

Large Family Child Care Homes Manual

(January 2017)

for use with

COMAR 13A.18 - Large Family Child Care Homes

(as amended effective 7/20/15)

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.01 Food Service.

- A. **Food and beverages that are furnished by a provider for meals or snacks, or both, shall comply with the guidelines of the Child and Adult Care Food Program of the U.S. Department of Agriculture, as indicated on a chart supplied by the office.**

INTENT: Each child in care needs adequate nutrition for proper growth and development. To help ensure that this occurs, all meals and snacks furnished by the facility must meet specified nutritional guidelines for the child's age.

INSPECTION REPORT ITEM: "Food Service"

COMPLIANCE CRITERIA: Each meal and snack furnished by the facility to a child meets the guidelines of the Child and Adult Care Food Program (CACFP) for the child's age.

ASSESSMENT METHOD:

- *Observe the items and amounts served at mealtime or snack time to determine if they meet CACFP guidelines.*
- *If observation is not possible, review the facility's current menu and interview staff as necessary to determine the contents of meals and snacks served.*

***Note:** Refer to the "USDA/CACFP Child Care Meal Pattern Guidelines", for meal and snack portion sizes of various food groups recommended by the CACFP for various age groups.*

- B. **For children in care, the provider shall furnish:**
- (1) **All beverages, including beverages for meals and snacks; and**
 - (2) **Milk with all meals.**
- C. **A beverage furnished by the provider may not contain an added sweetener or caffeine, except for:**
- (1) **Infant formula; or**
 - (2) **A beverage prescribed for a child by a health care provider.**

Note for (C) above: *This regulation does not apply to beverages supplied by parents.*

- D. **If the child is:**
- (1) **Younger than 2 years old, milk furnished to the child shall be supplied or approved by the child's parent; or**
 - (2) **2 years old or older, milk furnished to the child by the provider shall be 1% fat milk or nonfat milk, unless otherwise ordered by a health care provider or requested by the child's parent.**
- E. **The provider may arrange with the child's parent to furnish milk of a type that is different from the milk ordinarily furnished by the provider.**
- F. **Except during approved hours of overnight care, a provider shall serve meals and snacks at intervals of not more than 3 hours according to the following schedule:**

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<i>If a child is at a child care home for:</i>	<i>The child shall receive at least:</i>
<i>Less than 4 consecutive hours</i>	<i>1 snack</i>
<i>4 to 7 consecutive hours</i>	<i>1 meal and 1 snack</i>
<i>7 to 11 consecutive hours</i>	<i>1 meal and 2 snacks or 2 meals and 1 snack</i>
<i>11 to 14 consecutive hours</i>	<i>2 meals and 2 snacks or 3 meals and 1 snack</i>

INTENT: *Growing children burn a lot of energy, so their energy levels must constantly be restored through frequent meals and snacks.*

INSPECTION REPORT ITEM: *"Nutrition and Food Served"*

COMPLIANCE CRITERIA: *Each child receives the appropriate number of meal(s) and/or snack(s) based on the length of a child's daily attendance.*

ASSESSMENT METHOD: *Review child attendance records to determine how long children are in care daily, and cross-reference those records with the Provider's meal/snack schedule to determine if children are getting the appropriate number of meals and/or snacks.*

- G. If a provider chooses not to provide meals, the provider shall make arrangements with the parent of each child to provide food for meals.**

INTENT: *While a child is in attendance, the Provider is responsible for the child's appropriate nutrition. Part of this responsibility is making sure that the child receives foods that meet USDA/CACFP (United States Department of Agriculture/Child and Adult Care Food Program) guidelines. This responsibility is met by either providing the foods that meet the USDA/CACFP guidelines, or encouraging the parent to provide those meals.*

INSPECTION REPORT ITEM: *"Nutrition and Food Served"*

COMPLIANCE CRITERIA: *For each child, meals are provided by either the Provider or the parent.*

ASSESSMENT METHOD: *If the facility does not provide meals:*

- *Interview Provider to determine if and how children are fed while in attendance, and*
- *If available, review Provider contracts or service agreements with parents to determine if arrangements have been made for parents to provide meals.*

- H. A provider shall keep a supply of nutritious food on hand in order to provide food to a child whose parent has not supplied:**
- (1) Food for meals or snacks; or**
 - (2) Sufficient food to meet the standards of the Child and Adult Care Food Program**

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of the U.S. Department of Agriculture.

