**Section 750.10 Definitions**

"Assessment of knowledge" means a written or an online evaluation of a student's achievement in a food handler training course.

"Category I facility" means a food establishment that presents a high relative risk of causing food-borne illness, based on the large number of food handling operations typically implicated in food-borne outbreaks and/or the type of population served by the facility. Category I facilities include those where the following operations occur:

Potentially hazardous foods are cooled, as part of the food handling operation at the facility;

Potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;

Potentially hazardous cooked and cooled foods must be reheated;

Complex preparation of foods or extensive handling of raw ingredients with hand contact for ready-to-eat foods occurs as part of the food handling operations at the facility;

Vacuum packaging, other forms of reduced oxygen packaging, or other special processes that require an HACCP plan; or

Immunocompromised individuals, such as the elderly, young children under age four and pregnant women are served, in a facility in which these individuals compose the majority of the consuming population.

"Category II facility" means a food establishment that presents a medium relative risk of causing food-borne illness, based upon few food handling operations typically implicated in food-borne illness outbreaks. Category II facilities include those where the following operations occur:

Hot or cold foods are held at required temperatures for no more than 12 hours and are restricted to same-day services;

Foods are prepared from raw ingredients, using only minimal assembly; and

Foods that require complex preparation (whether canned, frozen or fresh prepared) are obtained from approved food-processing plants, high-risk food service establishments or retail food stores.

"Category III facility" means a 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. Category III facilities include those where the following operations occur:

Only potentially hazardous foods commercially pre-packaged in an approved processing plant are available or served at the facility;

Only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages, occurs at the facility; or

Only beverages (alcoholic and non-alcoholic) are served at the facility.

"Certified food service manager or supervisor" means a person certified in compliance with Section 750.540.

"Cottage food operation" means a person who produces or packages non-potentially hazardous food in compliance with Section 4 of the Food Handling Regulation Enforcement Act.

"Entity" means a business, non-profit organization, institution or certified local health department.

"Food employee" or "food handler" means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces. "Food employee" or "food handler" does not include unpaid volunteers in a food establishment, whether permanent or temporary.

"Food establishment" means an operation that:

stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption, such as a restaurant, satellite or catered feeding location, catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people, market, vending location, conveyance used to transport people, institution or food pantry; and

relinquishes possession of food to a consumer directly, or indirectly, through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

Food establishment includes:

an element of the operation, such as a transportation vehicle or a central preparation facility, that supplies a vending location or satellite feeding location, unless the vending or feeding location is permitted by the regulatory authority; and

an operation that is conducted in a mobile, stationary, temporary or permanent facility or location. This inclusion applies regardless of whether consumption is on or off the premises and whether there is a charge for the food.

Food establishment does not include:

an establishment that offers only prepackaged foods that are not time/temperature controlled for safety;

a produce stand that only offers whole, uncut fresh fruits and vegetables;

a food processing plant, including those that are located on the premises of a food establishment;

a kitchen in a private home, such as a small family daycare provider or a bed and breakfast operation as defined in the Bed and Breakfast Act that prepares and offers food to guests;

a private home that receives catered or home delivered food; a closed family function where food is prepared or served for individual family consumption; or

a cottage food operation.

"Full time" means 30 hours per week or the length of time the facility is in operation, whichever is less.

"Hazard Analysis Critical Control Point Program" or "HACCP" means a food safety management system to identify, evaluate and control food safety hazards.

"Plumbing fixture", as defined in Section 890.l20 of the Illinois Plumbing Code, means:

approved, installed receptacles, devices or appliances that are supplied with water or that receive or discharge liquid or liquid-borne waste, with or without discharge of the waste into the drainage system to which they may be directly or indirectly connected;

an installed appurtenance to the potable water supply system that makes available intended potable water, or a receptor that receives and discharges liquids or liquid-borne waste either directly or indirectly into the drainage system; or

a permanent appendage usually designed as a receptacle and intended to receive or discharge liquid or liquid-borne waste to a drainage system.

Industrial or commercial tanks, vats and similar processing equipment are not plumbing fixtures, but they may be connected to, or discharged into, approved traps or plumbing fixtures.

"Plumbing system" *means the water service, water supply and distribution pipes; plumbing fixtures and traps; soil, waste and vent pipes; building drains; including their respective connections, devices and appurtenances*. (Section 2 of the Illinois Plumbing License Law)

"Potentially hazardous food" means time/temperature control for food safety.

"Proctor" means a person who is approved by a national examination provider to administer examinations and who monitors students during an examination.

"Regulatory authority" means the State and/or local enforcement authority or authorities having jurisdiction over the food service establishment.

"Repeat violation" means a violation noted on the previous inspection report that is not corrected during the time of the inspection and that is observed again on the next routine imspection on the same piece of equipment, same area of the facility or same practice.

*"Restaurant" means any business*, or type of food service establishment, *that is primarily engaged in the sale of ready-to-eat food for immediate consumption.* For the purpose of this definition, *"primarily engaged" means having sales of ready-to-eat food for immediate consumption comprising at least 51% of the total sales, excluding the sale of liquor.* (Section 3.06 of the Food Handling Regulation Enforcement Act)

"Voluntary inspection" means an inspection of meat or poultry products that are not subject to the federal or State meat or poultry inspection laws, and for which the federal or State mark of inspection is requested.

(Source: Amended at 40 Ill. Reg. 9532, effective June 29, 2016)