

Minnesota Food Code Equipment Requirements

GUIDANCE FOR ASSISTED LIVING FACILITIES

Food-contact surfaces

A food-contact surface is a surface of equipment or utensil that directly contacts food. Food-contact surfaces also include a surface of equipment or utensil from which food may drain, drip or splash, such as an interior of a reach-in cooler.

Food-contact surfaces must be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program.

Food-contact surfaces must be:

- Safe
- Durable, corrosion-resistant and nonabsorbent
- Sufficient in weight and thickness to withstand repeated warewashing
- Finished to have smooth, easily cleanable surface
- Resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition

Examples of activities requiring approved food-contact surfaces include:

- Chopping, cutting or mixing raw foods
- Cooking foods using equipment such as grills, deep fryers, flat tops, or ovens
- Assembling foods such as sandwiches or salads
- Storing equipment before and after warewashing
- Other activities creating splash, food soiling or requiring frequent cleaning

Equipment

Equipment means an article that is used in a food establishment such as a freezer, grinder, hood, ice maker, mixer, oven, reach-in refrigerator, sink, slicer, stove, table, vending machine, warewashing machine, grill, and fryer.

General equipment requirements

Some equipment must be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program. This includes:

- Manual warewashing sinks

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- Mechanical warewashing equipment
- Mechanical refrigeration units except reach-in or chest freezers
- Walk-in freezers
- Food hot-holding equipment
- Cooking equipment, except microwave ovens and toasters
- Ice machines
- Mechanical slicers
- Mechanical tenderizers and grinders
- Food preparation surfaces including sinks used for preparation

If there is no certification or classification for sanitation by an ANSI accredited certification program for a piece of equipment, the equipment must:

- Be designed for commercial use.
- Be durable, smooth, and easily cleanable.
- Be readily accessible for cleaning.
- Have food-contact surfaces that are not toxic.

Most common ANSI accredited certification programs

There are several certifying groups that meet this requirement. Their mark must be visible on each piece of equipment. It will also be found in the written equipment specifications.

Certifying Group	Mark
NSF International (NSF)	
Intertek Marked "ETL Sanitation."	
Underwriters Laboratory (UL) Marked "Classified UL EPH."	
Canadian Standards Association (CSA) Marked "CSA Sanitation to NSF/ANSI."	

Certifying Group	
Baking Industry Sanitation Standards Committee (BISSC) Marked "Certified BISSC."	

Exhaust hoods

Exhaust hoods must meet the requirements in the Minnesota Mechanical Code, Minnesota Rules, chapter 1346.

Exemptions

Equipment that is certified or classified by an ANSI accredited certification program is not required in the following scenarios:

- Neighborhood kitchens that are typically used for resident activities such as popping corn or baking cookies and for serving meals prepared in a primary approved kitchen. This exemption does not apply if the activity produces grease or moisture buildup.
- Adult care centers, childcare centers or boarding establishments are exempt if they receive approval from the regulatory authority. Operations must be limited to:
 - Menus that do not include time/temperature control for safety (TCS) food (see below) OR
 - Prepare TCS food only for same day service (see below).

Time/temperature control for safety food (TCS)

Time/temperature control for safety food (TCS) means a food that requires time and/or temperature control for safety to limit pathogenic microorganism growth or toxin formation.

The definition of TCS food is based on the following characteristics of the food:

- pH, or acidity
- Water activity (aw)
- Interaction of pH and aw
- Heat treatment
- Packaging

Examples of TCS food

- Food from animal origin that is raw, cooked or partially cooked, such as eggs, milk, meat, or poultry
- Food from plant origin that is cooked such as rice, potatoes, and pasta

- Food from plant origin such as raw seed sprouts, cut melons, cut tomatoes, and cut leafy greens
- Mixtures including cut tomatoes or garlic-in-oil, unless modified to prevent growth of disease-causing bacteria or formation of toxins

Same day service

Foods that go through the temperature danger zone only once are classified as Same Day Service. These foods are prepared and served the same day they are prepared. Leftovers are not cooled and stored for future use.