I. Menus. A provider shall:

- (1) Post in a conspicuous place a weekly planned menu of foods and beverages furnished by the provider for meals and snacks; and**
- (2) Keep a dated record of food actually served in the home, and to each child on a modified diet, on file for at least 4 weeks, correcting the planned menu if necessary.**

INTENT: Proper menu planning is critical to ensuring that children in care get nutritional and appropriate amounts of food and beverages each day. Parents have a right to know what food is being served to their children and when. A menu provides them with this knowledge. For the same reason, and because last-minute changes to planned menus are sometimes necessary, a record of food actually served must be kept for a reasonable period of time.

INSPECTION REPORT ITEM: "Food Service"

COMPLIANCE CRITERIA:

- *A menu for the current week is posted where it is readily visible to parents.*
- *A dated record of food actually is served is maintained on file for at least 4 weeks after the corresponding menu date.*

ASSESSMENT METHOD: Observe to determine if a current menu is posted and if dated records of food served are on file for the required time.

.02 Modified Diet.

If a provider agrees to accept a child who requires a modified diet for:

- A. Medical reasons, the provider shall obtain from the child's parent a written prescription for the diet signed and dated by the child's registered health practitioner within the previous 6 months; or**
- B. Cultural or religious reasons, the provider shall obtain written, dated instructions for the diet signed by the child's parent.**

INTENT: A modified diet, whether it is for medical, cultural, or religious reasons, requires a child to eat certain items and/or to avoid eating certain items. By accepting the child for care, the operator agrees to observe these requirements. The child's parent is responsible for communicating those specific requirements in writing.

INSPECTION REPORT ITEM: "Modified Diet"

COMPLIANCE CRITERIA:

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- For each child who is on a modified diet for medical reasons, there is in the child's facility record a signed and dated prescription for the diet that is no more than 6 months old.
- For each child who is on a modified diet for non-medical reasons, there are in the child's facility record signed and dated diet instructions from the child's parent.

ASSESSMENT METHOD: Determine if there are any children in care who require modified diets. If there are, determine whether these diets are for medical or non-medical reasons. Then review the children's facility records to determine if the necessary prescriptions or parent instructions, as applicable, are present.

.03 Food Sources.

- A. **A provider shall furnish food at the child care home only if it is wholesome and free from spoilage, filth, or other contamination and obtained from sources that comply with all laws relating to food, food processing, food handling, and food labeling.**

INTENT: All food furnished by the child care home must be fit for consumption and must be procured only from legitimate commercial food vendors.

INSPECTION REPORT ITEM: "Food Sources"

COMPLIANCE CRITERIA: All food present at the facility:

- Is fit for consumption, and
- Has come from legitimate commercial sources.

ASSESSMENT METHOD: Observe food items to assess their fitness for consumption and determine their sources. As necessary, interview facility staff for additional information about where food used for meals and snacks comes from.

- B. **A provider may not provide to the children home-canned goods or any other hermetically sealed food prepared in a place other than a registered food processing establishment.**
- C. **A provider:**
- (1) Shall provide only fluid milk and fluid milk products that are:**
 - (a) Pasteurized Grade A;**
 - (b) Except as provided by §C(3) of this regulation, served from the original container; and**
 - (c) Not more than 4 days older than the expiration date marked on the original container;**
 - (2) Except as provided at Regulation .06D of this chapter, may use dry milk, dry milk products, or reconstituted dry milk only for cooking purposes; and**
 - (3) For meals and snacks, may serve milk family-style from a pitcher or similar container into which the milk has been poured from the original container.**

.04 Food Storage and Preparation.

A provider shall:

- (1) Protect all food from contamination while it is being stored, transported, or displayed; and**
- (2) Prepare and serve food, including infant formula, in a safe, sanitary, and healthful manner.**

INTENT: Potential contamination of food must be prevented through safe and sanitary storage, handling, preparation, and service. If contaminated food is consumed, serious illness or death may result.

