

# Indiana State Department of Health

## Rule 410 IAC 7-15.5

### *Bed & Breakfast Establishments*

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Indiana State Department of Health  
1330 West Michigan Street  
P.O.Box 1964  
Indianapolis, IN 46206-1964

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SANITATION OF BED AND BREAKFAST ESTABLISHMENTS

INDIANA STATE DEPARTMENT OF HEALTH

Rule 410 IAC 7-15.5

SECTION 1 - "APPLICABILITY"

The definitions in this rule apply throughout this rule.

SECTION 2 - "BED AND BREAKFAST ESTABLISHMENT"

"Bed and breakfast establishment" means an operator occupied residence that:

- (1) provides sleeping accommodations to the public for a fee;
- (2) has no more than fourteen (14) guest rooms;
- (3) provides breakfast to its guests as part of the fee; and
- (4) provides sleeping accommodations for no more than thirty (30) consecutive days to a particular guest.

The term does not include hotels, motels, boarding houses, or food service establishments.

SECTION 3 - "DEPARTMENT"

"Department" means the Indiana State Department of Health.

SECTION 4 - "CORROSION-RESISTANT MATERIALS"

"Corrosion-resistant materials" means those materials that maintain their original surface characteristics under prolonged contact with food, the normal use of cleaning compounds and bactericidal solutions, and other conditions-of-use environment.

SECTION 5 - "EASILY CLEANABLE"

"Easily cleanable" means readily accessible and made of materials which allow for residue to be effectively removed by normal cleaning methods.

SECTION - 6 "EMPLOYEE"

"Employee" means the operator permit holder, individuals having supervisory or management duties, and any other person working in a bed and breakfast establishment.

SECTION 7 - "EQUIPMENT"

"Equipment" means stoves, ovens, ranges, hoods, slicers, mixers, meatblocks, tables counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items other than utensils, used in the operation of a bed and breakfast establishment.

#### SECTION 8 - "FOOD"

"Food" means any raw, cooked, or processed edible substance, ice, beverage, drink or ingredient used or intended for use or for sale in whole or in part for human consumption.

#### SECTION 9 - "FOOD-CONTACT SURFACE"

"Food-contact surface" means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip, or splash back onto surfaces normally in contact with food.

#### SECTION 10 - "FOOD PROCESSING ESTABLISHMENT"

"Food processing establishment" means a commercial establishment in which food is manufactured or packaged for human consumption. The term does not include a food service establishment, retail food store, bed and breakfast establishment, or commissary operation.

#### SECTION 11 - "GUEST"

"Guest" means an individual who rents a guest room in a bed and breakfast establishment.

#### SECTION 12 - "GUEST ROOM"

"Guest room" means a sleeping room intended to accommodate not more than four (4) guests each night.

#### SECTION 13 - "HERMETICALLY SEALED CONTAINER"

"Hermetically sealed container" means a container designed and intended to be secure against the entry of micro-organisms and to maintain the commercial sterility of its contents after processing.

#### SECTION 14 - "KITCHENWARE"

"Kitchenware" means all multi-use utensils, other than tableware.

#### SECTION 15 - "LOCAL BOARD"

"Local board" means the local board of health or its authorized representative.

#### SECTION 16 - "OPERATOR"

"Operator" means an owner, or the owner's agent, of a bed and breakfast establishment who resides within the establishment or on contiguous property.

#### SECTION 17 - "PACKAGED"

"Packaged" means bottled, canned, cartoned, or securely wrapped.

#### SECTION 18 - "PERSON"

"Person" includes any individual partnership, copartnership, firm, company, corporation, association, trust, estate, or other legal entity, and its or their successors, assigns, or agents.

#### SECTION 19 - "PERSON IN CHARGE"

"Person in charge" means the individual present in a bed and breakfast establishment who is the apparent supervisor of the bed and breakfast establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

#### SECTION 20 - "POTENTIALLY HAZARDOUS FOOD"

"Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include foods which have a pH level at or below four and six-tenths (4.6) or a water activity (Aw) value at or below eighty-five hundredths (0.85) under standard conditions or food products in hermetically sealed containers processed to prevent spoilage.

#### SECTION 21 - "RECONSTITUTED"

"Reconstituted" means dehydrated food products recombined with water or other liquids.

#### SECTION 22 - "SAFE MATERIALS"

"Safe materials" mean articles manufactured from or composed of materials that may not reasonably be expected to become a component or otherwise affect the characteristics of any food. If materials used are food additives or color additives, they are "safe" only if they are used in conformity with requirements of IC 16-1-28 and IC 16-1-29.

#### SECTION 23 - "SANITIZATION"

"Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level on utensils and equipment.

#### SECTION 24 - "SEALED"

"Sealed" means free of cracks or other openings that permit the entry or passage of moisture.

#### SECTION 25 - "SINGLE-SERVICE ARTICLES"

"Single-service articles" means cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, tooth-picks, and similar articles intended for one-time, one-person use.

#### SECTION 26 - "TABLEWARE"

"Tableware" means multi-use eating and drinking utensils.

