

# Change of Ownership Notification

A change of ownership occurs when the owner of an already existing food establishment changes to a different individual, partnership, corporation, association, or other legal entity, AND:

- There will be no changes to the menu or equipment in the facility.
- There is no interruption of service of the ongoing operation. If the business closes for any amount of time, full plan review is required.
- It has been less than 30 days after the effective ownership change date. Changes of ownership in effect for 30 days or more will incur a greater fee per the Environmental Health Fee Schedule\*.

## Change of ownership information:

The new owner of the existing food establishment must submit a Change of Ownership Notification to inform the Health District of the change of ownership. A Permit Application\* is also required because permits are not transferable between owners. Applications can be submitted online, by mail, or in-person. Only complete forms will be accepted.

A Plan Review Application\* must be submitted in addition to the Change of Ownership Notification and Permit Application when there is an interruption of service of the ongoing operation and/or the new owner intends to change equipment, menu, commissary kitchen, or services offered. An establishment cannot reopen nor can intended changes be implemented until written approval is received.

At the time of a change of ownership, the establishment may need to be upgraded to meet the current facility requirements of the Washington State Retail Food Code. Your inspector will let you know which upgrades need to be made during the first routine inspection, which will occur within about 30 days from the effective date of the change of ownership. Certain upgrades may require submission of a Plan Review Application and associated fees.

Further change of ownership policy information can be found by visiting the Health District's [Existing Food Businesses & Changes of Ownership](#) webpage. Please contact the main line at (360) 728-2235 and ask to speak to the "food inspector of the day" if you have any questions.



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## **GLOSSARY OF TERMS**

**"Commissary"** is an approved, licensed food establishment where food is stored, prepared, portioned, or packaged for service elsewhere.

**"Food Code"** refers to Chapter 246-215 Washington Administrative Code, which is the set of regulations governing retail food establishments.

**"Health District"** means the Kitsap Public Health District.

**"Menu"** means the types of food that will be served and how they are prepared.

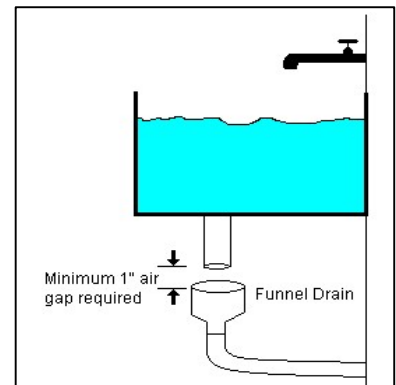
**"Plan review"** is the careful review of the proposed food establishment design, equipment, and menu by the Health District to ensure food items will be safely stored, prepared, and served before the operating permit is granted. Reviewers will ensure the establishment is designed for food safety. After you begin operating, plan review is required when you want to make changes within the establishment, menu, equipment, physical design, or service, including changing commissary kitchens.

## **FOOD SERVICE ESTABLISHMENTS- GENERAL & FACILITY REQUIREMENTS**

***Food service establishments must comply with the Washington State Retail Food Code (Chapter 246-215 Washington Administrative Code) and Food Service Regulations (Kitsap Public Health Board Ordinance 2022-02). The following sections address common problems encountered during inspections but are not comprehensive of all rules. Food service establishment operators are responsible for knowing and implementing the rules.***

### **PLUMBING**

- **Food contact equipment:** All equipment that has contact with food or food contact surfaces, such as food preparation sinks, ice machines, dishwashers, beverage ice sinks, soda machines, salad bars, dipper wells, and non-evaporator or condenser type refrigerator and freezer units, must be indirectly plumbed to the sewer (see diagram to right). Please refer to the Uniform Plumbing Code, Chapter 6, and the local Building Department for other requirements.
- **Carbonated beverage dispensing machines:** You must install a properly vented dual check valve device or an approved reduced-pressure backflow assembly between copper pipe/tubing and carbonated beverage dispensing machines.
- **Hoses:** If a hose is to be used to fill a mop bucket, a backflow prevention device must be installed on the hose bibb.



