



NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE

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Commissioner

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Re: Food Service Establishment Permit and Inspection Requirements for Social Adult Day Care (SADC) Programs

Dear Social Adult Day Care Administrator:

The New York City Department of Health and Mental Hygiene (DOHMH) currently permits and regulates approximately 35,000 food service establishments (FSE) in New York City, including those operated by or at Social Adult Day Care (SADC) facilities.

FSEs at SADCs are required by the New York City Health Code and the New York State Sanitary Code to be permitted and inspected by the DOHMH whether or not the food served is prepared on premise or catered.

To assure compliance with these regulations, and because the senior populations served are particularly susceptible to food-borne illness, DOHMH has implemented a permitting process and an inspection program typified by annual inspections.

If you have already received and have a permit from the DOHMH conspicuously posted on-site, there's nothing further you need to do except ensure that your permit is always kept current and is conspicuously posted.

If you have applied for but have not yet received your permit from the DOHMH, please follow-up with the Bureau of Food Safety and Community Sanitation's Special Populations Inspection Program at (646) 632-6204 or infobfscs@health.nyc.gov.

If you do not have a current permit or have not applied for one, you have until January 31, 2019 to both obtain and post a current valid DOHMH permit on-site or to file a complete application for one with the Department.

After **January 31, 2019**, any FSE found to be operating at a SADC without posting a current DOHMH permit on-site or having an application pending with the Department; will be served with a Notice of Violation returnable to the Office of Administrative Trials and Hearings (OATH) that could result in a monetary penalty being assessed. In addition the FSE will be ordered to close and cease all food

Service operations until such time that a permit is obtained.

You can apply for an FSE permit in person or online. Please see the application requirements at the “Apply Online” website below to ensure you have all the documents required to successfully apply for a permit.

Apply in Person:

Licensing Center
42 Broadway, Lobby
New York, NY 10004

Apply online:

NYC Business

www1.nyc.gov/nycbusiness/description/food-service-establishment-permit

If you operate an FSE and you are registered as a charitable organization, a not-for-profit or governmental organization, there is **no fee**. Except for government agencies, you will need to provide proof of your charitable or not-for-profit status in the form of a letter from the IRS indicating your organization is covered by section 501(c)(3), section 509 or other provision of law. The permit fee for FSEs in New York City is \$280.

In addition all New York City SADC programs must register with the Department for the Aging pursuant to Local Law 9 of 2015. SADCs are also required to report all changes such as ownership, staffing, and location to DFTA.

<https://a125-sadc.nyc.gov/SADC/WebForm/LogIn.aspx>.

Health Department sanitary inspections are full reviews of the food operations, including equipment and facilities. During the inspections, we will educate the person(s) in charge and the food workers in safe food handling practices. Detailed reports are prepared at the conclusion of each inspection and presented to the person in charge. Inspections are generally unannounced to obtain a more accurate assessment of normal operating practices and conditions.

Additionally, the supervisor of food operations is required to have successfully completed a course in food protection, be certified by the Health Department, and be present at all times that the food service is in operation. The supervisor should register for the food protection class when your SADC applies for the permit.

The following information may be useful to you in completing the permit process:

- Each SADC that your organization operates that prepares and/or serves food must have its own Health Department permit. Permits are not transferable.
- If the FSE is operated by a **for-profit** organization, they must apply for a “Food Service Establishment (general)” permit and pay \$280. In addition to providing your business name (DBA), please indicate that this is for a “Social Adult Day Care” or “SADC”.

- If the FSE is operated by a **not-for-profit** organization, they must apply for a “Food Service Establishment: Senior Citizen Center/Nursing Home permit”. There is no associated fee. In addition to providing your business name (DBA), please indicate that this is for a “Social Adult Day Care” or “SADC”.
- If the FSE is operated/managed by a **third party** company, the third party company must apply for a “Food Service Establishment (general)” permit. In addition to providing your business name (DBA), please indicate that this is for a “Social Adult Day Care” or “SADC”.
- Representatives submitting the permit application on behalf of an SADC must also submit a completed and notarized “Affidavit Granting Authority to Act.”

If you have questions regarding obtaining a permit or the food service inspection process, contact the Bureau of Food Safety and Community Sanitation’s Special Populations Inspection Program at (646) 632-6204 or infobfscs@health.nyc.gov.

Sincerely,

Robert Edman
Assistant Commissioner

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