#### SECTION 27 - "UTENSILS"

"Utensils" mean any implement used in the storage, preparation, transportation, or service of food.

## SECTION 28 - "FOOD SUPPLIES"

- (a) Food shall be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption. Food shall be obtained from sources that comply with requirements of the IC 16-1-28 and IC 16-1-29 relating to food and food labeling. The use of food in hermetically sealed containers that was not prepared in a food processing establishment is prohibited except those jam and jellies which are not potentially hazardous foods.
- (b) Fluid milk and fluid milk products used or served shall be pasteurized and shall meet the Grade A quality standards as established by law. Dry milk and dry milk products shall be made from pasteurized milk products.
- (c) Only clean whole eggs, with shells intact and without cracks or checks, or pasteurized liquid, frozen or dry eggs or pasteurized dry egg products shall be used, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used.

## SECTION 29 - "FOOD PROTECTION"

- (a) At all times, including while being stored, prepared, displayed, served, or transported, food shall be protected from potential contamination, including dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs, and sneezes, flooding, drainage, and overhead leakage or overhead drippage from condensation. The temperature of potentially hazardous food shall be at or below forty-five degrees Fahrenheit (45 F) or at or above one hundred forty degrees Fahrenheit (140 F) at all times, except as otherwise provided in this rule.
- (b) The person in charge of a bed and breakfast establishment that is affected by a fire, flood, extended power outage, or a similar significant occurrence that creates a reasonable probability that food in the establishment may have been contaminated, or that the temperature level of food which is in a potentially hazardous form may have caused that food to have become hazardous to health, shall take action necessary to protect the public health, and shall promptly notify the department and the local board of the emergency.

## SECTION 30 - "FOOD STORAGE"

- (a) Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean covered container except during necessary periods of preparation or service. Container covers shall be impervious and nonabsorbent.
- (b) Containers of food shall be stored above the floor in a manner that protects the food from splash and other contamination, and that permits easy cleaning of the storage area.
- (c) Food and containers of food shall not be stored under exposed or unprotected sewers or water lines, except for automatic fire protection sprinkler heads they may be required by law. The storage of food in toilet rooms or vestibules is prohibited.
- (d) Food not subject to further washing or cooking before serving shall be stored in a way that protects it against cross-contamination from food requiring washing or cooking.
- (e) Packaged food shall not be stored in contact with water or undrained ice. Wrapped sandwiches shall not be stored in direct contact with ice.

- (f) Unless its identity is unmistakable, bulk food such as cooking oil, syrup, salt, sugar, or flour not stored in the product container or package in which it was obtained, shall be stored in a container identifying the food by common name.
- (g) Enough conveniently located refrigeration facilities or effectively insulated facilities shall be provided to assure the maintenance of potentially hazardous food at required temperatures during storage.
- (h) Each mechanically refrigerated facility storing potentially hazardous food shall be provided with a numerically scaled indicating thermometer or recording thermometer, accurate to plus or minus three degrees Fahrenheit ( 3 F.), which is:
  - (1) located to measure the air temperature in the warmest part of the facility; and
  - (2) located to be easily readable.
- (i) Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to an internal temperature of forty-five degrees Fahrenheit (45 F).
- (j) Potentially hazardous foods of large volume or prepared in large quantities which require refrigeration shall be rapidly cooled, utilizing such methods as shallow pans, agitation, quick chilling, or water circulation external to the food container so that the cooling period shall not exceed four (4) hours.
- (k) Frozen food shall be kept frozen and should be stored at a temperature of zero degrees Fahrenheit (0 F) or below.
- (l) Ice intended for human consumption shall not be used as a medium for cooling stored food, food containers, or food utensils.
- (m) Enough conveniently located hot food storage facilities shall be provided to assure the maintenance of food at the required temperature during storage. Each hot food facility storing potentially hazardous food shall be provided with a numerically scaled indicating thermometer or recording thermometer, accurate to plus or minus three degrees Fahrenheit ( 3 F), located to measure the air temperature in the coolest part of the facility and located to be easily readable. Where it is impractical to install thermometers on equipment, a product thermometer must be available and used to check internal food temperature.
- (n) The internal temperature of potentially hazardous foods requiring hot storage shall be one hundred forty degrees Fahrenheit (140 F) or above unless maintained in accordance with subsection (i).
- (o) Upon delivery, intact shell eggs shall be stored at an internal temperature of forty-five degrees Fahrenheit (45 F) or below.

#### SECTION 31 - "FOOD PREPARATION"

- (a) Food shall be prepared with the least possible manual contact, with suitable utensils and on surfaces that prior to use have been cleaned, rinsed, and sanitized to prevent cross-contamination.
- (b) Raw fruits and raw vegetables shall be thoroughly washed with potable water before being cooked or served.