### **RESTROOMS**

- You must have an enclosed employee restroom within 200 feet of the establishment, with a hand wash sink within or immediately adjacent to the restroom. The sink must be in addition to the hand wash sinks required in food preparation areas. All hand wash sinks must have soap, paper towels, and warm running water.
- If you provide customer seating, restrooms for customers are required. These restrooms must be located so customers do not pass-through food preparation, food storage, or warewashing areas.

### **SINKS**

- **Hand washing sinks (required):** In addition to the hand wash sink in the restroom, a hand washing sink must be conveniently located **and** within 25 feet of each food preparation area. At all times, all hand wash sinks

must have soap, paper towels, warm running water, be available for use, and cannot be blocked. It is recommended that the faucet be gooseneck-style and the basin be large enough to fit both hands inside at the same time and allow hands to not touch the sides of the basin. Hand washing sinks can only be used for hand washing, and must have soap, paper towels, and warm running water. The soap and towel dispenser should be at the sink and not placed where a food worker would need to reach over clean, adjacent workspaces to reach them. A sign that notifies food employees to wash their hands must be provided at all hand washing sinks used by employees. You can print signs at the Washington State Department of Health's [website](#):

- Warewashing sinks (required): A three-compartment sink for manual dishwashing must be available, with an additional space to air dry dishes immediately adjacent to it. The sink compartments must be large enough to accommodate your largest piece of equipment that will need to be washed. Use of a commercial dishwasher is optional and does not negate the requirement for warewashing sinks.
- Service sink (required): A separate service or utility sink is required to supply and dispose of floor-cleaning water and wastewater. It must be located away from the food preparation areas. If a hose attached to the faucet will be used to fill a mop bucket, a vacuum breaker must be installed to prevent cross-connection to your clean water supply. Dumping wastewater into toilets or outside is *not* an alternative.
- Food preparation sink (may be required): A food preparation sink is required if washing, rinsing, soaking, draining, cooling, or thawing of food will be performed. It must be indirectly plumbed (see diagram on previous page) and cannot be used for any activity other than food preparation.
- Bar sink (may be required): If you serve liquor or espresso drinks, you may be required to have a designated dump sink in the bar area in addition to a hand washing sink.
- Commercial dishwasher (not required): Must provide a heat sanitizing cycle or an approved chemical sanitizing rinse and must be indirectly plumbed.
- Splash guards of sufficient height and depth must be provided around sinks where splashing may occur and contaminate an adjacent food contact surface or other sink.

#### FINISH SCHEDULE

- Walls, floors, and ceilings must be smooth, non-absorbent, durable, and easily cleanable. Holes, penetrations, or other damaged areas must be repaired and sealed. Fiber reinforced plastic (FRP) or other waterproof material is recommended on wall surfaces behind sinks and other areas exposed to moisture. Unsealed acoustic ceiling tiles are not allowed.
- You must install coving at floor-wall junctures; coving must be sealed and closed to no larger than one millimeter.
- Concrete floors are permitted if they are smooth and properly sealed.
- Wooden surfaces (e.g., doors, trim, shelves, cabinets, etc.) must be sealed or painted with glossy paint in restrooms and areas where food is prepared, stored, or served.

#### EQUIPMENT

- Refrigeration: Adequate refrigeration must be available to cool food and store food, including ensuring that raw meats are below or separate from ready to eat foods. Some units can only maintain foods at 41°F or less, while other refrigeration is able to cool hot food. Check with the manufacturer to learn the ability of each unit.
- Hot holding: Equipment must be able to maintain foods at an internal temperature of 135°F or more.
- Equipment must be commercial and NSF-approved or equivalent. Equipment cannot be located under sewage lines. Place equipment to allow easy cleaning on all sides and underneath.
- All utensils, display cases, tables, shelving, etc. must be made of non-toxic, non-corrosive materials that are constructed and finished so they can be easily cleaned.
- Fixed equipment is equipment that is not easily movable. It should be spaced to allow for cleaning on all sides. If equipment is to be placed next to other equipment or walls, it should be no more than one millimeter apart, or sealed to adjoining walls or equipment if spilling or seepage exposure is likely.