Examples of same day service:

- Sandwiches or salads that are assembled the same day they are served
- Casserole, meat, or soup that is cooked and served the same day; no leftovers are kept, and nothing is prepared in advance
- Food catered from an approved source and served the same day it is received

Temperature Danger Zone

The temperature danger zone is the temperature range at which disease-causing bacteria grow best in time/temperature control for safety food (TCS) is called the temperature danger zone.

Temperature danger zone is between 41°F and 135°F.

TCS food must pass through the temperature danger zone as quickly as possible.

Keep hot food hot and cold food cold. Always use a thermometer to check food temperatures.

Thermometers

Using a food thermometer is the only reliable way to ensure safety and to determine the proper temperatures of meat, poultry, and egg products. To be safe, these foods must be cooked to a safe minimum internal temperature to destroy any harmful microorganisms that may be in the food.

It is important to use an accurate thermometer designed for the right purpose. Thermometers must have a small diameter probe for measuring the temperatures of foods with thin masses such as meat patties and fish fillets. Bi-metallic stem thermometers may only be used with thick foods such as a large pot of chili or a roast.

Frequently Asked Questions

What is ANSI?

The American National Standards Institute (ANSI) is a private non-profit organization that accredits the process of developing voluntary consensus standards for products, services, processes, and systems in the United States. Equipment that is required to be certified or classified for sanitation must be done so by a program accredited by ANSI for food service equipment as stated in 4626.0506A.

Is any existing equipment allowed? What about in establishments that serve ten or fewer individuals that were previously allowed to use non-NSF equipment (pre-2019)?

4626.1685, Public Health Protection, still allows for existing equipment that was in use before September 9, 1998 and provides criteria for the regulatory agency to consider in assessing whether the equipment is acceptable. Item D requires a documented agreement for the replacement of the equipment.

For existing establishments that were previously exempted from NSF equipment requirements based on serving ten or fewer individuals, their timeline for compliance depends on when the equipment was originally put into use. If it was put into use after September 9, 1998, the recommendation is that the inspector write an order at the next regular inspection, and work with the operator on a timeline that is reasonable based on risk and condition of the existing equipment.

Can non-certified equipment be used if it is designated “for household use only”?

Yes, if it is not on the list of equipment in 4626.0506 A. Note that all other food code provisions for equipment apply.

What are the finish requirements for Neighborhood Kitchens?

Neighborhood kitchens are typically used for low-risk activities for the residents to participate in (e.g., popping popcorn, baking cookies, etc.) and for service of meals prepared in the facilities’ primary kitchens. They may be built to appear like a domestic or home kitchen. Floor, wall, and ceiling surfaces must be smooth and easily cleanable. Painted sheetrock may be acceptable in some instances. Cabinetry and equipment should be on 6” legs or casters, although in limited circumstances, hollow bases could be filled to eliminate pest harborage areas.

Can an adult daycare center cook raw chicken on domestic equipment and hold it hot for service that afternoon OR use a crockpot?

Yes, although a regulatory agency could use their discretion to not approve it according to 4626.0506 Item G:

G. A food establishment that is an adult or childcare center or boarding establishment does not need to comply with item A ***if approved by the regulatory authority*** and the food establishment:

- (1.) Serves only non-TCS food; or
- (2.) Prepares TCS foods only for same day service

Resources

[Minnesota Food Code Rule, Chapter 4626](https://www.revisor.mn.gov/rules/4626/)
(<https://www.revisor.mn.gov/rules/4626/>)

[Minnesota Department of Health Food Business Safety](http://www.health.state.mn.us/foodbizsafety)
(www.health.state.mn.us/foodbizsafety)

[Minnesota Department of Health Food Service Construction Guide](https://www.health.state.mn.us/communities/environment/food/docs/license/feconstguide.pdf)
(<https://www.health.state.mn.us/communities/environment/food/docs/license/feconstguide.pdf>)

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