

TEXAS DEPARTMENT OF STATE HEALTH SERVICES



**DIVISION FOR REGULATORY SERVICES
ENVIRONMENTAL AND CONSUMER SAFETY SECTION
POLICY, STANDARDS, AND QUALITY ASSURANCE UNIT
PUBLIC SANITATION AND RETAIL FOOD SAFETY GROUP**

**PUBLIC SANITATION AND RETAIL FOOD SAFETY GROUP
REGULATORY CLARIFICATION**

October 31, 2011 (Revised October 15, 2015)

PSRFSGRC - No. 15

SUBJECT: REQUIREMENTS FOR SERVICE (MOP) SINKS

**Applicable Texas Food Establishment Rules (TFER),
Title 25 of the Texas Administrative Code (TAC), Chapter 228:
Section 228.2: Definitions**

§228.2(100) Plumbing fixture.
§228.2(101) Plumbing system.
§228.2(130) Sewage.

Subchapter E: Water, Plumbing, and Waste

§228.143(b) Water quantity and availability, pressure.
§228.143(c) Water quantity and availability, hot water.
§228.146 Plumbing design, construction, and installation.
§228.147 Plumbing, numbers and capacities, service sink.
§228.149 Plumbing, operation and maintenance.
§228.150 Sewage retention, drainage, and delivery.
§228.151 Disposal facility.

Question:

What are the plumbing and drainage requirements for a service (mop) sink in a retail food establishment?

Response:

A retail food establishment is required to provide at least one service (mop) sink or a curbed cleaning facility equipped with a drain for the cleaning of mops and similar wet floor cleaning tools, and for the disposal of mop water and similar waste. The service sink or facility must be lawfully plumbed with hot and cold water under pressure and with drainage that provides for proper sewage disposal.

Legal Analysis of Applicable TFER Sections:

A review of three Section 228.2 definitions and several portions of Subchapter E titled “Water, Plumbing, and Waste,” support the conclusion that a retail food establishment is required to have at least one service (mop) sink or a curbed cleaning facility that meets the following conditions:

- 1) lawfully plumbed with hot and cold water;
- 2) under pressure; and
- 3) with drainage that provides for proper sewage disposal.

Section 228.147(c)(1) titled “Plumbing, numbers and capacities” for a “Service sink,” specifically requires a retail food establishment to have “At least one service sink or one curbed cleaning facility equipped with a floor drain.” This same provision also requires that the service sink or facility be “conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.” A “service sink,” in turn, meets the TFER definition of a “plumbing fixture”¹ that is a part of a “plumbing system”² through which waste or “sewage”³ must be properly disposed of. We will look now at the other portions of Subchapter E which set forth the requirements for plumbing fixtures and systems in a retail food establishment.

Section 228.147(c)(2) requires that “Water under pressure” be “provided to all fixtures” that use water; Section 228.143(c) provides that “Hot water generation and distribution systems” in a retail food establishment must be “sufficient to meet the peak hot water demands throughout the food establishment.” Further, Section 228.146 titled “Plumbing design, construction, and installation”; Section 228.150 regarding “Sewage retention, drainage, and delivery”; and Section 228.151 relating to a “Disposal facility,” taken together, essentially require that plumbing systems, including sewage drainage and disposal, in a retail food establishment must all be designed, constructed, installed, and repaired “according to law.”⁴

¹ §228.2(100) defines a “plumbing fixture” as a “receptacle or device” that either “is temporarily or permanently connected to the water distribution system of the premises and demands a supply of water from the system” or that “discharges used water, waste materials, or sewage directly or indirectly to the drainage system of the premises”.

² §228.2(101) defines a “plumbing system” as “[t]he water supply and distribution pipes; plumbing fixtures and traps; soil, waste, and vent pipes; sanitary and storm sewers and building drains, including their respective connections, devices, and appurtenances within the premises; and water-treating equipment”.

³ §228.2(130) defines “sewage” as “[l]iquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution”.

⁴ According to a spokesman for the Texas State Board of Plumbing Examiners, in most areas of Texas, the applicable “law” or plumbing code currently in effect and applied to determine whether plumbing is performed “according to law” is the 2009 version (or an earlier version) of either the Uniform Plumbing Code (UPC) or the International Plumbing Code (IPC).

Public Health Support:

The public health policy reasons supporting the TFER service (mop) sink requirements are substantial. It is through the implementation in a food establishment of well-recognized sanitation procedures, particularly the proper cleaning of floors and the safe disposal of resulting filthy water and other liquid waste, that the growth of and contamination by *Listeria monocytogenes* (*Lm*), *Salmonella* species and other microorganisms that result in food-borne illnesses, can be prevented. *Lm* is a ubiquitous organism that can be found throughout a food establishment. Primary areas of concern are floors, drains, along floor seams and corners, and any other areas where water and moisture can stand or accumulate. It is this major public health concern that supports the TFER requirement that food establishments provide at least one lawfully plumbed service sink or curbed cleaning facility, with hot and cold water under pressure, and drainage that provides for proper sewage disposal, so that the establishment may be safely cleaned.

The United States Department of Health and Human Services, Food and Drug Administration's (FDA), 2013 Food Code Annexes, Chapter 5 "*Water, Plumbing, and Waste*," Section 5-203.13, **Service Sink** states, "Mop water and similar liquid wastes are contaminated with microorganisms and other filth. Waste water must be disposed of in a sanitary manner that will not contaminate food or food equipment. A service sink or curbed cleaning facility with a drain allows for such disposal."

In reference to water quantity and availability, the FDA's 2013 Food Code Annexes, Chapter 5 "*Water, Plumbing, and Waste*," Section 5-103.11, **Capacity**, clarifies the requirement for water quantity and availability to plumbing fixtures. A sufficient supply of water is a basic requirement for proper sanitation within a food establishment to allow for proper hand washing, cleaning of equipment and utensils and similar activities. Additionally, hot water generation and distribution systems must be sufficient to meet the peak hot water demands throughout a food establishment.

According to FDA's Food Code 2013 Annexes, Chapter 5 "*Water, Plumbing, and Waste*," Section 5-103.12, **Pressure**, adequate water under pressure is required in order to eliminate conditions that could lead to situations that place the public health at risk. In reference to water capacity, FDA states that the "Availability of sufficient water is a basic requirement for proper sanitation within a food establishment. An insufficient supply of safe water will prevent the proper cleaning of items such as equipment and utensils and of food employees' hands."

Agree to form and substance:



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