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DPHHS/FCSS Guidance Document

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Program: Food	Guidance Document:2013 FDA Model Food
Subject: Backflow Prevention	Version:3

The purpose of this document is to give technical guidance on direct and indirect connections between sewage systems and drains originating from equipment in which food, portable equipment, or utensils are placed.

The Department has received questions concerning the use of direct or indirect connections between sewage systems and equipment in a retail food establishment. The following guidance will help to clarify this confusion.

Rule Requirement: Model Food Code 5-402.11, ARM 24.301.301(1)(t)

- 2013 FDA Model Food Code 5-402.11 Backflow Prevention
 - (A) Except as specified in ¶¶ (B), (C), and (D) of this section, a direct connection may not exist between the SEWAGE system and a drain originating from EQUIPMENT in which FOOD, portable EQUIPMENT, or UTENSILS are placed.^P
 - (B) *Paragraph (A) of this section does not apply to floor drains that originate in refrigerated spaces that are constructed as an integral part of the building.*
 - (C) *If allowed by LAW, a WAREWASHING machine may have a direct connection between its waste outlet and a floor drain when the machine is located within 1.5 m (5 feet) of a trapped floor drain and the machine outlet is connected to the inlet side of a properly vented floor drain trap.*
 - (D) *If allowed by LAW, a WAREWASHING or culinary sink may have a direct connection.*
- “Law”, is defined in the 2013 FDA Model Food Code, as the applicable local, state, and federal statutes, regulations, and ordinances.
- Historically, The 2009 Uniform Plumbing Code (UPC) 704.3 was amended in ARM 24.301.301(1)(r) to read that there may not be a direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment, or utensils are placed.
- The State of Montana Department of Labor and Industry has more recently adopted the 2012 UPC.
- The 2012 UPC 704.3 was amended in ARM 24.301.301(1)(t) to read that there may not be a direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment, or utensils are placed. Exception: A warewashing (3-compartment) sink may have a direct connection only when used as a wash bin, rinse bin, and sanitizing bin and shall not be used for any other purpose. Establishments that use the sanitizing bin of their warewashing sink to wash produce or conduct other food preparation must maintain an indirect connection and are not eligible for this exception.

After reviewing the above referenced rules and regulations, the Departments interpretation is that an

indirect connection, such as an air gap, is required for culinary sinks or other equipment in which food, portable equipment or utensils are placed, except for warewashing sinks that may have a direct connection as specified in ARM 24.301.301(1)(t) and allowed under the FDA Model Food Code 5-402.11(D).

For more information, please contact DPHHS-FCSS at 406-444-2837 or visit our website: [Food and Consumer Safety Section](#).