of operation, visually and physically inspect food contact surfaces of equipment and utensils to ensure that the surfaces are clean.
2. For the 3-compartment sink, on a daily basis:
  - Visually monitor that the water in each compartment is clean.
  - Take the water temperature in the first compartment of the sink by using a calibrated thermometer.

**Test the sanitizer concentration by using a quaternary ammonia (QUAT) test kit. Ensure that the concentration of QUAT is between 200 and 400 parts per million or at a concentration recommended by the manufacturer. Use the color guide on the test kit to confirm that the appropriate concentration has been reached**

**Estimated Volume to be prepared per day: 137 units (110 apples and 27 dipped pieces)**

We have estimated that the average amount of caramel apples sold per game is 110 apples

**All food is prepared and will NOT be cooked on location and will NOT be cooked by consumers.**

**Ability to safely accommodate food processing activities of outdoor food establishment:**

We have serviced the Reno Aces Baseball fans as well as the 1868 Soccer club fans for 10 seasons all at the same location. We have always been positioned adjacent to Food Stand #4 because of its proximity and amenities necessary for safe operations. Stand #4 has a mop sink that enables us to dispose of any grey water items. Particularly, the hand sink servicing is mostly done through the mop sink for *grey* water disposal and the replenishing of *fresh* water for the hand sink comes from the plumbed three compartment sink. The three compartment sink enables our staff to properly wash, rinse, & sanitize our cutting board as well as utensils after each and every game. We also have and use sanitizer from this station which is calibrated for us to ensure proper disbursement and safe levels. Our kiosk area has a cement based floor with a floor drain for water run off and is power washed by the Aces Ballpark grounds crew. We have 40 amps of power at our disposal and well as Ethernet. In our kiosk, we operate on vinyl table clothes which are wiped down with an all purpose food grade cleaner. When the tables are cleaned and dry; they are wiped over with sanitizer and air dried before the start of each game. The knife and cutting board are sprayed with sanitizer and wiped with a once use disposable paper towels to ensure clean surfaces as well protect the customer from cross contamination and allergens. Additional measures will include switching out the knife and cutting board with a clean set after 4 hour of continuous use. The staff is trained on proper food handling which requires them to wash their hands and use vinyl disposable gloves when handling and slicing the apples. Our Cambro Sink Kiosk is made for "On Location" use. It is NSF approved and delivers hot water at 140 degrees. We always have stocked ample amounts of once use disposal hand towels, antibacterial soap, and extra knives and cutting boards. The equipment and surface areas are wiped down with the sanitizer solution prior to each opening to also ensure a clean work area for every game. We also take additional precautions at the conclusion of each event all equipment is locked, and we tarp off the tent and secure all loose access points.

Outdoor food establishment will be managed by food handler from Rocky Mountain Chocolate who is trained in establishment procedures and food handling.

# CAMBRO

## CamKiosk™ Hand Sink Cart

Domestic Model KSC402

International Model KSC402220

### Features & Benefits

StoreSafe

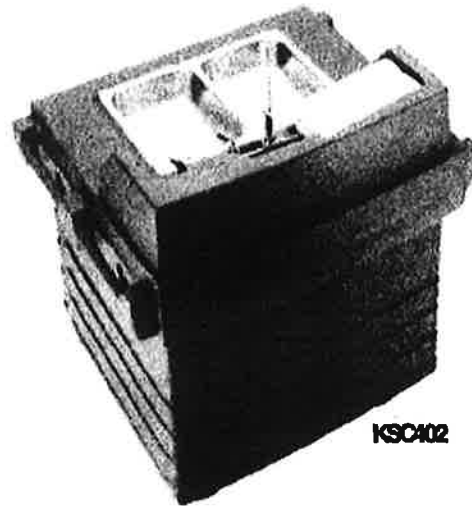
- Stands alone for hand washing. Also attaches to the CamKiosk Main Cart with the optional Connector Bridge to help expand menu options.
- Double-wall, high-density, polyethylene construction is impact resistant and will not dent, crack, bubble, chip or break. Can be wiped or steam cleaned.
- Polyurethane foam-insulation provides added strength and durability.
- Two compartment stainless steel sink. Faucet runs cold water and hot water up to 140°F (60°C). Faucet is NSF-61 listed.
- Two 5 gallon (18,9 L) fresh water tanks and two 7.5 gallon (28,4 L) refuse tanks provide approximately 70 hand washings. Tanks are easy to insert and remove for emptying and refilling.
- Hot water heater has a 2.5 gallon (9,5 L) capacity and heats water in 10 minutes. 110 volt outlet required. International model available in 220 volt.
- Water pump is NSF listed. Water pump and water heater are UL approved. Each draw a maximum of 0.7 amps and 11.25 amps respectively. Hand sink cart electrical system runs on average 10 amps.
- Molded-in handles on both sides provided comfortable easy transporting.
- Four 6" (15,2 cm) casters, 2 fixed, 2 swivel w/ brakes allow for easy transport across a lobby floor, lunchroom or campus grounds.
- Paper towel holder and soap dispenser included.
- Electrical 110 volt or 220 volt.
- Some assembly required.
- Available in 7 solid colors and 2 color combinations.

Item No. \_\_\_\_\_

Specifier Identification No. \_\_\_\_\_

Model No. \_\_\_\_\_

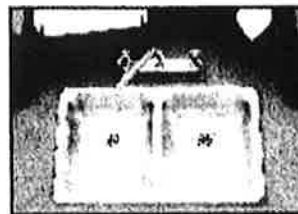
Quantity \_\_\_\_\_



KSC402



KSC402



2-Compartment Stainless Steel Sink



Tanks and Hot Water Heater

### Approvals



Water Pump and Water Heater only



Water Pump only

**CAMBRO**  
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LIT FCST-0102-50