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SUBSTANTIVE POLICY STATEMENT
SPS-EH-2012-013

A substantive policy statement (SPS) is advisory only. In accordance with A.R.S. §11-1601, SPS's do not include internal procedural documents that only affect internal procedures of the Maricopa Environmental Services Department and do not impose additional requirements or penalties on regulated parties or confidential information.

1. SPS Subject:

The purpose of this SPS is to clarify the permit requirements related to countertop and shelving materials used in food service establishments, residence accommodations, and public schools.

2. Statutory Overview:

- A. Maricopa County Environmental Health Code (MCEHC)
- B. Arizona Administrative Code

3. SPS:

The regulations identified in this SPS require nonfood contact surfaces and restrooms to be constructed of materials that are smooth, easily cleanable, and durable (please refer to the 2009 FDA Food Code for definitions for smooth and easily cleanable). This policy statement will provide further clarity on acceptable materials for countertops and shelving used in the aforementioned establishments while also providing some examples.

- A. All countertop and shelving surface materials shall meet Department standards and shall be approved prior to installation and/or utilization. Approved countertops and shelving shall be constructed of smooth, durable, nonabsorbent, grease-resistant and easily cleanable materials. All approved millwork shall also be smooth and sealed.
- B. Laminate surfaces are considered non-durable for high temperature, wear, stain and impact resistance and are not approved in most areas of permitted establishments. This shall apply to laminate surfaces in establishments going through the plan review process.
- C. A laminate is a material that can be constructed by uniting two or more layers of material together. The lamination process commonly refers to the placing of materials between layers of plastic and gluing them with an adhesive and heat and/or hi-pressure.

- D.** Laminate materials shall not be used on surfaces subject to intentional, expected or reasonable direct food contact and areas exposed to moisture during normal operations. Laminate materials are intended for use on non-work surfaces.
- E.** Laminate surface materials shall not be installed in kitchen, food prep, produce prep, food service, warewash, wait stations, beverage stations, beverage dispenser areas, blender stations, continental breakfast areas, buffets, counter top warmers, drawer warmers, cold drop-ins, hot drop-ins, food storage areas, and similar food and moisture areas, including customer self- service areas. Laminate countertops shall not be installed in permitted toilet rooms or hand wash areas.
- F.** Additionally, laminate surfaces shall not be installed in residence accommodation restrooms, laundry rooms, or public school restrooms. Materials used in these areas shall be solid surface as described in this policy statement.
- G.** Laminate countertop surfaces shall not be installed where direct food contact occurs, cutting boards are utilized or the surface is subjected to cutting, chopping, and similar operations, routine contact with heated objects in excess of 275°F, sustained heat of 150F° or more (e.g. hot food inserts, broilers, griddles, etc.).
- H.** In addition laminate shelving shall not be installed in moisture areas such as walk-in units, warewash areas, service sink areas, beverage station, water and ice stations, wait stations, hand wash areas, undersides and interiors of cabinets with exposed floor sinks or floor drains and other areas exposed to moisture.
- I.** Water resistant material shall be finished smooth, washable and should be installed with fiberglass reinforced panels (FRP) or other water resistant material both horizontally and vertically under countertops and inside cabinetry exposed to moisture.
- J.** Hi-pressure decorative laminate surfaces may be installed for use as non-work food and beverage countertop surfaces such as in manager offices, cash register areas, front customer counter areas, and front customer bar countertops, provided the surfaces are smooth and easily cleanable. The laminate should be constructed in a seamless fashion to limit substrate exposure to moisture.
- K.** All edges, corners, seams, penetrations and cutouts in the approved laminate surfaces and millwork shall be smooth and sealed.

- L. Approved durable solid surface counter materials shall be installed in the aforementioned areas, maintained in good repair and in a sanitary condition.
- M. “Solid” surface countertop materials may be either natural or man-made. Natural materials typically utilized as countertop surfaces are granite or marble. Man-made countertop materials are usually composed of metal, engineered stone, bauxite, acrylic or polyester resins and pigments. Man-made solid surface materials are most frequently used for seamless countertop installations, such as cultured marble.
- N. Approved smooth, durable tile products with minimal sealed grout lines and approved sealed hardwoods may be approved in limited areas on a case-by-case basis.
- O. Natural or man-made “solid” surface materials such as: stainless steel, smooth sealed metals, granite, marble, quartz, stone, soapstone, resin, engineered stone, cultured marble, re-enforced smooth sealed concrete, approved tile products, approved hardwoods, proprietary products known as Corian®, Silestone®, Zodiaq®, LG HI-MACS®, Pryolave®, FireSlate®, and other similar materials, approved by the Department, shall be installed in defined areas.
- P. Existing laminate surfaces in good repair may not need to be replaced with a new approved solid surface material. Existing laminate surfaces in establishments are evaluated on a case-by-case basis and may be approved under Department stipulations. The Department may require existing laminate surfaces to be encapsulated using approved materials. Equipment and food-contact surfaces which are nontoxic, installed prior to the effective date of the recent code, which do not fully meet the design and fabrication requirements may be deemed acceptable provided they are maintained in good repair, are in a sanitary condition, and meet Department requirements, limitations, and stipulations.
- Q. All approved existing laminate surfaces shall be maintained in good repair or replaced with approved solid surface materials as directed or stipulated by the Department.
- R. Professional judgment will be applied when enforcing approved surfaces in establishments going through the plan review process.

4. **SPS Effective Date:**

July 1, 2012

5. SPS New Document/Revision Statement:

SPS-EH-2012-013 has been updated on April 2, 2018 to remove reference to pet shops/pet groomers as they are no longer permitted by this Department.

6. Contact Us:

For questions or comments regarding this SPS or to obtain a copy of this document, please contact the Department Records Custodian at the address and/or phone number above.