- (c) Potentially hazardous foods being processed shall be cooked to heat all parts of the food to a temperature of at least one hundred forty degrees Fahrenheit (140 F), except that:
  - (1) poultry, poultry stuffings, stuffed meats, and stuffings containing meat shall be cooked to heat all part of the food to at least one hundred sixty-five degrees Fahrenheit (165 F) with no interruption of the cooking process; and
  - (2) pork and pork products shall be cooked to heat all parts of the food to at least one hundred fifty degrees Fahrenheit (150 F), or, if cooked in a microwave oven, to at least one hundred seventy degrees Fahrenheit (170 F).
- (d) Reconstituted dry milk and dry milk products may be used in instant desserts and whipped products, or for cooking and baking purposes.
- (e) Liquid, frozen, dry eggs, and egg products shall be used only for cooking and baking purposes.
- (f) Potentially hazardous foods that have been cooked and then refrigerated, shall be reheated rapidly to one hundred sixty-five degrees Fahrenheit (165 F) or higher throughout before being served or before being placed in a hot food storage facility. Steam tables, bainmaries, warmers, and similar hot food holding facilities are prohibited for the rapid reheating of potentially hazardous foods.
- (g) Nondairy creaming, whitening, or whipping agents may be reconstituted on the premises only when they will be stored in sanitized, covered containers not exceeding one (1) gallon in capacity and cooled to forty-five degrees Fahrenheit (45 F) or below within four (4) hours after preparation.
- (h) Metal stem-type numerically scaled indicating thermometers, accurate to plus or minus two degrees Fahrenheit ( 2 F), shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods.
- (i) Potentially hazardous foods shall be thawed:
  - (1) in refrigerated units at a temperature not to exceed forty-five degrees Fahrenheit (45 F);
  - (2) under potable running water of a temperature of seventy degrees Fahrenheit (70 F) or below, with sufficient water velocity to agitate and float off loose food particles into the overflow;
  - (3) in a microwave oven only when the food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven; or
  - (4) as part of the conventional cooking process.



## SECTION 32 - "FOOD DISPLAY AND SERVICE"

- (a) Intact shell eggs shall be displayed at an ambient temperature of forty-five degrees Fahrenheit (45 F) or below. Other potentially hazardous food shall be kept at an internal temperature of forty-five degrees Fahrenheit (45 F) or below or at an internal temperature of one hundred forty degrees Fahrenheit (140 F) or above during display and service, except that rare roast beef shall be held for service at a temperature of at least one hundred thirty degrees Fahrenheit (130 F).
- (b) Ice for consumer use shall be dispensed only by employees with scoops, tongs, or other ice-dispensing utensils or through automatic self-service, ice dispensing equipment. Ice dispensing utensils shall be stored on a clean surface or in the ice with the dispensing utensil's handle extended out of the ice. Between uses, ice transfer receptacles shall be stored in a way that protects them from contamination. Ice storage bins shall be drained through an air gap or an air break.
- (c) To avoid unnecessary manual contact with food suitable dispensing utensils shall be used by employees or provided to consumers who serve themselves.
- (d) Once served to a consumer, portions of leftover food shall not be served again except that packaged food, other than potentially hazardous food, that is still packaged and is still in sound condition, may be re-served.
- (e) Food on display shall be protected from consumer contamination by the use of packaging or by the use of easily cleanable counter, serving line or salad bar protector devices, display cases, or by other effective means. Enough hot or cold food facilities shall be available to maintain the required temperature of potentially hazardous food on display.
- (f) Re-use of soiled tableware by self-service consumers returning to the service area for additional food is prohibited. Beverage cups and glasses are exempt from this requirement.

## SECTION 33 - "PERSONNEL"

- (a) No person who has a communicable or infectious disease such as an open wound, an acute respiratory infection, or vomiting or diarrhea caused by an infection, shall work in a bed and breakfast establishment in any capacity in which epidemiological evidence indicates the person may spread the disease.
- (b) Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work, as often as is necessary to keep them clean, and after smoking, eating, drinking, or using the toilet. Employees shall keep their fingernails clean and trimmed.
- (c) The outer clothing of all employees shall be clean.
- (d) Employees shall consume food only in areas that will not result in contamination of other food, equipment, utensils, or other items needing protection.
- (e) Employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods in the bed and breakfast establishment.

#### SECTION 34 - "EQUIPMENT, UTENSILS; MATERIALS"

- (a) Multi-use equipment and utensils shall be constructed and repaired with safe materials, including finishing materials; shall be corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable, and durable under conditions of normal use. Single-service articles shall be made from clean, sanitary, safe materials. Equipment, utensils, and single-service articles shall not impart odors, color, or taste, nor contribute to the contamination of food.
- (b) If solder is used, it shall be composed of safe materials and be corrosion resistant.
- (c) Hard maple or other nonabsorbent material that meets the general requirements set forth in subsection (a) may be used for cutting blocks, cutting boards, salad bowls, and baker's tables. Wood may be used for single-service articles, such as chop sticks, stirrers, or ice cream spoons.
- (d) Safe plastic or safe rubber or safe rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition, crazing, chipping, and distortion, that are of sufficient weight and thickness to permit cleaning and sanitizing by normal dishwashing methods, and which meet the general requirements set forth in subsection (a) are permitted for repeated use.
- (e) Re-use of single-service articles is prohibited.

