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§21–324.

(a) (1) The floors, walls, ceilings, sidewalks, furniture, receptacles, implements, and machinery of or in any food establishment shall be kept in a clean and sanitary condition at all times.

(2) (i) The design and construction of existing equipment in food establishments shall be accepted by the Department, if the existing equipment:

1. Complied with the Department's standards that prevailed at the time of the installation;

2. Accomplishes its intended and required function in the establishment;

3. Is cleanable;

4. Is free of hazardous materials and toxic food contact surfaces; and

5. Is in good repair.

(ii) The Department shall establish guidelines for the replacement of failed existing equipment.

(b) Any vehicle that is used to transport food or from which any food is sold shall be kept in a clean and sanitary condition at all times.

(c) A condition that is unclean and unsanitary exists whenever any of the following occurs:

(1) Any food in the process of manufacture, preparation, packing, canning, freezing, storing, sale, distribution, or transportation is not protected as far as practicable from flies, filth, and any foreign or injurious contamination;

(2) Refuse, dirt, or waste products subject to decomposition and fermentation that are incident to the manufacture, preparation, packing, canning, freezing, storing, sale, distribution, or transportation of food are not removed daily, or at a frequency required by the Department;

(3) Any receptacle, chute, platform, rack, table, shelf, utensil, or machinery used in moving, handling, cutting, chopping, mixing, canning, freezing, or processing food is not kept clean;

(4) The clothing or body of any individual employed in the establishment,

place, or vehicle is not kept as clean as the nature of the employment permits;

(5) The food establishment lacks an adequate supply of potable water; or

(6) The food establishment lacks an adequate sewage disposal facility.

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