



Resources for
**Opening
A Food
Premises**
in Simcoe Muskoka



**simcoe
muskoka**
DISTRICT HEALTH UNIT

Introduction



This document outlines the requirements with which food premises owners and operators are required to comply under the *Health Protection and Promotion Act (HPPA)* and the *Ontario Food Premises Regulation (FPR)*.

Every person who intends to operate a food premises in Simcoe Muskoka must comply with the requirements of the HPPA and the FPR. Operators shall notify the Simcoe Muskoka District Health Unit (SMDHU) of their intention to commence operating a food premises within the area and obtain approval from the health unit prior to opening. This requirement also applies to operators purchasing an existing food premises.

This document is organized into colour-coded sections that provide information on:

-  **Legislation**
-  **Basic food premises requirements**
-  **Steps prior to opening a food premises**
-  **Home-based business and online-based businesses**
-  **Inspection schedule**
-  **Inspection disclosure program**
-  **Mandatory food handler certification**
-  **Other considerations/Resources**

Contact your local municipality for information on business licences, building approval and zoning requirements.

Legislation



Health Protection and Promotion Act

In Ontario, the *Health Protection and Promotion Act (HPPA)* sets out the regulations, programs and protocols for food premises. All public health units are mandated to oversee and enforce regulations related to the storage, preparation and serving of food to the public.

Food Premises Regulation

A food premises is any place where food or milk is manufactured, processed, prepared, stored, handled, displayed, distributed, transported, sold or offered for sale.

Food premises are governed by the Ontario *Food Premises Regulation 493/17*. Sections include interpretation and application, operation and maintenance, cleaning and sanitizing and food handling. It is the responsibility of the food premises owner/operator, food handlers and employees to ensure all food is safe to eat.

For information and complete regulation requirements, please visit [ontario.ca/laws](https://www.ontario.ca/laws).

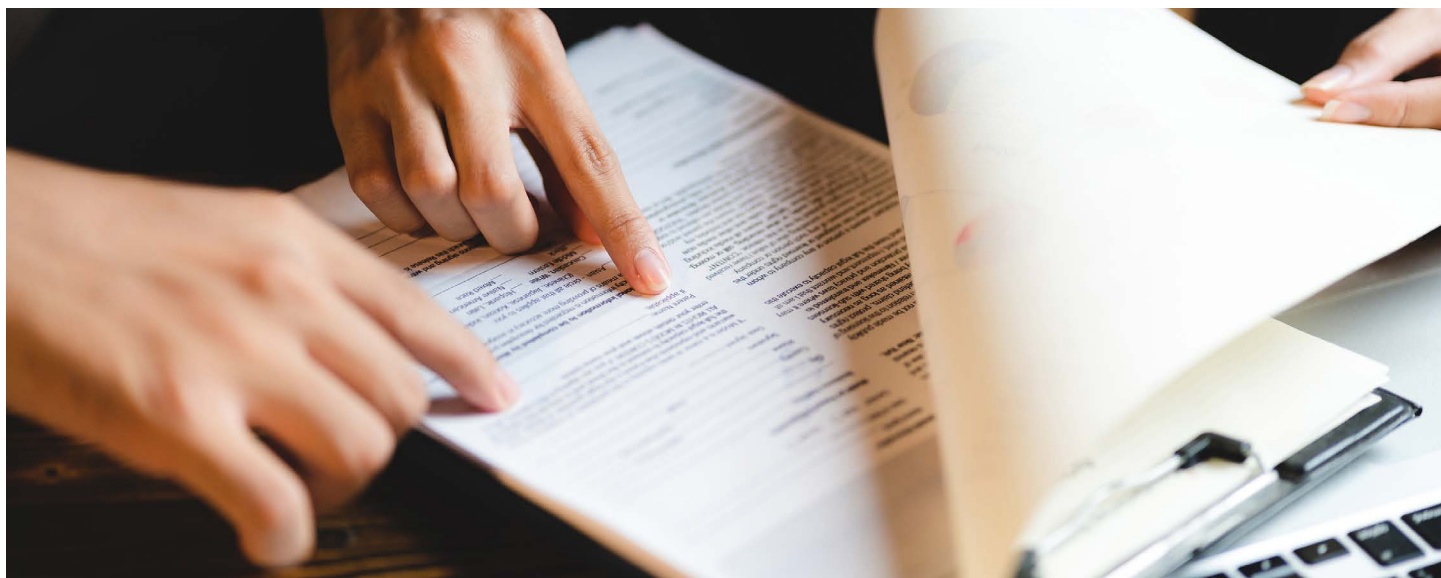
Supporting legislation

The Ontario *Food Premises Regulation* is supported by other Ontario legislation.