#### SECTION 35 - "EQUIPMENT, UTENSILS; DESIGN AND FABRICATION"

- (a) All equipment and utensils, including plastic-ware, shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, buckling, pitting, chipping, and crazing.
- (b) Food-contact surfaces shall be easily cleanable, smooth and free of breaks, open seams, cracks, chips, pits, and similar imperfections. Cast iron may be used as a food-contact surface only if the surface is heated, such as in grills, griddle tops, and skillets.
- (c) Indicating thermometers required for immersion into food or cooking media shall be of metal stem-type construction, numerically scaled, and accurate to plus or minus two degrees Fahrenheit ( 2 F).
- (d) Surfaces of equipment not intended for contact with food, but which are exposed to splash or food debris or which otherwise require frequent cleaning, shall be designed and fabricated to be smooth, washable, and readily accessible for cleaning, and shall be of such materials and in such repair as to be easily maintained in a clean and sanitary condition.
- (e) Ventilation hoods and devices shall be designed to prevent grease or condensation from collecting on walls and ceilings, and from dripping into food or onto food-contact surfaces. Filters or other grease extracting equipment shall be readily removable for cleaning and replacement if not designed to be cleaned in place.

- (f) Equipment that was installed in a bed and breakfast establishment prior to the effective date of this rule and does not fully meet all the design and fabrication requirements of this section, shall be deemed acceptable in that establishment if it is in good repair, capable of being maintained in a sanitary condition, and the food-contact surface are nontoxic. Replacement equipment and new equipment acquired after the effective date of this rule shall meet the requirements of this rule.

#### SECTION 36 - "EQUIPMENT, UTENSILS; INSTALLATION AND LOCATION"

- (a) Equipment, including ice makers and ice storage equipment, shall not be located under exposed or unprotected sewers or water lines, open stairwells, or other sources of contamination. This requirement does not apply to automatic fire protection sprinkler heads.
- (b) Equipment shall be installed in a manner which will facilitate the cleaning of the equipment and adjacent areas.

#### SECTION 37 - "EQUIPMENT, UTENSILS CLEANING AND SANITIZING"

- (a) Tableware shall be washed, rinsed, and sanitized after each use.
- (b) To prevent cross-contamination, kitchen ware and food-contact surfaces of equipment shall be washed, rinsed, and sanitized after each use and following any interruption of operations during which time contamination may have occurred.
- (c) Where equipment and utensils are used for the preparation of potentially hazardous foods the food-contact surfaces of equipment and utensils shall be washed, rinsed, and sanitized.
- (d) The food-contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil.
- (e) Nonfood-contact surfaces of equipment shall be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles, and other debris.
- (f) Cloths used for wiping food spills on tableware, such as plates or bowls being served to the consumer, shall be clean, dry, and used for no other purpose.
- (g) For manual washing, rinsing, and sanitizing of utensils and equipment, a sink with not fewer than two (2) compartments shall be provided and used. Sink compartments shall be large enough to permit the accommodation of the equipment and utensils, and each compartment of the sink shall be supplied with hot and cold potable running water. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments shall be washed and sanitized manually.
- (h) A method for the proper handling of soiled utensils prior to washing, and for cleaned utensils following sanitizing, shall be provided and located so as not to interfere with the proper use of the dishwashing facilities.
- (i) Equipment and utensils shall be preflushed or prescraped and, when necessary, presoaked to remove food particles and soil.
- (j) Sinks shall be cleaned prior to use.

- (k) Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing, and sanitizing shall be conducted in the following sequence for three (3) compartment sinks:
- (1) Equipment and utensils shall be thoroughly washed in the first compartment with a hot detergent solution that is kept clean.
  - (2) Equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment.
  - (3) Equipment and utensils shall be sanitized in the third compartment according to one of the methods included in subdivisions (m) (1) through (m) (5).
- (l) When a two-compartment sink is utilized for utensil and equipment washing, one of the following two methods shall be used:
- (1) Equipment and utensils shall be thoroughly cleaned in the first compartment with a hot detergent solution that is kept clean, and rinsed free of detergent with clean water in the second compartment, then the first compartment shall be drained and refilled for sanitization in accordance with subdivisions (m) (5).
  - (2) Equipment and utensils shall be thoroughly cleaned in the first compartment with a detergent-sanitizer solution that is kept clean and shall be sanitized in the second compartment in hot water in accordance with subdivision (m) (1), or with a solution containing the same detergent-sanitizer in accordance with subdivision (m) (2) through (m) (5). Sanitizers or detergent-sanitizers shall be of the type which do not require a fresh water rinse.
- (m) The food-contact surfaces of all equipment and utensils shall be sanitized by:
- (1) immersion for at least one-half (1/2) minute in clean, hot water at a temperature of at least one hundred seventy degrees Fahrenheit (170 F);
  - (2) immersion for at least one (1) minute in a clean solution containing at least fifty (50) parts per million of available chlorine as a hypochlorite and at a temperature of at least seventy-five degrees Fahrenheit (75 F);
  - (3) immersion for at least one (1) minute in a clean solution containing at least twelve and five-tenths (12.5) parts per million of available iodine and at a pH at which the efficacy has been demonstrated to be effective by the manufacturer and at a temperature of at least seventy-five degrees Fahrenheit (75 F);
  - (4) immersion in quaternary ammonium compound solutions that are of a concentration indicated by the manufacturers' label instructions, and shall be used only in water with five hundred (500) parts per million hardness or less;
  - (5) immersion in a clean solution containing any other chemical sanitizing agent approved by the Indiana State Department of Health that will provide the equivalent bactericidal effect of a solution containing at least fifty (50) parts per million of available chlorine as a hypochlorite at a temperature of at least seventy-five degrees Fahrenheit (75 F) for one (1) minute; or

