

SOUTH DAKOTA DEPARTMENT OF HEALTH  
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FOOD SERVICE ESTABLISHMENT GUIDELINES  
ARSD 44:02:07

1. **LAYOUT PLANS MUST BE SUBMITTED TO THE DEPARTMENT OF HEALTH FOR APPROVAL AT LEAST 30 DAYS PRIOR TO THE BEGINNING OF ANY NEW CONSTRUCTION OR MAJOR RENOVATIONS.** Plans should be drawn to a recommended scale of ¼" = 1 foot. Any new or extensively renovated food service establishment which is more than 4000 square feet must have layout plans that are stamped by a professional engineer or architect. No food service license will be issued without the approval of the floor plan. SDCL 34:18:23.
2. **PRIVATE SEWER SYSTEMS WHICH SERVE A FOOD SERVICE ESTABLISHMENT MUST BE APPROVED BY THE SD DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR).** Prior to submitting a food service license application, prospective owners/operators must contact DENR at 773-3351 or 773-3651 and provide the necessary information as required by the department for a complete review of the sewer system. Food Service establishments utilizing private sewer systems must have the system approved by DENR. ARSD 44:02:07:65.
3. **WATER SUPPLY: ALL PRIVATE DRINKING WATER SUPPLIES MUST BE OF A SAFE, SANITARY QUALITY AND FROM AN APPROVED SOURCE.** Water samples must be submitted to an EPA-certified laboratory on a monthly basis and must meet minimum drinking water standards, Chapter 74:04:05 of DENR Administrative Rules. The test results from these samples must be provided to the Health Protection Program. Sample bottles may be secured from the State Health Laboratory by calling 773-3368. There is a fee for each sample analysis. ARSD 44:02:07:64.
4. **FLOORS, WALLS AND CEILINGS:** All floors, walls, and ceilings shall be constructed of smooth, nonabsorbent, and easily cleanable material. Carpeting cannot be used as a covering in kitchen areas, utensil-washing areas, food storage areas, or in toilet rooms around urinals or toilet fixtures nor can floors be covered with sawdust or compound during regular operating hours. All floor wall junctures should be covered and sealed. Walls in kitchen areas should be light-colored. Concrete, brick or pumice blocks used for interior wall construction shall be finished and sealed to provide a smooth, flat, easily cleanable surface. Wood paneling or wallpaper is not approved as a wall covering in kitchen or utensil-washing areas. Acoustical tile materials used for ceiling shall be free of perforations and fissures or other indentations and must be non-absorbent and easily cleanable. A one-hour rated fire retardant wall must be provided behind the cooking area (5/8" fire retardant sheetrock on both sides of the wall is equivalent to one hour requirement). ARSD 44:02:07:66 and 77.
5. **EXHAUST SYSTEM:** All kitchen equipment producing smoke, steam vapors, or excessive heat must be covered by an exhaust system which includes metal filters for collection of grease which are readily removable for cleaning and replacement if not designed to be cleaned in place. All hood ventilation systems must be vented directly to the outside. Some types of equipment requiring exhaust systems shall include grills, fryers, stoves, dish machines, steam kettles, broasters, pizza ovens, etc. Ventilation systems shall be designed and installed according to the following codes: 1994 Uniform Building Code, 1994 Uniform Mechanical Code and 1991 National Fire Protection Association (NFPA 96) and, when vented to the outside, shall not create an unsightly or harmful discharge. Hood systems shall extend a minimum of 6" over all sides of the cooking equipment. Variations in hood systems must be approved by the Health Department or the State Fire Marshall (773-3562). Hood systems over equipment which develop open flames during cooking or use hot cooking oil for frying shall be equipped with a fire extinguishing or ansul system. ARSD 44:02:07:49 and 79:.
6. **EQUIPMENT:** All equipment shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, buckling, pitting, chipping, and crazing. All equipment shall be easily cleanable. Equipment requiring disassembly for cleaning shall be done so on a regular basis using simple tools such as mallet, wrench or screwdriver which should be kept available near the equipment. Equipment designed for in-place cleaning shall be self draining or capable of being completely evacuated. Floor-mounted equipment unless easily movable shall be sealed to the floor or elevated on legs at least 6" above the floor. Table mounted equipment which is not portable should be sealed to the table or counter or elevated on legs to provide at least a 4" clearance between the equipment and table or counter top. Unless sufficient space is provided for easy cleaning between, behind and above each unit of fixed equipment, the space between it and adjoining equipment units and adjacent walls or ceiling shall not be more than 1/32 inch. ARSD 44:02:07:45, 46, 47, 48, 49, 50, 53, & 54.

