3701-21-02.3   **Risk level of food service operations.**

The licensor shall determine the risk level based on the highest risk level activity of the food service operation in accordance with the following criteria:

(A) Risk level I poses potential risk to the public in terms of sanitation, food labeling, sources of food, storage practices, or expiration dates. Examples of risk level I activities include, but are not limited to, an operation that offers for sale or sells:

(1) Coffee, self-service fountain drinks, prepackaged non-time/temperature controlled for safety beverages;

(2) Pre-packaged refrigerated or frozen time/temperature controlled for safety foods;

(3) Pre-packaged non-time/temperature controlled for safety foods; or

(4) Baby food or formula.

A "food delivery sales operation" as defined in division (H) of section 3717.01 of the Revised Code shall be classified as a risk level I.

(B) Risk level II poses a higher potential risk to the public than risk level I because of hand contact or employee health concerns but minimal possibility of pathogenic growth exists. Examples of risk level II activities include, but are not limited to:

(1) Handling, heat treating, or preparing non-time/temperature controlled for safety food;

(2) Holding for sale or serving time/temperature controlled for safety food at the same proper holding temperature at which it was received; or

(3) Heating individually packaged, commercially processed time/temperature controlled for safety foods for immediate service.

(C) Risk level III poses a higher potential risk to the public than risk level II because of the following concerns: proper cooking temperatures, proper cooling procedures, proper holding temperatures, contamination issues or improper heat treatment in association with longer holding times before consumption, or processing a raw food product requiring bacterial load reduction procedures in order to sell it as ready-to-eat. Examples of risk level III activities include, but are not limited to:

(1) Handling, cutting, or grinding raw meat products;

(2) Cutting or slicing ready-to-eat meats and cheeses;

(3) Assembling or cooking time/temperature controlled for safety food that is immediately served, held hot or cold, or cooled;

(4) Operating a heat treatment dispensing freezer;

(5) Reheating in individual portions only; or

(6) Heating of a product, from an intact, hermetically sealed package and holding it hot.

(D) Risk level IV poses a higher potential risk to the public than risk level III because of concerns associated with: handling or preparing food using a procedure with several preparation steps that includes reheating of a product or ingredient of a product where multiple temperature controls are needed to preclude bacterial growth; offering as ready-to-eat a raw time/temperature controlled for safety meat, poultry product, fish, or shellfish or a food with these raw time/temperature controlled for safety items as ingredients; using freezing as a means to achieve parasite destruction; serving a primarily high risk clientele including immuno-compromised or elderly individuals in a facility that provides either health care or assisted living; or using time in lieu of temperature as a public health control for time/temperature controlled for safety food or performs a food handling process that is not addressed, deviates, or otherwise requires a variance for the process. Examples of risk level IV activities include, but are not limited to:

(1) Reheating bulk quantities of leftover time/temperature controlled for safety food more than once every seven days; or

(2) Caterers or other similar food service operations that transport time/temperature controlled for safety food.

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CERTIFIED ELECTRONICALLY
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Certification

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