- (6) rinsing, spraying, or swabbing with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution under subsection (m) (2), (3), and (5) of this section in the case of equipment too large to sanitize by immersion.
- (n) When hot water is used for sanitizing, the following facilities shall be provided and used:
- (1) An integral heating device or fixture installed in, or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least one hundred seventy degrees Fahrenheit (170 F).
  - (2) A numerically scaled indicating thermometer, accurate to plus or minus three degrees Fahrenheit (3 F), convenient to the sink for frequent checks of water temperature.
  - (3) Dish baskets of such size and design to permit complete immersion of the tableware, kitchenware, and equipment in the hot water.
- (o) When chemicals are used for sanitization, they shall not have concentrations higher than those specified by the manufacturer and a test kit or other device that accurately measures the parts per million concentration of the solution shall be provided and used.
- (p) Cleaning and sanitizing may be done by spray-type or immersion dishwashing machines or by any other type of machine or device if it is demonstrated that it thoroughly cleans and sanitizes equipment and utensils. These machines and devices shall be properly installed and maintained in good repair.
- (q) Drainboards and/or dishtables shall be provided and be of adequate size for the proper handling of soiled utensils prior to washing and for cleaned utensils following sanitization and shall be so located and constructed as not to interfere with the proper use of the dishwashing facilities.
- (r) Equipment and utensils shall be flushed or scraped and, when necessary, soaked to remove food particles and soil prior to being washed in a dishwashing machine.
- (s) Machines (single-tank, stationary-rack, door-type machines and spray-type glass washers) using chemicals for sanitization may be used provided that:
- (1) the temperature of the wash water shall not be less than one hundred twenty degrees Fahrenheit (120 F);
  - (2) the wash water shall be kept clean;
  - (3) chemicals added for sanitization purposes shall be automatically dispensed;
  - (4) utensils and equipment shall be exposed to the final chemical sanitizing rinse in accordance with manufacturers' specifications for time and concentration;
  - (5) the chemical sanitizing rinse water temperature shall not be less than seventy-five degrees Fahrenheit (75 F) nor less than the temperature specified by the machine's manufacturer;
  - (6) chemical sanitizers used shall meet requirements for safe usage; and

- (7) a test kit or other device that accurately measures the parts per million concentration of the solution shall be available and used.
- (t) Machines using hot water for sanitizing may be used provided that wash water and rinse water shall be kept clean and water shall be maintained at a temperature of not less than one hundred sixty degrees Fahrenheit (160 F) as measured by a maximum registering thermometer, thermolabel (temperature-sensitive tape), or other accepted method on the utensil contact surface.
- (u) All dishwashing machines shall be thoroughly cleaned at least once a day or more often when necessary to maintain them in a satisfactory operating condition.
- (v) After sanitization, all equipment and utensils shall be air dried.

#### SECTION 38 - "EQUIPMENT AND UTENSILS - STORAGE AND HANDLING"

- (a) Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Spoons, knives, and forks shall be touched only by their handles. Cups, glasses, bowls, plates, and similar items shall be handled without contact with inside surfaces or surfaces that contact the user's mouth.
- (b) Cleaned and sanitized utensils and equipment shall be stored above the floor in a clean, dry location in a way that protects them from contamination by splash, dust, and other means. The food contact surfaces of fixed equipment shall also be protected from contamination. Equipment and utensils shall not be placed under exposed sewers or water lines, except for automatic fire protection sprinkler heads.
- (c) Utensils shall be air dried before being stored or shall be stored in a self draining position.
- (d) Single-service articles shall be stored above the floor in closed cartons or containers which protect them from contamination and shall not be placed under exposed sewers or water lines, except for automatic fire protection sprinkler heads.
- (e) Single-service articles shall be handled and dispensed in a manner that prevents contamination of surfaces which may come in contact with food or with the mouth of the user.
- (f) The storage of food equipment, utensils, or single-service articles in toilet rooms or vestibules is prohibited.

#### SECTION 39 - "WATER SUPPLY"

- (a) A bed and breakfast establishment shall be provided with a safe, potable water supply through the use of a public water supply system if the water supply is reasonably available to the bed and breakfast establishment. If a public water supply system is not available, water shall be provided by a system approved by the local board.
- (b) The water for a bed and breakfast establishment shall be supplied under pressure. The water supply and distribution system shall be sized and constructed to deliver water at twenty (20) pounds per square inch minimum pressure to all fixtures and appurtenances during periods of peak water demand.

