
CITY OF CHICAGO

RULES



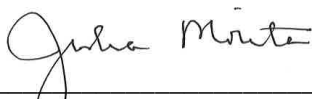
Low-Risk Food Establishments

Last Updated: November 22, 2016



BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC HEALTH PURSUANT TO SUBSECTION 7-42-015 OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES REGARDING LOW-RISK FOOD ESTABLISHMENTS ARE ADOPTED HEREIN.

By Order of the Commissioner:

Signed: 

Commissioner Julie Morita, M.D.

Date: November 22, 2016

Published: November 22, 2016

Effective: November 22, 2016

Chicago Board of Health Rules “Low-Risk Food Establishments”

Section 1. Scope and Purpose

The purpose of these rules is to establish a program by which low-risk food establishments shall self-certify compliance with the City of Chicago’s ordinances and rules related to food safety.

Section 2. Definitions

“CDPH” means the Chicago Department of Public Health.

“Low-risk food establishment” means a “Category III facility,” as that term is defined in 77 Illinois Administrative Code Part 750.10, and means a licensed food establishment that presents a low relative risk of causing food-borne illness, based upon few or no food handling operations typically implicated in food-borne illness outbreaks. Low-risk food establishments include those where the following operations occur:

- Only pre-packaged foods are available or served in the establishment, and any potentially hazardous foods available are commercially pre-packaged in an approved processing plant;
- Only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages, occurs at the establishment; or
- Only beverages (alcoholic and non-alcoholic) are served at the establishment.

“Self-certification program” means a program developed and implemented by CDPH to enable and require low-risk food establishments to self-certify compliance with Chapters 4-8, 7-38, 7-40 and 7-42 of the Municipal Code of Chicago and the rules promulgated by CDPH.

“Self-inspection form” means a form provided by CDPH or a third-party, whether in hard copy or online, that CDPH determines is appropriate for self-certifying compliance with the Municipal Code of Chicago and CDPH rules.

“Self-inspection report” means a report that a Low-risk food establishment submits to CDPH using a self-inspection form as provided in these rules.

Section 3. Participation Requirement and Timeframe

All Low-risk food establishments shall participate in the Self-certification program, and shall submit a Self-inspection report every two years as provided in these rules.

Section 4. Process

CDPH shall send notifications of program parameters and requirements to all Low-risk food establishments. Each notification will provide instructions for (a) accessing and completing the training to participate in the Self-certification program, and (b) submitting the Self-inspection report. The Self-inspection form will be accessible online at a web address to be established by CDPH, and will also be provided in hard copy upon request to Low-risk food establishments. A Low-risk food establishment may

submit its completed Self-inspection report online at CDPH's website, via e-mail, or via a mailed hard copy.

Section 5. Reporting and Review

The owner or operator of a Low-risk food establishment shall submit its Self-inspection report no less than thirty business days before the expiration of the Low-risk food establishment's City of Chicago business license and no more than three (3) business days after completing the self-inspection. From beginning to end, the inspection itself shall take no more than 24 hours to complete. CDPH shall review each Self-inspection report within 20 business days of receipt.

If there are no "critical" or "serious" violations (as defined in the Sanitation Practices in Food Establishment rules and/or any other CDPH rules), CDPH will issue a certificate of compliance.

If a Self-inspection report indicates that the Low-risk food establishment has committed one or more violations classified as "critical" or "serious" in the Sanitation Practices in Food Establishments rules and/or any other CDPH rules, CDPH may conduct an on-site inspection. CDPH may also require that the Low-risk food establishment submit additional information or correct any violations. CDPH will issue a certificate of compliance once CDPH determines all critical and serious violations have been corrected.

Section 6. Audit and Verification

CDPH shall audit a portion of the Self-inspection reports it receives, and shall establish a process for randomly selecting the Self-inspection reports selected for audit. When a Self-inspection report has been selected for audit, CDPH will conduct an on-site inspection of the associated Low-risk food establishment.

Nothing in these rules shall be construed to limit CDPH's authority to conduct on-site inspections in response to complaints or at CDPH's discretion.

Section 7. Penalty

A Low-risk food establishment's failure to timely submit a complete and accurate Self-inspection report as required in Section 3 of these rules shall subject the Low-risk food establishment to immediate license suspension as provided in Section 7-42-035 of the Municipal Code of Chicago.