INSPECTION REPORT ITEM: "Food Safety"

COMPLIANCE CRITERIA:

- *Food items that are stored until use are protected during storage from contamination and infestation.*
- *Food is handled, prepared, and served in a sanitary manner.*
- *Food storage areas are:*
 - *Large enough to accommodate all stored items without damaging them,*
 - *Clean and dry,*
 - *Cool and well-ventilated enough to retard spoilage of stored items,*
 - *Sufficiently well-organized and well-lit to permit easy identification and retrieval of stored items, and*
 - *Equipped to keep all stored items at least 6 inches from the floor.*

ASSESSMENT METHOD:

- *Observe all food storage areas to determine their appropriateness and cleanliness.*
 - *Observe stored food items to determine their condition and accessibility.*
 - *Observe food preparation and service to determine if safe and sanitary procedures are used. If observation is not possible, interview facility staffs to determine what procedures are used for handling and serving food.*
- A. There shall be sufficient storage areas for all food brought from the child's home and all food held in reserve for service by the provider.**
 - B. Food shall be stored:**
 - (1) In an area that is dry, cool, well-ventilated, well-lighted, and equipped with easily cleanable shelving; and**
 - (2) If stored on open shelves, at least 6 inches off the floor.**
 - C. Food may be stored:**
 - (1) Separately from family food; or**

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- (2) **With family food if the provider chooses to have the entire family food storage area inspected.**

INTENT: In a facility that is located in a residence, OCC may not inspect the area used for family food storage unless food used for program purposes is also stored there.

- D. **If food is transferred for storage from its original container, the provider shall provide a secondary storage container that is:**

- (1) **Easily cleanable or disposable;**
- (2) **Nontoxic;**
- (3) **Nonabsorbent;**
- (4) **Tightly closed; and**
- (5) **Clearly labeled as to its contents.**

INTENT: Because of the risk of accidental contamination and the mixing up of food items, re-packaging of food is permitted only if the new food receptacles keep their contents safe and wholesome, and are clearly marked.

INSPECTION REPORT ITEM: "Food Storage and Preparation"

COMPLIANCE CRITERIA: All secondary food containers in use are safe, hygienic, tightly closable, and properly labeled as to contents.

ASSESSMENT METHOD: Observe secondary food containers in use to determine their appropriateness, condition, and marking.

Note: Plastic food storage bags may not be re-used and should be discarded after they are empty.

- E. **The provider:**

- (1) **May not store food below overhead waste lines;**
- (2) **Shall maintain cooked, potentially hazardous hot food at or above a temperature of 140°F;**
- (3) **Shall refrigerate potentially hazardous food at or below a temperature of 40°F;**
- (4) **Shall keep frozen food at or below 0°F; and**
- (5) **Shall restrict the movement of pets and other animals so that food and food contact surfaces are not contaminated.**

INTENT: An overhead waste line may leak, contaminating any food stored below it. "Potentially hazardous food", which is defined in Chapter .01, §.02B(44)(a), is food that is susceptible to rapid bacterial growth. If it is not kept for serving at a sufficiently high temperature or refrigerated or frozen at a sufficiently low temperature, it presents a significant risk of food-borne illness.

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INSPECTION REPORT ITEM: "Food Storage and Preparation"

COMPLIANCE CRITERIA:

- *All food is stored away from waste lines.*
- *All potentially hazardous food is served or stored at the proper temperature.*

ASSESSMENT METHOD:

- *Observe where food is stored in relation to waste lines.*
- *Observe to determine if food is kept hot for serving and refrigerated or frozen, as appropriate, at sufficiently cold temperatures.*
- *If observation of food service is not possible, interview facility staff to determine how cooked food is kept ready for service.*

Notes:

- *The temperature storage requirements apply to food brought from home by children as well as to food provided or prepared on-site at the center.*
- *§F(2)(3) and (4) of this regulation address the storage of food at proper temperatures. The ability of a refrigerator or freezer to achieve and maintain the proper temperature is addressed under §.05 C and D of this Chapter.*

F. Single service items such as paper and plastic cups, containers, lids, plates, knives, forks, spoons, and placemats shall be:

- (1) **Used only once; and**
- (2) **Stored, handled, and dispensed to protect them from contamination.**

INTENT: Single service items are not meant to be re-used, so they are not made of materials that allow them to be properly cleaned and sanitized after use.