- (c) For bed and breakfast establishments which are not connected to public water supply and which have six (6) or fewer rooms for rent, the minimum distance between wells and buried pump suction lines and from sources of contamination shall be in accordance with the following:

Sewers and drains..... 50 feet

Exception: Sewers and drains of water work grade ductile iron pipe with mechanical joints of PVC pressure sewer pipe with an SDR rating of twenty-six (26) or less, having mechanical or compression joints, may be located within the fifty (50) foot distance. In no case, however, shall sewers be located closer than twenty (20) feet to dug and bored water supply wells nor closer than ten (10) feet to drilled and driven water supply wells or subsurface pump suction lines.

Septic tanks, soil absorption systems,  
wastewater treatment facilities, and privies..... 50 feet

Streams, lakes, ponds, ditches..... 25 feet

Property lines..... 50 feet

Exception: The distances enumerated herein shall be doubled for soil absorption systems constructed where there exist horizons, layers of strata within thirty-four (34) inches of the ground surface with a loading rate greater than seventy five hundredths (0.75) gallons per day per square foot as determined from Table V, Rule 410 IAC 6-8.1-49(d), unless that hazard can be overcome through system design.

- (d) For bed and breakfast establishments which are not connected to public water supply and which have more than six (6) rooms for rent, the minimum distance between wells and buried pump suction lines and from sources of contamination shall be in accordance with the following:

Sewers and drains..... 100 feet

Exception: Sewers and drains of water works grade ductile iron pipe with mechanical joints of PVC pressure sewer pipe with an SDR rating of twenty-six (26) or less, having mechanical or compression joints, may be located closer than thirty (30) feet to water supply wells or subsurface pump section lines.

Septic tanks, soil absorption systems,  
wastewater treatment facilities, and privies..... 100 feet

Streams, lakes, ponds, ditches..... 25 feet

Property lines..... 100 feet

Exception: The distances enumerated herein shall be doubled for soil absorption systems constructed where there exist horizons, layers or strata within thirty-four (34) inches of the ground surface which are classified by the U.S. Department of Agriculture, Soil Conservation Service, as "Severe due to poor filter" unless that hazard can be overcome through system design.

- (e) Water supplies shall have no well head, well casing, pump, pumping machinery, or exposed pressure tanks or suction pumping located in any pit, room, or space which is walled in or otherwise enclosed so that it does not have free drainage by gravity to the surface of the ground at all times.

- (f) All water supply wells shall be cased, and the annular space properly sealed, to a depth of at least twenty five (25) feet below finished grade. The casing pipe of any well shall project not less than twelve (12) inches above flood level, finished grade or the highest flood level of record, whichever is greater. No casing shall be cut off below grade except to install a pitless adapter.
- (g) Well pumps, pressure tanks, storage tanks, etc., shall be sized to meet peak water demands and total daily demands. The minimum usable capacity of the pressure tank, in gallons, shall be three times the installed well pump capacity, in gallons per minute. If the well or pump cannot meet peak demands, sufficient additional usable storage shall be provided to meet peak demands.
- (h) Wells and potable water distribution systems shall be disinfected after construction and after each repair. Before releasing the potable system for use, the water shall be tested and shown to be bacteriologically acceptable in at least two (2) consecutive samples collected twenty four (24) hours apart.
- (i) The water supply of a bed and breakfast establishment may not be constructed or altered until the plans for construction or alteration have been submitted to and approved by the local board.

#### SECTION 40 - "SEWAGE DISPOSAL"

- (a) A water carriage system of collecting sewage shall be used. A bed and breakfast establishment shall dispose of sewage through the use of a public sewerage system if the sewerage system is available within a reasonable distance from the bed and breakfast establishment.
- (b) If a public sewerage system is not available, all components of the sewage disposal collection and disposal system serving a bed and breakfast establishment with six (6) or fewer bedrooms shall be located in accordance with the provisions of 410 IAC 6-8.1-37(a).
- (c) If a public sewerage system is not available, all components of the sewage disposal collection and disposal system serving a bed and breakfast establishment with more than six (6) bedrooms shall be located in accordance with the provisions of 410 IAC 6-10 or applicable rules of the water pollution control board.
- (d) A sewage disposal system for a bed and breakfast establishment may not be constructed or altered until the following has been accomplished:
  - (1) Plans for construction or alteration of the septic tank-soil absorption system for a bed and breakfast facility with six (6) or fewer guest bedrooms have been forwarded to and approved by the local board in accordance with provision of 410 IAC 6-8.1-33.
  - (2) Plans for construction or alteration of the septic tank-soil absorption system for a bed and breakfast facility with more than six (6) guest bedrooms have been forwarded to and approved by the department's division of sanitary engineering in accordance with the provisions of 410 IAC 6-10-5.
  - (3) Plans for construction or alteration of any sewage disposal system other than a septic tank-soil absorption system have been forwarded to and approved by the commissioner of the department of environmental management under rules adopted by the water pollution control board.