These include:

- *Ontario Public Health Standards, 2018*
- *Food Safety Protocol, 2019*
- *Operational Approaches for Food Safety Guideline, 2019*
- Food Premises Reference Document, 2019 (Ministry of Health (MOH))
- Reference Document for Safe Food Donation, 2020 (MOH)
- Food Premises Serving Low Risk and Prepackaged Food (MOH)
- Dogs and Food Premises (MOH)

Legislation



Before opening a food premises, complete the following steps:

Contact the following organizations to obtain information and any approval or required documentation:

- Municipality/town/city for building permits
- Municipality/town/city for zoning bylaws
- Municipality/town/city's fire marshal
- Alcohol and Gaming Commission of Ontario
- Canadian Food Inspection Agency (if processing food and labelling requirements)
- Ontario Ministry of Agriculture and Food (agriculture related food premises)

Provide SMDHU with the following information:

- a) Business information (e.g., business name, site address)
- b) Ownership information (e.g., owner/operator name, business/cell phone number and email)
- c) Corporate information (e.g., corporate name/number, corporate address, sole proprietor, partnership)
- d) Expected date of opening or reopening to the public
- e) Type of food premises

The Food Premises Commencement Notification form can be found on our [website](#).

Basic food premises requirements



Some of the key requirements within the Ontario *Food Premises Regulation* are outlined below. For complete requirements, please visit [ontario.ca/laws](https://www.ontario.ca/laws).

Inspected source

All food served to the public must be from an “inspected source”. Inspected sources include food premises inspected by public health inspectors, such as restaurants, supermarkets, bakeries and food processing plants (e.g., federally or provincially inspected facilities).

Food premises owners must maintain records of all food products purchased from an inspected source. These records will be accessed by the health unit in the event of a food-borne illness investigation and/or food recall. For manufactured meat products, the Ontario *Food Premises Regulation* requires records to be maintained at the premises for not less than one year from date of purchase.

Operation and maintenance

- A food premises must operate and be maintained in a manner such that it does not pose a health hazard.
- Any area where food is present cannot be used for sleeping purposes.
- The floors in the food preparation and dishwashing areas must be constructed of materials that are tight, smooth and non-absorbent and easily cleaned. This also includes washing and toilet fixtures.
- The floors, walls and ceilings in the food preparation areas are to be kept clean and in good repair.

- Garbage and wastes, including liquid wastes, shall be collected and removed from a food premise as often as is necessary to maintain the premise in a sanitary condition. The garbage area must be constructed and maintained to exclude insects and vermin and prevent odours and health hazards.
- Having a designated staff area for personal belongings is recommend.

Grease interceptors

All liquid waste (e.g., fats, oils, grease, etc.) from the operation of a food premises must be disposed in a sanitary manner. Grease interceptors are contained units designed to trap grease, oil, solids and other debris. They prevent these substances from getting into the sanitary sewer system.

Businesses that must have a grease interceptor include, but are not limited to:

- Bakeries
- Banquet centres
- Cafeterias (school and work)
- Coffee shops
- Food processing operations
- Grocery stores
- Hospitals
- Nursing and retirement homes
- Restaurants

Basic food premises requirements



Lighting

- ✓ A food premises must maintain adequate lighting during all hours of operation. Requirements for the levels of illumination are regulated under the Ontario Building Code. For more information, consult the local municipal building department in which you intend to operate the food premises.

Ventilation

- ✓ Ventilation must be maintained such that the premises does not become a health hazard. Specific ventilation requirements for washrooms and food preparation areas are regulated under the Ontario Building Code. For more information, consult the local municipal building department in which you intend to operate the food premises.

Equipment

- ✓ Any equipment used in the kitchen must be constructed such that it can be readily cleaned and sanitized.
- ✓ Equipment and utensils that come into direct contact with food must be corrosion-resistant, non-toxic and free from cracks, crevices and open seams.
- ✓ All food shall be stored on racks, shelves or pallets above the floor.

