



Compliance Requirements and Conditions of Retention

IDAHO ADMINISTRATIVE PROCEDURES ACT (IDAPA) 16.02.19

IDAHO FOOD CODE, Section 8-3 PERMIT TO OPERATE

REQUIREMENT

8-301.11 Prerequisite for Operation

A person may not operate a FOOD ESTABLISHMENT without a valid PERMIT to operate issued by the REGULATORY AUTHORITY.^{Pf}

APPLICATION PROCEDURE

8-302.11 SUBMISSION 30 CALENDAR DAYS BEFORE PROPOSED OPENING

An applicant shall submit application for a PERMIT at least 30 days before the date planned for opening a FOOD ESTABLISHMENT or **the expiration date of the current PERMIT for an existing facility.**

IDAPA 16.02.19.830 Application for a License

02. Food License Expiration. The LICENSE for an Idaho FOOD ESTABLISHMENT expires on December 31st of each year.

03. Renewal of License. A renewal application and LICENSE fee must be submitted to the REGULATORY AUTHORITY by December 1st of each year for the next calendar year starting January 1st.

06. License is Non-transferable. A LICENSE may not be transferred when ownership changes, according to Section 8-304.20, of the 2013 Food Code. The new owner must apply for their own LICENSE.

CONDITIONS OF RETENTION

8-304.11 Responsibilities of the Permit Holder

Upon acceptance of the PERMIT issued by the REGULATORY AUTHORITY, the PERMIT HOLDER in order to retain the permit shall:

(A) Post the PERMIT in a location in the FOOD ESTABLISHMENT that is conspicuous to CONSUMERS;

(B) Comply with the provisions of this Code including the conditions of a granted VARIANCE as specified under § 8-103.12, and APPROVED plans as specified under § 8-201.12;

(C) If a FOOD ESTABLISHMENT is required under § 8-201.13 to operate under a HACCP PLAN, comply with the plan as specified under § 8-103.12;

(D) Immediately contact the REGULATORY AUTHORITY to report an illness of a FOOD EMPLOYEE or CONDITIONAL EMPLOYEE as specified under § 2-201.11 (B);

(E) Immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist as specified under § 8-404.11;

(F) Allow representatives of the REGULATORY AUTHORITY access to the FOOD ESTABLISHMENT as specified under § 8-402.11.

(G) Replace existing facilities and EQUIPMENT specified in § 8-101.10 with facilities and EQUIPMENT that comply with this Code if:

(1) The REGULATORY AUTHORITY directs the replacement because the facilities and EQUIPMENT constitute a public health HAZARD or nuisance or no longer comply with the criteria upon which the facilities and EQUIPMENT were accepted,

(2) The REGULATORY AUTHORITY directs the replacement of the facilities and EQUIPMENT because of a change of ownership, or

(3) The facilities and EQUIPMENT are replaced in the normal course of operation;

(H) Comply with directives of the REGULATORY AUTHORITY including time frames for corrective actions specified in inspection reports, notices, orders, warnings and other directives issued by the REGULATORY AUTHORITY in regard to the PERMIT HOLDER'S FOOD ESTABLISHMENT or in response to community emergencies;

(I) Accept notices issued and served by the REGULATORY AUTHORITY according to LAW; and

(J) Be subject to the administrative, civil, injunctive, and criminal remedies authorized in LAW for failure to comply with this Code or a directive of the REGULATORY AUTHORITY, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives.

(K) Notify customers that a copy of the most recent establishment inspection report is available upon request by posting a sign or placard in a location in the food establishment that is conspicuous to customers or by another method acceptable to the REGULATORY AUTHORITY.

8-304.20 Permits Not Transferable

A PERMIT may not be transferred from one PERSON to another PERSON, from one FOOD ESTABLISHMENT to another, or from one type of operation to another if the FOOD operation changes from the type of operation specified in the application as specified under ¶ 8-302.14(C) and the change in operation is not APPROVED.