#### SECTION 41 - "PLUMBING"

- (a) Plumbing shall be sized, installed, and maintained in accordance with 675 IAC 16. There shall be no cross-connection between the potable water supply and any nonpotable or questionable water supply nor any source of pollution through which the potable water supply might become contaminated.
- (b) A nonpotable water system is permitted only for purposes such as air-conditioning and fire protection and only if the system is installed according to law, and the nonpotable water does not contact, directly or indirectly, food, potable water equipment that contacts food, or utensils. The piping of any nonpotable water systems shall be durably identified so that it is readily distinguishable from piping that carries potable water.
- (c) The potable water system shall be installed to preclude the possibility of backflow. Devices shall be installed to protect against backflow and back siphonage at all fixtures and equipment where an air gap at least twice the diameter of the water supply inlet is not provided between the water supply inlet and the fixture's flood level rim. A hose shall not be attached to a faucet unless a backflow prevention device is installed.
- (d) If used, grease traps shall be located to be easily accessible for cleaning.
- (e) Drains shall be constructed in accordance with 675 IAC 16.

#### SECTION 42 - "TOILET FACILITIES"

- (a) Toilet facilities shall be installed in accordance with 675 IAC 16, shall be conveniently located, and shall be accessible to employees at all times.
- (b) Toilets and urinals shall be designed to be easily cleanable.
- (c) Toilet rooms shall be completely enclosed and shall have tight-fitting, solid doors, which shall be closed except during cleaning or maintenance.
- (d) Toilet fixtures shall be kept clean and in good repair. A supply of toilet tissue shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials.

#### SECTION 43 - "LAVATORY FACILITIES"

- (a) Lavatories shall be located to permit convenient use by all employees in food preparation areas and utensil-washing areas.
- (b) Lavatories shall be accessible to employees at all times.
- (c) Lavatories shall also be located in or immediately adjacent to toilet rooms or vestibules. Sinks used for food preparation or for washing equipment shall not be used for handwashing.
- (d) Each lavatory shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. Any self-closing, slow-closing, or metering faucet used shall be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet. Steam-mixing valves are prohibited.

- (e) A supply of hand-cleansing soap or detergent shall be available at each lavatory. A supply of sanitary towels or a hand-drying device providing heated air shall be conveniently located near each lavatory. Common towels are prohibited. If disposable towels are used, easily cleanable waste receptacles shall be conveniently located near the handwashing facilities.
- (f) Lavatories, soap dispensers, hand-drying devices, and all related fixtures shall be kept clean and in good repair.

#### SECTION 44 - "SOLID WASTE COLLECTION AND DISPOSAL"

- (a) Solid waste shall be kept in durable, easily cleanable, insectproof and rodentproof containers that do not leak and do not absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers, and they may be used for storage inside the food service establishment.
- (b) Containers used in food preparation and utensil washing areas shall be kept covered after they are filled.
- (c) Containers stored outside the establishment, and dumpsters, compactors, and compactor systems shall be easily cleanable, shall be provided with tight-fitting lids, doors, or covers, and shall be kept covered when not in actual use. In containers designed with drains, drain plugs shall be in place at all times, except during cleaning.
- (d) There shall be a sufficient number of containers to hold all the solid waste that accumulates.
- (e) Soiled containers shall be cleaned at a frequency to prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and out side in a way that does not contaminate food, equipment, utensils, or food preparation areas. Suitable facilities, including hot water and detergent or steam, shall be provided and used for cleaning operations shall be disposed of as sewage.
- (f) Solid waste on the premises shall be stored in a manner to make it inaccessible to insects and rodents. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing solid waste is prohibited. Cardboard or other packaging material not containing solid waste need not be stored in covered containers.
- (g) Solid waste shall be disposed of often enough to prevent the development of odor and the attraction of insects and rodents.

#### SECTION 45 - "INSECT AND RODENT CONTROL"

- (a) Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.
- (b) Openings to the outside shall be effectively protected against the entrance of rodents. Outside openings shall be protected against the entrance of insects by tight-fitting, self-closing doors, closed windows, screening, controlled air currents, or other means. Screen doors shall be self-closing and screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings to the outside shall be tight-fitting and free of breaks. Screening material shall not be less than sixteen (16) mesh to the inch.

#### SECTION 46 - "FLOORS"

- (a) Floors and floor coverings of all food preparation, food storage, and utensil-washing areas, shall be constructed of a smooth durable material and shall be maintained in good repair.
- (b) Carpeting, if used as floor covering, shall be of closely woven construction, properly installed, easily cleanable, and maintained in good repair.
- (c) Mats and duckboards shall be of nonabsorbent, grease resistant materials and of such size, design, and construction as to facilitate their being easily cleaned.

#### SECTION 47 - "WALLS AND CEILINGS"

- (a) Walls and ceilings, including doors, windows, skylights, and similar closures, shall be maintained in good repair.
- (b) The walls, including nonsupporting partitions, wall coverings, and ceilings of food preparation areas, equipment-washing and utensil-washing areas, shall be easily cleanable.
- (c) Studs, joints, and rafters shall not be exposed in food preparation areas, equipment-washing and utensil-washing areas, toilet rooms and vestibules. If exposed in other rooms or areas, they shall be finished to provide an easily cleanable surface.
- (d) Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the walls and ceilings.
- (e) Light fixtures, vent covers, wall-mounted fans, decorative materials, and similar equipment attached to walls and ceilings shall be easily cleanable and shall be maintained in good repair.
- (f) Wall and ceiling covering materials shall be attached and sealed so as to be easily cleanable.