Water

- ✓ A supply of potable water adequate for the operation of the premises must be maintained on-site.
- ✓ Hot and cold, under pressure, running water must be provided in areas where food is processed, prepared or manufactured or utensils are washed.



Sinks

Handwashing sink

A separate handwashing sink must be provided in a convenient location in each food preparation area, with potable hot and cold running water, soap or detergent in a dispenser and clean single-service towels.

Dishwashers and sinks for cleaning and sanitizing equipment and utensils.

If multi-service equipment and utensils (e.g., reusable forks, plates, etc.) are to be used by patrons, one of the following is required:

- a) A three-compartment sink of adequate size for the manual wash, rinse and sanitizing procedure
- b) A commercial mechanical dishwasher equipped with temperature gauge; with either a high-temperature machine capable of reaching 82°C (180°F) or higher for 10 seconds, or a low-temperature machine with chemical sanitizing rinse
- c) A mechanical dishwasher that bears a certification from NSF International that certifies it for commercial use

Basic food premises requirements



For equipment and utensils too large to fit into a mechanical dishwasher, a two-compartment sink of adequate size must be available for the manual wash, rinse and sanitizing procedure. Adequate size means all equipment and utensils can be immersed in each of the sinks.

If single-service equipment and utensils (e.g., disposable forks, plates, etc.) are used by patrons, a two-compartment sink of adequate size for the manual wash, rinse and sanitizing procedure must be available for washing preparation equipment and utensils.

Food preparation sink

An additional sink may be required for food preparation depending on the nature of the food premises.

Janitorial/mop sink

A janitorial/mop sink is recommended for disposal.

Temperature and thermometers

- ✓ Refrigerators must be capable of keeping cold foods cold at 4°C (40°F) or less and freezers must keep frozen foods frozen.
- ✓ Adequate hot holding equipment is required to keep hot foods hot at 60°C (140°F) or above after cooking and/or reheating (e.g., steam table, etc.).
- ✓ An accurate, visible and conveniently located thermometer indicating the temperature is required in each cold, hot and frozen unit used for the storage of hazardous foods.

- ✓ An accurate probe thermometer that can be easily read is required to measure the internal temperature of hazardous foods (e.g., meat, fish).



Washroom facilities

- ✓ The number of handwash sinks, urinals and toilets required in washrooms is regulated under the Ontario Building Code. For more information, consult the local municipal building department in which you intend to operate the food premises.
- ✓ Every washroom facility must be equipped with a continuous supply of:
 - Potable, under pressure, hot and cold running water
 - Toilet paper
 - Liquid soap in a dispenser
 - Single-use paper towels or a hot air hand dryer
 - Durable, easy-to-clean receptacle for used towels and other waste material