INSPECTION REPORT ITEM: "Food Storage and Preparation"

COMPLIANCE CRITERIA: All single service items are:

- *Protected from contamination until use, and*
- *Discarded after use.*

ASSESSMENT METHOD: *Observe to determine how single service items are maintained until use and if they are discarded after use. If observation is not possible, interview facility staff to determine how these items are maintained and used.*

G. During an activity in which the children prepare food, the activity shall be planned and carried out in a manner consistent with the safety and health practices required in this subtitle.

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INTENT: Food preparation activities can be fun-filled learning opportunities for children, but they also carry increased risk for cuts, burns, and other injuries and for food-borne illness. At all times during these activities, children must be closely supervised and sanitary practices must be maintained.

INSPECTION REPORT ITEM: "Food Storage and Preparation"

COMPLIANCE CRITERIA: At all times:

- Each child is closely supervised,
- Safe and sanitary food handling practices are followed, and
- Proper handwashing procedures are followed.

ASSESSMENT METHOD:

- Observe to determine if:
 - Proper child supervision is occurring; and
 - Appropriate food handling practices and handwashing procedures are being followed by both staff and children.
- If observation is not possible, interview facility staff to determine if and how safety and health practices are being followed.

H. The provider shall discard:

- (1) **All spoiled fruits, vegetables, or other food;**
- (2) **Refrozen food;**
- (3) **Potentially hazardous frozen food that has been thawed and not immediately cooked and served;**
- (4) **Swelled, rusty, or leaky canned foods;**
- (5) **Foods exposed to fire, smoke, or water damage;**
- (6) **After a child finishes eating, any remaining food that has come into contact with:**
 - (a) **The child's mouth; or**
 - (b) **An eating utensil that has been used by the child; and**
- (7) **After being left out for consumption by children during a meal or snack, any milk remaining in an opened original container, a pitcher or similar container, or a drinking vessel.**

INTENT: Food that may be spoiled or contaminated poses a potential health risk and must be discarded right away to prevent it from being eaten or possibly contaminating other food. Leftover food that has been in contact with a child's mouth or with a utensil used by the child has been contaminated by microorganisms in the child's saliva and must be discarded.

INSPECTION REPORT ITEM: "Food Storage and Preparation"

COMPLIANCE CRITERIA:

- Spoiled or contaminated food is not present.

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- Any mouthed or partially consumed food item or beverage is discarded.

ASSESSMENT METHOD:

- Observe food items to determine if any are spoiled or contaminated.
- Observe to determine which leftover food items, if any, are retained and which are discarded.
- If observation is not possible, interview facility staffs to determine which leftovers are kept and which ones are thrown away.

1. **The provider shall send home or discard at the end of each day all opened containers of food brought from home for a child.**

INTENT: Opened food brought from home may not have been prepared or contained in a sanitary manner and may harbor microorganisms that will contaminate other foods with which it is stored. In addition, if kept at the facility it may inadvertently be served the next day to a different child.

INSPECTION REPORT ITEM: "Food Storage and Preparation"

COMPLIANCE CRITERIA: Food from home that has been opened or partly consumed either is discarded or goes back home with the child at the end of the day.

ASSESSMENT METHOD:

- Observe facility food storage units (pantry, refrigerator, freezer, etc.) to determine if home-brought food containers are present.
- Interview facility staff to determine what happens to these items, and when.

.05 Food Preparation Area and Equipment.

- A. **Appliances and equipment in the food preparation area shall be:**
 - (1) Cleaned and sanitized;
 - (2) In good repair;
 - (3) Capable of normal operation; and
 - (4) Not conducive to the harboring of insects and rodents.

INTENT: All food preparation appliances and equipment must be operable, safe, and sanitary.

INSPECTION REPORT ITEM: "Food Preparation Area and Equipment"

COMPLIANCE CRITERIA: All appliances and equipment are clean, sanitary, and operate safely and properly.