7. **LIGHTING:** Permanently fixed artificial lights shall be installed to provide at least 50 foot-candles of light on all food preparation surfaces. Also, at least 20 foot-candles of light shall be provided in utensil storage areas, handwashing areas, utensil-washing areas, and restrooms. At least 10 foot-candles of light must be provided in food storage areas including storerooms and walk-in coolers. All lights in the food preparation area, dishwashing area, walk-in cooler, food display area, service area or anyplace where open food items are stored or displayed must be shielded to protect against broken glass contaminating the food or utensil should the artificial light be broken. ARSD 44:02:07:78.
8. **HAND LAVATORY:** A separate hand lavatory shall be provided in the food preparation area, utensil washing area, toilet rooms, and any additional areas where foods are prepared or dispensed. The hand lavatories shall be conveniently located and easily accessible by all employees. Hot and cold water provided through a mixing faucet, hand cleansing soap and sanitary towels or a hand-drying device providing heated air shall be conveniently located near each lavatory. Additional hand lavatories may be needed depending on the size and design of the food service operation as determined by the health authority. ARSD 44:02:07:68 & 69.
9. **ADEQUATE DISHWASHING AND UTENSIL WASHING FACILITIES MUST BE PROVIDED.** These may consist of either a commercial dishwasher or a three-compartment sink. When a commercial dishwasher is used it shall meet all requirements as stated in ARSD 44:02:07:58. When a three-compartment sink is used, it shall be of adequate size to accommodate the establishments largest utensil requiring cleaning. It shall be provided with an attached drainboard of at least 18" in length and the entire width of the sanitizing rinse sink. A dish table or counter space may be substituted for a drainboard for the dirty utensil storage area prior to beginning the cleaning and sanitizing procedure. A three compartment sink is also recommended in all establishments employing a commercial dishwashing unit. This will allow the compartment to operate should the dishwashing unit become inoperative and will allow for better cleaning and sanitizing of large utensils. ARSD 44:02:07:56, 57, & 58.
10. **PREP SINK/VEGETABLE SINK:** A separate prep sink or vegetable sink must be provided whenever food preparation procedures require washing, soaking, or rinsing of food items. The sink must be plumbed with a physical air break on the drain. ARSD 44:02:07:34, 56 (8) & 70.
11. **UTILITY/JANITORS SINK:** In new or extensively remodeled establishments at least one mop sink or janitors sink shall be provided and used for disposal of mop water or similar liquid wastes and for the cleaning of mops of similar wet floor cleaning tools. ARSD 44:02:07:71.
12. **PLUMBING:** All plumbing shall be installed in accordance with the South Dakota Plumbing Code ARSD 20:54 and 1996 National Standard Plumbing Code. Special attention shall be given to the prevention of back siphonage by using appropriate anti-siphon devices or vacuum breakers and by installing proper physical air gaps on dipper wells, ice machines and ice storage bins, dishwashers, culinary and food preparation sinks, and all other similar equipment. Dipper wells will be required for storage of ice cream scoops or in-use dispensing utensils. ARSD 44:02:07:66 & 67.
13. **RESTROOMS:**
  - a. The number of restroom facilities shall comply with ARSD 20:54 and 1996 National Standard Plumbing Code.
  - b. Toilet rooms shall be completely enclosed and shall have tight fitting, self-closing, solid doors which shall be closed except during cleaning and maintenance.
  - c. Each restroom must be provided with mechanical ventilation. Separate hand lavatories shall be provided. A covered waste receptacle shall be provided in the restrooms.
  - d. Hot and cold running water through a mixing faucet must be provided at each lavatory. Also hand cleanser and either paper towels, roll cloth towels or a hand drying device must be provided near the lavatories. ARSD 44:02:07:68, 69 & 72.
  - e. The Americans With Disabilities Act (ADA) became law in July 1990. This Act requires owners of public accommodations to provide facilities or services that are accessible to disabled individuals. This Act is enforced by the US Justice Department.
14. **ELECTRICAL:** All electrical wiring in the kitchen area shall be installed in accordance with the 1996 National Electrical Code. Electrical outlets with Ground Fault Interrupters should be provided around utensil washing, food preparation and hand sinks. ARSD 20:44:05.
15. **GENERAL PREMISES:** Perimeter walls and roof of a food establishment must effectively protect the establishment from the weather and entry of insects, rodents, and or other vermin. All openings to the building must be protected against entry of rodents and insects. Windows or doors, kept open for ventilation or other purposes must be protected against the entry of insects and rodents by use of 16 mesh screens, properly designed and installed air curtains or other effective means. All entry or exit openings must be equipped with solid self-closing, tight-fitting doors. ARSD 44:02:07:81