Steps prior to opening a food premises



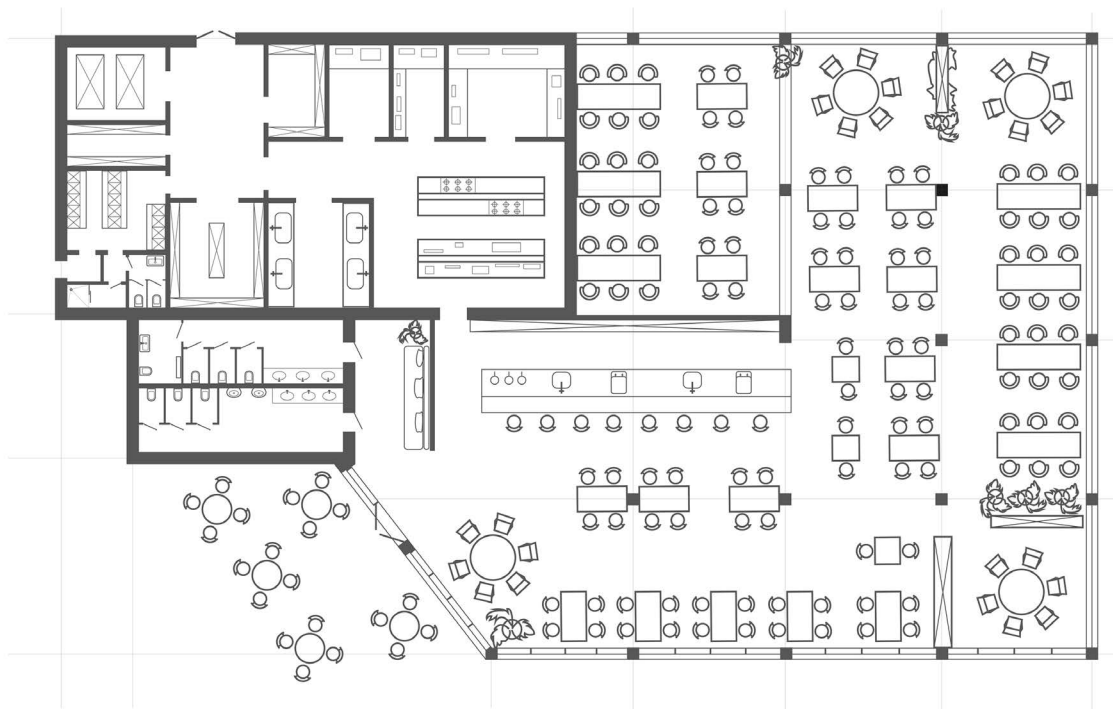
Contact SMDHU before the food premises opens to arrange a pre-opening inspection by a SMDHU public health inspector. The pre-opening inspection ensures the food premises complies with the Ontario *Food Premises Regulation*.

Submit scale drawings of the proposed floor plan for the food premises to a SMDHU office location or by email at hc.phi@smdhu.org.

A SMDHU public health inspector will review the floor plan to ensure it complies with the Ontario *Food Premises Regulation* and will contact you for further consultation.

The scale drawings must include:

- a. All room dimensions
- b. Location of all equipment
- c. Location of sinks (e.g., dishwashing, handwashing and janitorial)
- d. Locations of all washrooms
- e. Location of ventilation equipment
- f. Location of grease traps
- g. Description of materials to be used on floors, walls, ceilings, counters, shelves, etc.
- h. Location of well, if using a private or communal water supply and type of well (e.g., drilled or dug)
- i. Location of sewage system (if applicable)



Home based business and online based businesses



Home-based food businesses can use their home kitchen for the preparation of food for sale to the public provided that:

- The area where the food is prepared, handled, cooked and stored must comply with the *Ontario Food Premises Regulation*.
- If the home uses lake, well water etc, water samples must be taken before opening and routine samples throughout the operating year.
- A certificate of inspection "Proof of Public Health Inspection" is to be posted in a location instructed by the PHI.

The area must be approved by the local municipal zoning/bylaw department, municipal building department and municipal fire department.

Inspection Schedule



Public health inspectors inspect food premises based on the risk categorization of the premises. Using the province's standardized risk categorization, premises are scored based on profile and performance factors.

Profile factors:

- Type of operation
- Population served
- Extent of food handling

Performance factors:

- Past compliance history
- Food handler certification
- Food safety plans

The total score determines the level of risk and how often a premises is inspected.

- **High-risk premises:** a minimum of three times a year
- **Moderate-risk premises:** a minimum of two times a year
- **Low-risk premises:** a minimum of once a year
- **Low-risk premises:** a minimum of once every 2 years

Inspection disclosure program



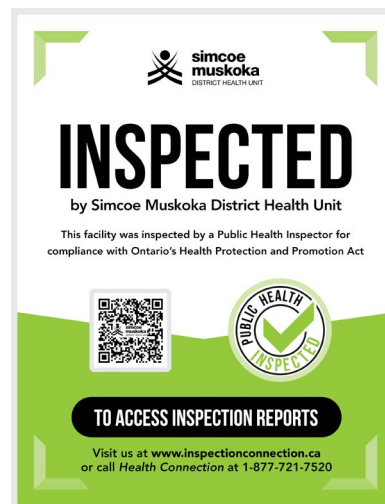
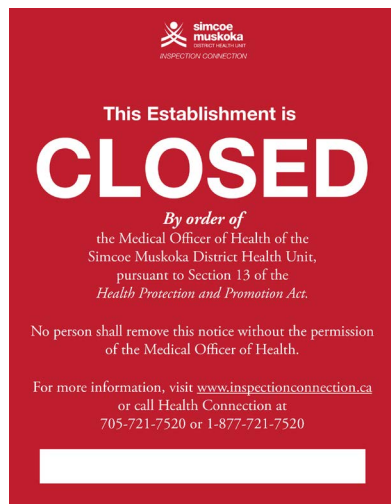
Under the *Food Safety Protocol, 2019*, it is mandatory for public health units in Ontario to publicly disclose a summary of its inspection findings. Inspection Connection is SMDHU's public health inspection reporting program that discloses the results of routine inspections, complaint inspections, re-inspections and any enforcement activities. Public health inspectors check a variety of establishments in Simcoe Muskoka to ensure they are meeting minimum public health requirements. To help individuals make informed decisions about which businesses they may want to visit, the inspection results are made available online.

