CHAPTER ONE GENERAL PROVISIONS

PURPOSE

1-101 Authority.

These rules and regulations, promulgated pursuant to Titles 25-1-107(m), 25-1-108(1)(c)(I) and 25-5-508 C.R.S. 1973 as amended, shall be applied to promote their underlying purpose of protecting the public health. It shall be the responsibility of the owner, manager and employees of any child care center to meet these minimal standards.

DEFINITIONS

1-201 Definitions.

The following definitions shall apply in the interpretations and the enforcement of these regulations unless the context clearly states otherwise.

(a) Approved shall mean acceptable to the Colorado Department of Health or its authorized agents or employees based on determination of conformance with these and other appropriate standards and good public health practice.

(b) Child care center shall mean any facility defined as such in Sections 26-6-102 and 26-6-103, C.R.S. 1973, as amended.

(c) Department shall mean Colorado Department of Health or its authorized agents or employees.

(d) Employee shall mean any person working or volunteering to perform duties in a child care center.

(e) Extensive remodeling shall mean any remodeling that normally would require a building permit from local government. Routine maintenance, repairs, or cosmetic changes shall not be defined as extensive remodeling.

(f) Infant shall mean a child between birth and the age of eighteen months and who is enrolled in an infant center.

(g) New child care center shall mean a facility which is newly constructed or an existing structure that is converted for use as a child care center.

(h) Potentially hazardous food shall mean any food in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms or the slower growth of Clostridium botulinum with a water activity value of 0.86 or greater, or a pH level of 4.7 or less.

(i) Refuse shall mean any garbage, trash, or other forms of solid waste.

(j) Sanitization shall mean effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals, registered with the U.S. Environmental Protection Agency as disinfectants, for sufficient time to reduce the bacterial count, including pathogens, to a safe level.¹

¹One method of demonstrating effective bactericidal treatment is by an average plate count per utensil surface examined of not more than 100 colonies, or not more than 12 1/2 colonies per square inch of equipment examined in accordance with the procedure detailed in Public Health Service Publication No. 1631: “Procedures for the Bacteriological Examination of Food Utensils and for Food Equipment Surfaces.” This is not intended for use as a routine field procedure, but only for the supplemental evaluation of sanitation procedures.
(k) Toddler shall mean a child who walks independently between the ages of twelve months and thirty-six months and is enrolled in the toddler center.

CHAPTER TWO PREMISES

GROUND

2-101 General.

The grounds and premise shall be well drained and free of refuse, litter, animal droppings, insect and rodent harborages, weed overgrowth, and unused equipment. The sand and soils in play areas shall not contain hazardous levels of any toxic chemical or substances.

2-102 Maintenance.

All outdoor areas shall be maintained in a sanitary condition and be free of insect and rodent harborages, and the following unprotected items: wells, grease traps, cisterns, cesspools, septic tanks, and/or utility equipment. Treatment of outdoor play equipment with materials which have a toxic residual shall be prohibited.

2-103 Solid waste.

(a) Exterior garbage and rubbish containers shall be easily cleanable, covered, well maintained and inaccessible to children.

(b) Stored refuse shall be inaccessible to insects, rodents and other pests.

(c) Refuse shall be removed on a regular basis in a manner which would prevent creation of a nuisance condition.

(d) Interior garbage and rubbish containers shall be easily cleanable and shall be emptied whenever full.

POOLS

2-201 Swimming pools and wading pools.

(a) Swimming pools and permanent wading pools shall meet the requirements of the 1993 “Colorado Department of Health Swimming Pool and Mineral Bath Regulations.” When local health or building departments have adopted codes equivalent to or more stringent than the above, those codes shall apply.

(b) Portable wading pools shall be used only under close supervision. Use of portable wading pools by infants and toddlers who are not toilet trained shall be prohibited. Portable wading pools shall be emptied after use by each group of children or at least daily and placed in storage when not in use. A contaminated wading pool shall be emptied, cleaned and disinfected. Wading pool water shall be chemically disinfected by means of not less than 0.4 parts per million (ppm) and no more than two (2.0) ppm free available chlorine or by means of equivalent approved disinfection. The concentration shall be measured by an approved chemical test kit available on site.

