

FREQUENTLY ASKED QUESTIONS

[When do you need an FSO license fact sheet?](#) (located on the handout section of the website)

1. What determines the amount for a license fee?

License fees are determined by risk level. The higher the risk level, the higher the license fee.

2. What are the levels of risk?

Risk Level I: Main concern: general sanitation, food labeling, sources of food, storage temperature control, and expiration dates.

Examples: Pre-packaged non-perishable foods; non-perishable beverages (packaged, fountain, coffee); pre-packaged refrigerated and/or frozen perishable foods; and baby food and formula.

Risk Level II: Main concern: Level 1 concerns. Additionally - hand contact, employee health. Permits handling of perishable foods where there is little or no potential for pathogen growth.

Examples: Baking of non-potentially hazardous (non-perishable) foods; bulk displays of unwrapped non-potentially hazardous foods; re-packaging of non-potentially hazardous foods; manufacturing of confectionary products; maintaining hot and cold potentially hazardous foods at proper holding temperature until service or retail sale; manufacture and bagging of ice for retail sale.

Risk Level III: Main concern: Level 1 and 2 concerns. Additionally - proper cooking temperatures, proper cooling procedures, proper holding temperatures, contamination issues and/or improper heat treatment in association with longer holding times before consumption, or processing a raw food product requiring bacterial load reduction procedures in order to sell it as a ready-to-eat food.

Examples: Heat treatment dispensing freezer; processing of produce for ready-to-eat sell, cutting and grinding of meat products; slicing of lunch meat; cook/serve; cook/cool; cook/hot hold; cook/cool/cold hold; reheat in individual portions only; heating of a product from an intact hermetically sealed package and held hot.

Risk Level IV: Main concern: Level 1, 2 and 3 concerns. Process controls (without a variance). Additionally - handling or preparing food using a procedure with several preparation steps where multiple temperature controls are needed to preclude bacterial growth; offering raw, potentially hazardous meat, poultry product, fish, shellfish, or a food with these raw potentially hazardous items as ingredients as a ready-to-eat-food; using freezing as a means to achieve parasite destruction; serving a primarily high-risk clientele including immuno-compromised or elderly individuals in a facility that provides either health care or assisted living; or using time in lieu of temperature as a public health control for potentially hazardous food.

Examples: Cook/cool/reheat/hot hold, cook/hold/cool/reheat (with or without additional ingredients being added); time in lieu of temperature; re-heating bulk quantities of potentially hazardous foods more than once every seven days; transporting potentially hazardous foods as a catering food service operation; reduced oxygen packaging; a food production process requiring a variance from Ohio Department of Health or Ohio Department of Agriculture; selling of oyster, clam, or mussels from shellfish tanks; smoking for preservation; use of additives for preservation; juice pressing; custom processing, etc.

3. What is the difference between a food service operation and a retail food establishment?

A food service operation (FSO) is a place, location, site, or separate area where food intended to be served in individual portions is prepared or served for a charge, including donations. A retail food establishment (RFE) is a premises or part of a premise where food is stored, processed, prepared, manufactured, or otherwise held or handled for retail sale.

4. I am getting ready to open a new grocery store or restaurant. Do I need to go through plan review?

Yes. A plan review process is required for all newly constructed food facilities and mobile food units to ensure they are constructed in compliance with all applicable food regulations. To begin the plan review process you must complete a [plan review application](#) (*link to the plan review application*) and submit the appropriate [plan review fee](#) (*link to the plan review page*). Once plans are approved you can apply for a food operation license. **Please contact the Health District at 937-374-5606 or 1-866-858-3588 for further information.**

4. I am getting ready to remodel my grocery store or restaurant. Do I need to go through plan review?

Yes. A plan review process is required for all remodeled food facilities and mobile food units to ensure they are constructed in compliance with all applicable food regulations. To begin the plan review process you must complete a plan review application (*link to the plan review application*) and submit the appropriate plan review fee (*link to the plan review page*). All newly remodeled areas must be inspected prior to being placed into service. **Please contact the Health District at 937-374-5606 or 1-866-858-3588 for further information.**

5. What is a time/temperature control for safety (TCS)/potentially hazardous food?

A TCS/potentially hazardous food is a food that requires time or temperature control to limit pathogenic microorganism growth or toxin formation. TCS/potentially hazardous food includes an animal food that is raw or heat-treated; plant food that is heat-treated or consists of raw seed sprouts, cut melons, cut tomatoes, or garlic in oil. Examples: cooked vegetables, beef, chili, soups, deli meats, ice cream, and salsa.

6. What is a ready-to-eat food?

A ready-to-eat food is a food that can be consumed without washing, cooking, or additional preparation by the food service operation, retail food establishment, or the consumer.

7. How do I file a complaint against a restaurant or grocery store?

Please contact the Health District at 937-374-5606 or 1-866-858-3588 or complete the [complaint form](#) (*link to the environmental health programs page*). To register a complaint you must know the address or the property and be able to give specific information on the complaint. The complaint will be investigated by the Environmental Staff.

8. Can I cook food at home to bring into my restaurant to serve?

Usually not; **all** food that a licensed facility prepares or offers for sale must come from an approved source. Approved sources include: licensed restaurants, grocery stores, wholesalers, cottage food operations and Ohio Department of Agriculture registered home bakeries.

9. I have a refrigerator at home. Can I bring it in to my store and use it to store food?

All equipment must be commercial grade and meet the applicable standards of a recognized food service equipment testing company. All equipment must be constructed and installed in accordance with the Ohio Food Code.

10. If I have a license for a location in Xenia, can I use that same license for a second location?

No. A food license is only valid for the address listed. Each operation is required to have a separate food license. Each separate serving area in the same building is also required to have a separate food license.

11. How long is a food license good for?

Food service operations, retail food establishments and mobile food units must renew their licenses annually by March 1st each year. Temporary food service licenses are valid for up to five (5) consecutive days. No more than ten (10) temporary licenses are allowed per organization per year.

12. Are licenses transferable?

No. Licenses are not transferable in Greene County.

13. Do I have to apply for a temporary food license in advance?

Yes. Appropriate forms and fees should be submitted 3 days prior to the event. [Click here](#) (*link to the temporary page*)

14. My kids want to sell lemonade. Do they need a permit?

No. A license is not required if the stand is on the premises of a private home and operated by children under the age of 12 and the food served is not perishable.

15. I want to open a bed and breakfast. Do I need a permit?

If a private home that is operated as a bed and breakfast that prepares and serves food to guests is owner occupied, the number of available guest rooms does not exceed six (6), breakfast is the only meal offered, and the number of guest served does not exceed sixteen (16), then a license is not required. Otherwise, a license may be required. **Please contact the Health District at 937-374-5606 or 1-866-858-3588 for further information.**

16. What do I need a temporary license for?

Please refer to the [Temporary Food Service Operation Guidelines brochure](#) (*link to temporary page*) for a list of perishable food products requiring a Temporary FSO/RFE license in order to be sold. **If you have any questions please contact the Health District at (937) 374-5606 or (866) 858-3588.**