



Ohio Administrative Code

Rule 901:3-4-02 License.

Effective: January 1, 2013

(A) During the month of February of each year, except as hereinafter provided, every person that operates a retail food establishment shall apply for a license for that year from the licensor of retail food establishments for the area in which the retail food establishment is located. This provision shall apply to all retail food establishments except seasonal retail food establishments, mobile retail food establishments, temporary retail food establishments, and new retail food establishments opened for business subsequent to March first of each year.

All licenses issued to retail food establishments expire pursuant to division (C) of section 3717.23 of the Revised Code.

(B) An application for a license to operate a new retail food establishment during any part of the year shall be filed as hereinafter provided not less than ten days before the retail food establishment is opened for business. If proper application has been made, the facility layout and equipment specifications have been approved and complied with on the final inspection, and all items are in compliance with Chapter 3717. of the Revised Code, Chapter 3717-1 of the Administrative Code, and this chapter; the ten-day waiting period may be waived and the license issued. The operator of a mobile retail food establishment shall make application for a license to the board of health of the health district in which the operator's business headquarters are located. The operator of a mobile retail food establishment whose business address is located outside of Ohio shall make application for a license to the board of health having jurisdiction over the operator's first Ohio location in any one licensing year. A retail food establishment license issued to an operator of a mobile retail food establishment by an approved health district, as provided in Chapter 3717. of the Revised Code, shall be recognized by all other licensors in this state.

(C) The operator of a retail food establishment shall make written application for a license to the licensor on an application form prescribed or approved by the director of agriculture which shall contain all pertinent information related to the premises utilized for the retail food establishment.



(D) Fees for issuing and renewing retail food establishment licenses, determined by the licensor in accordance with section 3717.25 of the Revised Code, may be levied upon each retail food establishment. These fees shall be used solely for paying the expense of the administration and enforcement of Chapter 3717. of the Revised Code, Chapter 3717-1 of the Administrative Code, and this chapter.

(1) In determining the amount of the annual license fee, the licensor shall use the categories established by rule 901:3-4-03 of the Administrative Code and the cost analysis established by rule 901:3-4-04 of the Administrative Code.

(2) If a license fee as prescribed under this paragraph is not filed with the licensor or postmarked on or before the date it is due, a penalty of twenty-five per cent of any such fee shall be imposed and paid.

(3) Fees authorized or charged under this paragraph shall be in lieu of all retail food establishment and inspection fees required by the licensor on or with respect to the operation of, ownership of or employment by retail food establishments within this state, except as provided in paragraph (C) of rule 901:3-4-03 of the Administrative Code.

(E) For each retail food establishment license issued the following applicable amount shall be collected and transmitted by the licensor to the director of agriculture for deposit in the food safety fund created in section 915.24 of the Revised Code and used for administering and enforcing Chapter 3717. of the Revised Code, Chapter 3717-1 of the Administrative Code, and this chapter:

(1) Twenty-eight dollars for each license that the licensor issues under the fee category specified in paragraphs (A)(1), (A)(2), and (A)(4) of rule 901:3-4-03 of the Administrative Code; or

(2) Fourteen dollars for each license that the licensor issues under the fee category specified in paragraph (B)(1) of rule 901:3-4-03 of the Administrative Code.

(3) Ten dollars for each license that the licensor issues under the fee category specified in paragraph (A)(5) of rule 901:3-4-03 of the Administrative Code.



(F) The operator of a retail food establishment that also plans to cater shall apply for a catering food service operation endorsement to their retail food establishment license. A retail food establishment license with such an endorsement shall be recognized by all other licensors in this state. The operator of such an establishment shall maintain a copy of the license at each catered event.

(G) A license holder shall display the license for that retail food establishment at all times at the licensed location.