



## Ohio Administrative Code

### Rule 901:3-4-12 Articles - requirement to cease use.

Effective: September 18, 2014

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(A) Any article such as a utensil, material, or piece of equipment may be removed from use in a retail food establishment by the licensor if it presents a public health hazard. For the purposes of this rule, a public health hazard is presented by any article whose use can reasonably be expected to result in the contamination or adulteration of a food product based upon its state of repair, cleanliness, location, or construction. The licensor may tag any such article and prohibit its use by the license holder.

(B) A tag removing an article from use shall state the reason for the article's removal from use, and either

(1) The provisions for returning the article to use, or

(2) The disposition of the article if the article cannot be satisfactorily reconditioned.

(C) No license holder shall remove or permit to be removed, a tag without the permission of the licensor.

(D) Any action that may be taken by a licensor under paragraphs (A) to (C) of this rule may be taken by a health commissioner or other person employed by the licensor if the person or health commissioner is authorized by the licensor to take the action.

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