

ARTICLE 1117
Public Eating and Drinking Places

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CROSS REFERENCES

Licensing restaurants - see 3rd Class §2601 (53 P.S. §37601)
The Retail Food Facility Safety Act (3 Pa. C.S.A. §§5701-5714)
Food establishments - see 25 Pa. Code Ch. 151; HLTH. &
SAN. Art. 1113
Common cups and towels - see 25 Pa. Code §157.11, 157.12

1117.01 DEFINITIONS.

The following words and terms, when used in this article, shall have the following meanings, unless the context clearly indicates otherwise:

- (a) "Employee" means any person employed in a public eating or drinking place who does or may in any manner handle or come in contact with food or drink served to or provided for the public and includes the proprietor or manager or any member of his family, if they handle such food or drink.
- (b) "Proprietor" means any person who conducts a public eating or drinking place.
- (c) "Public eating and drinking places" includes any place where food or drink is served to or provided for the public, with or without charge, such as hotels, restaurants, cafes, cafeterias, boarding houses, street vendors or stalls, ice cream saloons, soda water or soft drink fountains, bars or taverns, private, public, parochial or Sunday schools, churches, hospitals and public institutions, industries, factories, shops, offices, office buildings, stores, railroad stations, parks, picnic grounds, fair grounds, camp-meeting grounds, theatres or motion-picture houses, public pumps, wells, springs or other water supplies.
(1944 Code Ch. 13 §21.)

1117.02 HEALTH OF EMPLOYEES.

- (a) No person who is suffering from any communicable disease, such as trachoma, active tuberculosis of the lungs, open skin tuberculosis, syphilis, gonorrhoea, open external cancer or barber's itch shall be an employee in any public eating or drinking place.

(b) No person who is a carrier of any communicable disease, such as typhoid fever, diphtheria, septic sore throat, scarlet fever, etc., shall be an employee in any public eating or drinking place after written notice that such employee is a carrier of a communicable disease has been served upon the proprietor by a physician or by the Board of Health or by any officer thereof or of the State Department of Health. (1944 Code Ch. 13 §22.)

1117.03 COMMON DRINKING VESSELS AND TOWELS.

(a) No proprietor of any public eating or drinking place shall furnish-or keep in or about such place any common drinking vessel for common use. However, this section shall not preclude the use of vessels which are cleansed by washing with soap and water having a temperature of above 130 degrees Fahrenheit, or after cleaning, by being placed in a closed container and exposed and heated to at least 300 degrees Fahrenheit for a sufficient time to effect disinfection of the vessel, or which are destroyed after individual use.

(b) No proprietor of any public eating or drinking place having and maintaining in connection therewith any washroom for public use or for the use of patrons or customers shall furnish or maintain in such washroom any towel, unless such towel be laundered or discarded after each individual use. (1944 Code Ch. 13 §23.)

1117.04 GARBAGE CONTAINERS; SCREENS.

(a) Every proprietor of a public eating place shall provide and maintain in a suitable location a sufficient number of garbage containers of watertight construction made of nonabsorbent material and provided with handles and close-fitting covers and all garbage shall be kept therein, pending its removal and disposal. Filled garbage containers shall not be allowed to remain in any room where food is prepared or eaten.

(b) All doors, windows and other openings of any public eating or drinking place shall be provided with screens or netting so constructed and maintained as to prevent the ingress of flies or other insects. (1944 Code Ch. 13 §24.)

1117.05 CROCKERY AND UTENSILS.

All cups, dishes, spoons, knives, forks, finger bowls or other eating utensils used in any public eating place shall be thoroughly cleansed by washing with soap and water having a temperature above 130 degrees Fahrenheit after each individual use. (1944 Code Ch. 13 §25.)

1117.06 CLEANLINESS.

(a) Every proprietor of a public eating or drinking place shall keep the place and all substances used therein for food or drink in a clean, wholesome and sanitary condition free from dust, flies, insects and animals.

(b) All employees in such places shall keep themselves and their clothing in a clean condition.

(c) No employee shall handle any food or drink after having visited a toilet without having thoroughly washed the hands with soap and water. (1944 Code Ch. 13 §25a-25c.)