**Section 750.115 Applicabilit**y

a) This Part shall apply to all food establishments.

b) As incorporated in 750.110, the Department hereby adopts and incorporates by reference the FDA 2022 Food Code into this Part for regulating the design, construction, management, and operation of food establishments. The following Chapters and Sections are incorporated into this Part:

1) Chapter 1 Purpose and Definitions;

2) Chapter 2 Management and Personnel;

3) Chapter 3 Food;

4) Chapter 4 Equipment, Utensils, and Linens;

5) Chapter 5 Water, Plumbing, and Waste;

6) Chapter 6 Physical Facilities;

7) Chapter 7 Poisonous or Toxic Materials; and

8) Only the following portions of Chapter 8 Compliance and Enforcement are incorporated by reference:

A) 8-1 Code Applicability

8-103 Variances

i) 8-103.10 Modifications and Waivers;

ii) 8-103.11 Documentation of Proposed Variance and Justification; and

iii) 8-103.12 Conformance with Approved Procedures.

B) 8-2 Plan Submission and Approval

8-201 Facility and Operating Plans

i) 8-201.13 When a HACCP Plan is Required; and

ii) 8-201.14 Contents of a HACCP Plan.

c) The following terms as defined in Chapter 1, Section 1-201.10 are not incorporated into this Part:

1) "Food employee"; and

2) "Food establishment".

(Source: Added at 48 Ill. Reg. 5339, effective March 22, 2024)