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ASSESSMENT METHOD: *Observe and, as necessary, test food preparation appliances and equipment to assess their cleanliness, safety, and operability.*

- B. Food contact surfaces shall be nontoxic, smooth, in good repair, and free of breaks, open seams, cracks, pits, and similar imperfections.**

INTENT: *To prevent food contamination, food preparation surfaces must be safe and in good condition.*

INSPECTION REPORT ITEM: *"Food Preparation Area and Equipment"*

COMPLIANCE CRITERIA: *All food contact surfaces are safe and suitable for use in food preparation.*

ASSESSMENT METHOD: *Observe food contact surfaces to assess their condition and suitability for safe food preparation.*

- C. Refrigeration shall be:**
- (1) Of sufficient capacity to store all food and beverages that require refrigeration;**
 - (2) Operated at or below 40°F; and**
 - (3) Equipped with an indicating thermometer graduated at 2°F intervals.**

INTENT: *Refrigeration equipment must be large enough to meet the facility's food refrigeration needs and able to maintain a proper temperature.*

INSPECTION REPORT ITEM: *"Food Preparation Area and Equipment"*

COMPLIANCE CRITERIA:

- *Refrigeration equipment safely accommodates all items requiring refrigeration.*
- *Refrigeration equipment maintains a temperature of 40° F or less.*
- *Each refrigeration unit has a proper indicating thermometer.*

ASSESSMENT METHOD: *Observe the refrigeration equipment to determine if:*

- *There is sufficient safe capacity,*
- *The required temperature is maintained, and*
- *A proper indicating thermometer is present.*

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- D. **All frozen food units shall be operated at 0°F or less, and shall be provided with an indicating thermometer.**

INTENT: Food freezers maintain proper freeze temperatures.

INSPECTION REPORT ITEM: "Food Preparation Area and Equipment"

COMPLIANCE CRITERIA: Each freezer unit:

- *Maintains a temperature of 0° F or less, and*
- *Has a proper indicating thermometer.*

ASSESSMENT METHOD: Observe freezer units to determine if:

- *The required temperature is maintained, and*
- *A proper indicating thermometer is present.*

- E. **Utensils and equipment used for the preparation and service of food and beverages shall be cleaned, sanitized, air dried, and stored in a manner approved by the office.**

INTENT: Items used to prepare and serve food and drink must be cleaned and stored in a manner that prevents the growth of disease-producing organisms.

INSPECTION REPORT ITEM: "Food Preparation Area and Equipment"

COMPLIANCE CRITERIA: Equipment and utensils are cleaned and stored as required.

ASSESSMENT METHOD: Observe cleaning and storage procedures to determine if they meet OCC guidelines. If observation is not possible, interview facility staff to determine what procedures are used.

*Note: Food preparation and service equipment and utensils should be cleaned and sanitized according to **OCC's "General Sanitation Guidelines"**.*

.06 Feeding Infants and Toddlers.

- A. **The provider shall ensure that the written feeding schedule for each infant and toddler, as required by COMAR 13A.18.03.02C, is:**

- (1) Followed; and**
- (2) Updated as necessary or at least every 3 months while the child is in care.**

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INTENT: *At the time of admission of a child under 2-years-old, the operator must establish a written feeding regimen for the child in consultation with the parent. The regimen must include feeding times, types and amounts of food, and food progression and must address any medical recommendations regarding feeding. The established regimen must be followed, and it must be re-evaluated at least every 3 months or more often as necessary.*

INSPECTION REPORT ITEM: *"Feeding Infants and Toddlers"*

COMPLIANCE CRITERIA: *For each child under 2-years-old, a written feeding regimen:*

- *Is established at the child's admission in consultation with the parent;*
- *Addresses all the required elements;*
- *Is implemented during each day that the child is in attendance; and*
- *Is re-evaluated in consultation with the parent at least every 3 months or more often as necessary.*

ASSESSMENT METHOD: *Review the file of each child in care who is under 2-years-old to determine if a written feeding regimen is present that meets all listed compliance criteria.*

Note: *See Chapter .03, §.04K for guidance on maintaining records of infant and toddler feedings.*

B. Self-Feeding by Children Younger than 18 Months Old.

- (1) The child shall be held for each bottle feeding except when developmentally able and insistent upon self- feeding.**
- (2) The child may hold the bottle only:**
 - (a) When seated; and**
 - (b) If the bottle is made of unbreakable material.**

INTENT: *Each infant must be held for feeding unless the child wants to self-feed and can do so safely. An infant may self-feed only when seated inside a crib or playpen and only if using an intact, non-breakable bottle.*

INSPECTION REPORT ITEM: *"Feeding Infants and Toddlers"*

COMPLIANCE CRITERIA:

- *Each infant is held for feeding unless the child wants to self-feed and can do so safely.*
- *Each self-feeding infant is seated inside a crib or playpen and uses only an intact, non-breakable bottle.*

