

## OPENING A RESTAURANT

### **This is my first time opening a restaurant. Where do I start?**

A good start to acquainting yourself with the State of Delaware Requirements for Food Establishments is the Office of Food Protection's website.

[Office of Food Protection - Delaware Health and Social Services - State of Delaware](#)

### **I'm taking over a restaurant, do I have to go through plan review?**

Yes. Permits for Food Establishments are not transferable. You can learn more about change of ownership requirements at:

[Microsoft Word - FE ChangeOwner Statewide Rev01 3 \(delaware.gov\)](#)

### **Can a tent operation be permitted as a food establishment?**

Temporary Food Establishment Permits are available for these types of situations. Visit the website here to see if a temporary permit meets your needs:

[TEMPORARY FOOD ESTABLISHMENT REQUIREMENTS - Delaware Health and Social Services - State of Delaware](#)

### **How do I get a permit for an outside event?**

Temporary Food Establishment Permits are available for these types of situations. Visit the website here to see if a temporary permit meets your needs:

[TEMPORARY FOOD ESTABLISHMENT REQUIREMENTS - Delaware Health and Social Services - State of Delaware](#)

### **What is the proper permit for a one-day or one-time-a-year event?**

Temporary Food Establishment Permits are available for these types of situations. Visit the website here to see if a temporary permit meets your needs:

[TEMPORARY FOOD ESTABLISHMENT REQUIREMENTS - Delaware Health and Social Services - State of Delaware](#)

### **Can I sell meals that are prepared at my house?**

No. Specifically, refer to page 59 of the Delaware Food Code.

[FDA Food Code 2017 \(delaware.gov\)](#)

### **Where to find the current food code the State is using during inspections?**

The Food Code can be found at:

[FDA Food Code 2017 \(delaware.gov\)](#)

More information on Food Code Annotations can be found at:

[Food Inspection Codes - Delaware Health and Social Services - State of Delaware](#)

### **Where can I find my last inspection report?**

[Food Establishment Inspection Reports - Delaware Health and Social Services - State of Delaware](#)

### **Where are the regulations to find for food inspections?**

- <https://dhss.delaware.gov/dph/files/foodcode.pdf>

### **Where can I find my current permit?**

Contact the County office in which the establishment is located:

New Castle: 302-283-7110

Kent: 302-744-1220

Sussex: 302-515-3300

### ***For Food Establishment Applications:***

### **If I do not know an answer to a question on the application, should I leave it blank?**

All questions should be answered to the best of your knowledge. Your response to each question will assist us in reviewing your food safety practice and procedure. You can also leave a question for Office of Food Protection Staff at: [feplanreview@delaware.gov](mailto:feplanreview@delaware.gov)

### **Why does the Division of Public Health need three copies of the floor plan?**

Copy 1 is sent to the County office in which the Food Establishment will be located

Copy 2 is returned to the applicant with their Approval to Construct Letter

Copy 3 is filed with the Office of Food Protection for reference

### **Why does the floor plan have to be drawn to scale?**

Scale drawings are used to calculate distances between handwashing sinks, food preparation areas, food dispensing areas and warewashing areas.

### **How do I handle in house manufactured equipment for a restaurant that has no certifications?**

Provide any specifications available on the equipment and it will be reviewed.

### **What are foot candles?**

A foot candle is a unit of illumination equal to that given by a source of one candle at one foot. This can be measured by a *light meter* for electric lighting.

### **Are there approvals for plan review outside of the food Protection Plan Review?**

Yes. A good starting point would be to contact your local jurisdiction or county government to learn more.