

How to Start a Retail Food Business

In Indiana, food operations are divided between Retail and Wholesale operations. Retail operations include restaurants, grocery stores, local festivals and fairs, and other businesses selling food products directly to the consumer. Wholesale food operations are those that manufacture and/or distribute to another entity for resale or distribution.

Introduction

To start a retail food business requires careful planning, knowledge of food safety, and skillful management, in addition to knowledge of Indiana Food laws and any federal regulations. The Indiana Administrative Code (IAC) under 410 IAC 7-24-79 defines a “retail food establishment” as “an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption”. The term includes a delivery service or a mobile or temporary facility where consumption is on or off the premises, and regardless of whether there is a charge for the food. These are a few examples: a restaurant, a catering operation, a grocery store, a tavern, or a food bank.

Where to Start

The Indiana State Food law requires that all food establishments be registered through the state or the county health department. The Bartholomew County Health Department has jurisdiction over a retail food establishment NOT on state property in Bartholomew County. Copies of the Indiana State Department of Health Retail Food Establishment Sanitation Requirements 410 IAC 7-24 can be found at the Indiana State Department of Health’s website at www.state.in.us/isdh/21062.htm

Not for Profit Organizations

Indiana State Food Law (Indiana Code (IC) 16-42-5-4) excludes organizations that are tax exempt under IC 6-2.1-3.20 through IC 6-2.1-3.22. Indiana food law allows you to sell food to the final consumer at an event for not more than 30 days in a calendar year without registering with the state or county health department, provided the food is made and labeled by the organizations members. Please review [IC 16-42-5-4](#) to ensure that the organization meets the requirements specified in the law. Organizations are not exempt from other applicable laws. If you have any questions please call the department at (317) 234-8569.

Prerequisite for Operation and Submission of Plans

IAC 410-7-24, Section 110, requires that plans be submitted to the regulatory authority. The regulatory authority is either the county health department or the Indiana State Department of Health. The submission of plans are also required by other state entities, such as Fire and Building Services; your architect or engineer should have that information.

Please fill out the Bartholomew County Health Department Food Protection Program Application for Plan Review and submit plans to this department along with a plan review application fee of \$50.00. The plans should include:

- The intended menu to be served
- The anticipated volume of the food to be stored, prepared, and sold or served
- The proposed layout, mechanical schematics, construction materials and finish schedule
- The proposed equipment types, manufacturers, model numbers, locations, dimensions, performance capacities, and installation specifications.
- Other information as required by the regulatory authority for the review of the proposed construction, conversion or modifications and procedures for operating a retail food establishment.

IAC 410-7-24, Section 107 states that the retail food establishment shall notify the regulatory authority with intent to operate at least thirty (30) days prior to registering under the rule.

A Short Check List

Plans and Plan Review Applications are submitted to the regulatory authority.

All food employees shall be free from infection or illness that is transmissible by food and shall practice excellent hygiene.

A person who is responsible for food safety at the establishment shall be trained in food safety.

All foods/ingredients must be obtained from an approved source and received in good condition and at proper temperature.

Keep the facility secure from insects, birds and rodents.

Refrigeration/freezer/hot and cold holding equipment must meet the needs of the operation.

Equipment must be designed, constructed, and installed properly.

The facility must have accurate thermometers.

The facility must have adequate water and sewage systems.

The facility must have sinks for handwashing, equipment/utensil cleaning, and a mop/service sink.

The floors, walls and ceilings must be smooth and easily cleanable.

BARTHOLOMEW COUNTY HEALTH DEPARTMENT
FOOD PROTECTION PROGRAM APPLICATION FOR PLAN REVIEW

PLAN REVIEW FEE \$50

Owner/Corporation Information

Name: _____
Contact Person: _____
Telephone Number: _____
Mailing Address: _____

Engineer/Architect/Contractor

Name: _____
Contact Person: _____
Telephone Number: _____
Mailing Address: _____

Establishment Information: (Check One) _____ New Construction _____ Existing/Remodel

Contact Person Name & Title: _____ Contact Person Telephone #: _____

Establishment Name: _____ Establishment Telephone #: _____

Establishment Mailing Address: _____

Establishment Street Address: _____

Facility & Operating Plans as required in Section 111 of 410 IAC 7-24: Please check items submitted for review:

- _____ Intended menu (What do you intend to serve)
- _____ Line drawing of proposed layout, mechanical drawings, construction materials, and finish schedules.
- _____ Proposed equipment types, manufacturers, locations, and dimensions.
- _____ Evidence that standard procedures that ensure compliance with Indiana State Department of Health Rule 410 IAC 7-24 are developed or are being developed.

NOTE: Other information may be required by the regulatory authority for the proper review of the proposed construction, conversion or modifications, and procedures for operating a retail food establishment.

Water Supply: _____ Public _____ Private **Sewage Disposal:** _____ Public _____ Private

Hours of Operation: _____ Days of Operation: _____ # of Employees Full _____ Part _____

Comments: _____

SIGNATURE OF APPLICANT RELATIONSHIP TO PROJECT DATE SIGNED

NOTE: If all the required information is not submitted to the regulatory authority, it may delay the review process of your plans and possibly delay construction.