The Inspection Connection program includes food establishments, small drinking water systems, recreational water facilities (i.e., public swimming pools), child care centres, recreational camps, and personal services settings, such as hair salons, tattoo studios and aesthetics. At the end of each routine inspection, complaint inspection and re-inspection, establishments are provided with a certificate of inspection or a green "Proof of Public Health Inspection" sign.

Establishments can post these signs by their main entrance or as instructed by a PHI.

During an inspection infractions may have been noted, however the number and/or type of infractions identified do not represent an immediate risk to the health of the public under the *Health Protection and Promotion Act*. A re-inspection may occur if infractions need to be corrected. Sometimes minor issues noted during the inspection do not have to be addressed until the next routine inspection. An establishment can still receive a green sign if there are infractions.

If any immediate health hazards are determined during an inspection, the SMDHU public health inspector will close the food premises if the health hazard cannot be mitigated at the time of the inspection. Where necessary, Provincial Offences Notices (tickets) under the *Provincial Offences Act* may be issued. A red "Closed" sign is given to food premises that pose an immediate health hazard to the public.



Mandatory Food Handler Certification



The Ontario *Food Premises Regulation* requires all food service premises to have a certified food handler onsite at all times.

A food service premises is any food premises where meals or meal portions are prepared for immediate consumption or sold or served in a form that will permit immediate consumption on the premises or elsewhere.

Examples include:

- Banquet halls
- Child care centres
- Convenience stores that sell potentially hazardous food items
- Delis
- Food take-outs
- Home and internet-based businesses
- Recreational camps
- Restaurants
- Supermarkets
- Special event vendors

The Regulation requires every operator of a food service premises to ensure that there is at least one food handler or supervisor on the premise during every hour in which the premise is operating and who has completed food handler training.

Information on how to obtain your Food Handler Certification can be found on our [website](#).



A list of recognized programs that meet the minimum requirements for food handler training and certification determined by the Ministry of Health is available on the Ministry's [website](#).

Other considerations for opening and operating a food premises



Renovations

If you are planning structural renovations on your food premises, contact SMDHU to speak with a public health inspector before beginning renovations, to ensure the changes comply with the Ontario *Food Premises Regulation*.

You will also need to contact your local municipality to schedule any additional inspections to ensure compliance with municipal codes (e.g., fire and building codes).

Well water

If the water supply used on the food premises is from a private well, lake, etc., the water must be tested and be free of total coliform and E. coli bacteria. A food premises may be classified under the Ontario *Small Drinking Water Systems Regulation*.

Healthy Menu Choices Act

Under the *Healthy Menu Choices Act, 2015*, all food service chains with 20 or more locations in Ontario must post the number of calories in the food and drink items on their menus or on display. This allows customers to make better-informed decisions about what they eat when dining out.

Premises include, but are not limited to:

- Coffee shops
- Fast-food chains
- Grocery and convenience stores
- Movie theatres
- Restaurants

To learn more about this legislation, please visit ontario.ca/CaloriesOnMenus.

If you have any questions, please visit smdhu.org/foodsafety, or call SMDHU **Health Connection** at 1-800-721-7520, weekdays between 8:30 a.m. to 4:30 p.m. to speak with a public health inspector.

You can also email hc.phi@smdhu.org about opening and/or renovating a food premises.

Other Resources

- *Smoke Free Ontario Act*
- Small Drinking Water System
- [Home Canning \(SMDHU\)](#)

Adapted with the permission of The Regional Municipality of York.