## GARBAGE

- All garbage, rubbish, and litter that accumulate in and around the food establishment must be stored in containers.
- Outdoor containers must have tight-fitting lids and should be kept closed to minimize pests.
- Dumpster service must occur often enough to prevent overflow outside of the garbage containers.

## LIGHTING AND VENTILATION

- Shatterproof shields or guards for lights in kitchen, bar, service, and dry storage areas must be installed.
- Lighting must provide 10- to 50-foot candle power, depending on the area it is lighting.
  - 10-foot candles in walk-in refrigeration units and dry storage areas.
  - 20-foot candles in warewashing and hand washing areas, restrooms, equipment and utensil storage areas, inside equipment (such as a reach-in refrigerator), and at points of consumer self-service.
  - 50-foot candles in areas where employees are working with food, equipment, or utensils.
- Ventilation systems must meet all local mechanical and fire codes.
- Ventilation hoods must be designed to prevent grease and condensate from dripping onto food or food contact surfaces. Filters must be easily removable for cleaning and replacement.

## MENU

- Special processes: There are some methods or processes that require Health District review and approval before a food establishment can begin using that special process. The processes may require special permission, a written plan of operation, a variance, or a Hazard Analysis Critical Control Point (HACCP) plan; additional paperwork and fees may apply. For some of the processes listed below, an additional annual permit and fee will be required. Approvals given to the previous owner to perform these processes may not be honored for the new owner. On the menu page, indicate if you are interested in performing any of the following processes:
  - Non-continuous cooking
  - Using time as a public health control
  - Grill marking
  - Unattended hot holding or cooking
  - Parasite destruction for sushi/ sashimi
  - Growing sprouts
  - Molluscan shellfish tanks
  - Cook-chill
  - Sous vide
  - Smoking food for preservation rather than flavor (more than 7 days of shelf life is considered preservation)
  - Reduced oxygen packaging ("vacuum packing")
  - Custom processing animals
- Consumer advisory: When raw or undercooked meats, eggs, aquatic foods, or unpasteurized juices, milk, or cheeses are offered as ready-to-eat, a consumer advisory statement must be posted to inform consumers that the foods pose a health risk because they are not processed to eliminate pathogens. Menu items to which the advisory applies must be individually asterisked on the menu.
  - The consumer advisory shown on your menu can be one of the following statements:
    1. "Regarding the safety of these items, written information is available upon request;"
    2. "Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs might increase your risk of foodborne illness;" or
    3. "Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs might increase your risk of foodborne illness, especially if you have certain medical conditions."

- If you plan to serve fresh, unfrozen finfish such as halibut or salmon that are partially cooked, you can serve the items only upon consumer request.
  1. A separate consumer advisory from the one described above will need to be added to your menu and should state “Regarding the safety of consuming fresh, partially cooked fish, information is available upon request.”
  2. We highly recommend you reach out to your inspector for menu review to ensure consumer advisories are correct on your menu before you print them.

