

RESOLUTION 24-147

September 10, 2024

RESOLUTION AUTHORIZING THE HEALTH
COMMISSIONER AND STAFF TO TAG AND
PROHIBIT USE OF ANY ARTICLE THAT PRESENTS
A PUBLIC HEALTH HAZARD AND IS USED IN A
RETAIL FOOD ESTABLISHMENT OR A FOOD
SERVICE OPERATION

WHEREAS, in accordance with Section 901:3-4-12 of the Ohio Administrative Code, the procedures for cease use must be followed when tagging equipment in a Retail Food Establishment and Food Service Operation;

WHEREAS, any article such as a utensil, material or piece of equipment may be removed from use in a retail food establishment or a food service operation by the licensor if the article presents a public health hazard;

WHEREAS, for the purposes of this rule, a public health hazard is presented by an article whose use can reasonably be expected to result in the contamination or adulteration of a food product based upon its state of repair, cleanliness, location, or construction. The licensor may tag any such article and prohibit the article's use by the license holder;

WHEREAS, a tag removing an article from use shall state the reason for the article's removal from use, and either state the provisions for returning the article to use or the disposition of the article if the article cannot be satisfactorily reconditioned. No license holder shall remove or permit to be removed, a tag without the permission of the licensor;

WHEREAS, any action that may be taken by a licensor of this rule may be taken by a health commissioner or other person employed by the licensor if the person or health commissioner is authorized by the licensor to take the action; and

WHEREAS, this resolution supports Retail Food Standards Compliance.

Now, therefore, upon motion of Board Member _____,
seconded by Board Member _____,

BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF HEALTH, BOARD MEMBERS;

1. That the Board authorizes the Health Commissioner and food service inspectors to tag and prohibit use of any article that presents a public health hazard in Retail Food Establishments and Food Service Operations.
2. This resolution shall be in full force and effect immediately upon its adoption.

Voting Aye Thereon:

Board Members
Franklin County Board of Health

Voting Nay Thereon:

Board Members
Franklin County Board of Health