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ASSESSMENT METHOD:

- *Observe how, and by whom, each infant is fed.*
- *For each self-feeding infant, observe the infant's location and the type of bottle the infant is using.*

***Note:** Microwave ovens may not be used to heat bottled formula because they heat liquids unevenly, which creates a scalding risk for infants.*

C. Except as specified by §D of this regulation, a provider may serve a child younger than 18 months old only developmentally appropriate:

- (1) Commercially prebottled formula;**
- (2) Breast milk, formula, juice, or water which has been prebottled for the child and provided by the child's parents**
- (3) Commercially processed baby food that is opened and used the same day;**
- (4) Commercial infant formula, in concentrate, powder, or ready-to-feed form, if the:**
 - (a) Child's parent has provided prior written authorization for the use of the formula; and**
 - (b) Formula is prepared directly from a factory-sealed container and in accordance with the manufacturer's instructions; and**
- (5) Other foods supplied by the provider or the parent that are consumed the same day.**

***INTENT:** A child who is under 2-years-old may only be served developmentally appropriate food and drink. Except for pre-bottled formula and pre-bottled breast milk, juice, or water provided by the child's parent, food must either be consumed by the child on the same day it is served.*

***INSPECTION REPORT ITEM:** "Feeding Infants and Toddlers"*

COMPLIANCE CRITERIA:

- *Each child under 2-years-old receives only developmentally appropriate food and drink.*
- *Except for pre-bottled formula and pre-bottled breast milk, juice, or water from the infant's parent, served food is either consumed on the same day or discarded.*

ASSESSMENT METHOD

:

- *Observe the food and drink served to each child who is under 2-years-old to assess its developmental appropriateness.*

D. Only whole, pasteurized milk will be served to a child younger than 2 years old who is not receiving formula or breast milk, except that skim milk, reconstituted nonfat dry milk, or 1—2 percent milk may be served upon the written prior approval of the child's parent and health care provider.

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E. A provider shall ensure that:

- (1) All food and bottles intended for consumption or use by a child younger than 18 months old are labeled with the child's name, dated, and refrigerated at 40°F or below if potentially hazardous;**
- (2) All nipples on bottles are protected;**
- (3) Breast milk or formula which has been bottled for the child is:**
 - (a) Placed immediately in a refrigerator when brought to the child care home;**
 - (b) Warmed to the desired temperature immediately before feeding; and**
 - (c) Served to the child at a temperature that is safe and conducive to the child's comfortable feeding;**
- (4) Foods that present a high risk of choking for children younger than 2 years old are not served to them; and**
- (5) Reusable bottles and nipples are:**
 - (a) Reused only after they have been washed, rinsed, and sanitized; or**
 - (b) If supplied by the child's parent, rinsed after use and returned daily to the parent.**

INTENT: Food consumed by infants is typically very rich in protein and therefore potentially hazardous if not prepared or stored properly. The operator must store all infant food promptly at proper temperatures, label and date all food intended for a given infant, ensure that bottle nipples are protected from contamination, and return reusable feeding equipment to each infant's parent every day. Food items that carry a high choking risk may not be served.

INSPECTION REPORT ITEM: "Feeding Infants and Toddlers"

COMPLIANCE CRITERIA:

- All food items kept for each under-2 child are dated and labeled with the infant's name.*
- Potentially hazardous food is refrigerated promptly at 40° F or below, and is not warmed to consumption temperature until immediately before feeding.*
- Bottle nipples are protected from contamination before use;*
- Reusable nipples and bottles are rinsed and returned daily to the parent;*
- Food items that carry a high choking risk are not be served.*

ASSESSMENT METHOD:

- Observe infant food kept at the facility to determine if items are labeled, stored, and protected from contamination as required.*
- Evaluate food items for choking risks.*

Notes:

- Breast milk from one mother may be used only with that mother's own infant.*

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- *Expressed breast milk should be discarded if it has been left unrefrigerated for an hour or more or used for a feeding that exceeds one hour from the start of the feeding. Unused expressed milk should be discarded after being refrigerated for 48 hours or after being frozen at 0° F for 3 months. Unused expressed milk that has been thawed in the refrigerator should be used within 24 hours. Frozen expressed milk should be thawed in a refrigerator or under cold running water.*