## MISCELLANEOUS

- **Immediately following the change of ownership effective date, ensure the following are in place and available for your inspector during inspections:**
  - A verifiable training log or other plan that shows food workers have been trained on employee health/illness information.
  - Written procedures for the clean-up of vomit and diarrhea in your establishment.
  - Signage placed in a conspicuous place for customer viewing that lets them know how to access inspection reports.
- **Required by March 1, 2023:** A staff member must hold a Certified Food Protection Manager Certification for applicable establishment types. Call us at 360-728-2235 if you need help determining if this requirement pertains to your food establishment.
- Chemicals must be stored below or separate from food, food equipment, utensils, and single service articles.
- No one may use tobacco or vaping products inside the food establishment, nor within 25 feet of windows, doors, or air intakes.
- No one may eat in food preparation or storage areas. A drink can be in these areas if it is closed or covered; covered cups with a straw are acceptable.
- Storage areas for personal items must be separate from food preparation and storage areas.
- Employees that access their phones or handle money or garbage during food preparation or food service have contaminated their hands or gloves. They will need to remove gloves (if applicable) and properly wash their hands prior to resuming food service.
- Adequate shelving to store all food, cleaned and sanitized equipment, utensils, and single service items at least six inches off the floor must be available.
- Thin-probed thermometers that measure from 0°F to 220°F must be available and used at appropriate times (when cooking, cooling, reheating, cold holding, or hot holding food).
- Thermometers must be available in all refrigerators and freezers, placed near the door in an easily monitored position. These thermometers are measuring the temperature of the air in the unit, not the internal temperature of the food; therefore, they should only be used as an indicator and not a substitute for obtaining the internal temperatures of food.
- Sneeze guards or other protection methods must be implemented to protect open food from customer contamination.
- Pest entry: If doors and windows to the outside are kept open, they must be screened to prevent pest entry. Pest entry must be minimized by closing and filling gaps along floors, walls, ceilings, windows, and doors.
- Unattended cooking, such as overnight cooking, is not allowed unless a plan of operation is submitted to and approved by your inspector.

\*Applications, forms, policies, regulations, and the Environmental Health Fee Schedule can be found at [Kitsap Public Health District's Food & Living Environment](#) webpage.



# Food Service Establishment Application

SUBMITTAL DATE	REVIEW FEE	MEMO NUMBER	INVOICE / TRANSACTION NUMBER	CUSTOMER ID NUMBER

FOOD SERVICE ESTABLISHMENT INFORMATION		
<i>Establishment name</i>	<i>Establishment phone</i>	
<i>Establishment street address (Mobile units/caterers leave address blank)</i>		
<i>City</i>	<i>State</i>	<i>Zip code</i>
<i>Unified Business Identifier (UBI #)</i>		
<i>Effective date of change of ownership</i>		

NEW OWNER INFORMATION		
First and last name	Contact phone	
Mailing street address		
City	State	Zip code
Email address		
Food establishment owned by:		
<input type="checkbox"/> Association <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Other		

*If there are multiple owners, list the other owners' names here. The main owner who will be our point of contact should be the one listed above.*

*Interpreter needed:*

☐ No    ☐ Yes    If yes, language(s) needed:

*Are you planning on making any changes to the menu, equipment, commissary, or services offered?*

☐ No ☐ Yes If yes, changes cannot be implemented until approval in writing is issued. Plan review may be required for intended changes. Consult with inspector.

Did the establishment close between owners for any period of time?

☐ No   ☐ Yes   If yes, this is not considered a change of ownership. The establishment must go through full plan review.

*By signing this document, I certify that the information provided is true and accurate to the best of my knowledge. I attest that I will:*

- ✓ Comply with the requirements of Chapter 246-215 Washington Administrative Code and Kitsap Board of Health Ordinance 2022-02.
- ✓ Not be making any changes to the menu or equipment in the facility and that there has not been an interruption of service of the ongoing operation.

Owner/ Applicant name printed

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*Owner/ Applicant signature*

Date \_\_\_\_\_

## FOOD ESTABLISHMENT FLOORPLAN

Include architectural plans or draw kitchen with kitchen area dimensions in the space below. Attach extra sheets if needed. For revised floor plans, highlight all proposed changes.

- Ensure all sinks are included and labeled- Hand washing, food preparation, 3-compartment, dump, and service sinks. Indicate which sinks will be indirectly drained by writing "ID" next to them.
- Ensure equipment is included and labeled- Refrigerators, freezers, steam tables, prep tables, etc.
- Ensure all important facility features are included and labeled: Restrooms and bar, service, & storage areas, etc.
- If serving out of a cart, booth, etc., include the floor plan (attach an additional sheet).

## PROPOSED MENU

Attach a menu or list each menu item in the space below. Put an asterisk ( \* ) next to each menu item to which a consumer advisory will apply. For grocery stores, provide a list of goods that will be offered for sale.