#### SECTION 48 - "CLEANING PHYSICAL FACILITIES"

- (a) Cleaning of floors and walls, except emergency cleaning of floors, shall be done during periods when the least amount of food is exposed. Floors, mats, duckboards, walls, ceilings, and attached equipment and decorative materials shall be kept clean.
- (b) In new or extensively remodeled establishments, at least one utility sink shall be provided and used for the cleaning of mops and similar wet floor cleaning tools and for the disposal of mop water or similar liquid wastes. The use of lavatories, utensil-washing or equipment-washing, or food preparation sinks for this purpose is prohibited.

#### SECTION 49 - "LIGHTING"

- (a) Artificial light sources shall be installed to provide at least twenty (20) footcandles of light on all food preparation surfaces and at equipment or utensil-washing work levels.
- (b) Artificial light sources shall be installed to provide, at a distance of thirty (30) inches from the floor, at least ten (10) footcandles of light in all other areas. This shall also include dining areas during cleaning operations.

## SECTION 50 - "VENTILATION"

All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes. Ventilation systems shall be installed and operated in accordance with 675 IAC 18, and, when vented to the outside, shall not create and unsightly, harmful, or unlawful discharge.

## SECTION 51 - "POISONOUS OR TOXIC MATERIALS"

- (a) There shall be present in bed and breakfast establishments only those poisonous or toxic materials necessary for maintaining the establishment, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.
- (b) Containers of poisonous or toxic materials shall be prominently and distinctly labeled according to law for easy identification of contents.
- (c) Poisonous or toxic materials consist of the following categories:
  - (1) Insecticides and rodenticides.
  - (2) Detergents, sanitizers, and related cleaning or drying agents, and caustics, acids, polishes, and other chemicals.
- (d) Each of the preceding two categories of poisonous or toxic materials shall be stored and physically located separate from each other. All poisonous or toxic materials shall be stored in cabinets or in a similar physically separate place used for no other purpose. To preclude contamination, poisonous or toxic materials shall not be stored above food, food equipment, utensils, or single-service articles, except that this requirement does not prohibit the convenient availability of detergents or sanitizers at utensil or dishwashing stations.
- (e) Bactericides, cleaning compounds, or other compounds intended for use on food-contact surfaces shall not be used in a way that leaves a toxic residue on such surfaces or that constitutes a hazard to employees or other persons.
- (f) Poisonous or toxic materials shall not be used in a way that contaminates food, equipment, or utensils, nor in a way that constitutes a hazard to employees or other persons, nor in a way other than in full compliance with the manufacturer's labeling.
- (g) Personal medications shall not be stored in food storage, preparation, or service areas.
- (h) First-aid supplies shall be stored in a way that prevents them from contaminating food and food-contact surfaces.

## SECTION 52 - "PREMISES"

- (a) Bed and breakfast establishments and all parts of property used in connection with their operations shall be kept clean and free of litter.
- (b) Clean laundered bed sheets and pillow cases, shall be provided on each bed and shall be replaced by clean, freshly laundered sheets and pillow cases after the departure of each guest or lodger and prior to occupancy by the next guest.

- (c) Clean clothes and linens shall be stored in a clean place and protected from contamination until used.
- (d) Soiled clothes and linens shall be stored in nonabsorbent containers or washable laundry bags until removed for laundering.
- (e) Maintenance and cleaning tools such as brooms, mops, vacuum cleaners, and similar equipment shall be maintained and stored in a way that does not contaminate food, utensils, equipment, or linens and shall be stored in an orderly manner for the cleaning of that storage location.
- (f) Live animals, including birds and turtles, shall be excluded from within the food service, preparation, and food storage areas. This exclusion does not apply to edible fish, crustacea, shellfish, or to fish in aquariums. Patrol dogs accompanying blind persons, or persons with impaired hearing shall be permitted in dining areas.

#### **SECTION 53 - "OCCUPANCY REGISTER"**

- (a) The operator of each bed and breakfast establishment shall keep a register, entry book, or card filing system containing the names and addresses, including the street number, town or city, and state, of every individual occupying the premises or any part thereof, and the dates and time when occupied.
- (b) The register, entry book, or card filing system shall be kept open for inspection by the board, local board, or any law enforcement officer. It shall be maintained for every calendar year and may not be discarded or destroyed until the expiration of one (1) year after the calendar year for which it was maintained.

#### **SECTION 54 - "FRESH BEDDING"**

An owner, lessee, superintendent, or manager of a bed and breakfast establishment who furnishes beds and bedding for guests or lodgers shall provide each bed with the following:

- (1) Undersheets sufficiently large to cover completely the mattress on each bed.
- (2) Top sheets that are not less than ninety-nine (99) inches long and eighty-one (81) inches wide that may be folded over the blankets or other bed covering not less than two (2) feet.