(c) The water temperature shall be maintained between 77°F and 90°F while the pool is in use.

CHAPTER THREE BUILDING

3-101 General.
The building or buildings wherein a child care center is operated shall be maintained in good repair and shall not pose a health hazard to the children attending the center. Buildings shall be maintained in a clean and sanitary condition.

3-102 Doors and windows.

All openings to the outside shall be effectively protected against the entrance of insects and rodents by means of closed tight fitting doors, screening of openable windows and/or other effective means.

3-103 Finishes.

(a) No paint containing lead shall be used when surfaces are repaired or when any new surfaces, accessible to children, are painted.

(b) Painted finishes shall be free from peeling or chipping paint.

(c) Construction, remodeling, or alterations of finishes during child care operations shall be done in such a manner as to prevent hazards associated with lead.

(d) Room finishes shall be easily cleanable and maintained clean.

(e) Hand contact and splash areas of doors, walls, cabinets and shelves shall be smooth, non-absorbent and easily cleanable.

(f) Floors shall be smooth, dry, cleanable and free of cracks, splinters, and utility outlets.

(g) Carperting shall be tightly woven and in good repair.

(h) Carperting shall not be permitted in kitchens, restrooms, utility rooms, mechanical rooms or laundry areas. In new or extensively remodeled facilities, permanent carpeting shall not be permitted under and around dining and water craft tables, or sinks.

(i) Floor wall junctures in all areas not carpeted shall be tightly coved with approved concave coving.

3-104 Ventilation.

Ventilation, mechanical or natural, shall be maintained to minimize health hazards including excessive drafts, odors, extreme temperatures, humidity and temperature fluctuations.

3-105 Lighting.

All areas of the center shall be adequately lighted.

(a) A minimum of thirty (30) foot candles of light shall be provided upon work and play surfaces.

(b) A minimum of twenty (20) foot candles of light shall be provided in restrooms.

(c) A minimum of ten (10) foot candles of light shall be provided in hallways, stairways, and the remainder of the facility.

3-106 Heating.

Heating facilities shall maintain a draft-free temperature of at least 68°F at floor level in occupied rooms.

CHAPTER FOUR SANITARY FACILITIES AND CONTROLS
WATER SUPPLY

4-101 General.

An adequate supply of potable water for the needs of the child care center shall be provided in the building housing the establishment and shall be from a source constructed and operated in compliance with the “Colorado Primary Drinking Water Regulations” and regulations adopted pursuant to Title 37-91-110 C.R.S. 1973 as amended.

4-102 Bottled water.

Bottled and packaged potable water shall be obtained from a source that is approved by the Department and shall be handled and stored in a way that protects the water from contamination.

4-103 Drinking water.

Drinking water shall be readily accessible to children whenever the facility is operating.

(a) Drinking fountains shall be equipped with angled jets and orifice guards located above the rim of the fountain. The pressure shall be regulated so that the water stream does not come in contact with the orifice nor splash onto the floor. Drinking fountains on restroom handwashing sinks shall be prohibited. In new or extensively remodeled facilities, drinking fountains on designated art or science sinks shall not be approved.

(b) Individual drinking cups shall be dispensed by the staff or through an approved cup dispenser. Children may not share drinking cups.

(c) In all new or extensively remodeled centers a separate angle jet drinking fountain shall be installed at an appropriate height for use by the children in the center and shall be installed using the “1991 Colorado Plumbing Code” (the 1991 Uniform Plumbing Code [UPC]) as a guideline.

4-104 Hot Water Supply.

Hot water shall be provided at all times.

SEWAGE

4-201 General.

All sewage, including liquid waste shall be discharged to a sanitary sewer or to a sewage system constructed operated and maintained according to law.

PLUMBING

4-301 General.

All plumbing shall be sized, installed and maintained in accordance with applicable state and local plumbing codes, ordinances, regulations and standards. There shall be no cross connections between the potable water supply and any non-potable water supply, or any source of contamination. Plumbing shall be designed and constructed using the “1991 Colorado Plumbing Code” (UPC) as a guideline. Where local building departments have adopted codes equivalent or more stringent than the above, those codes shall apply.

4-302 Backflow.
The potable water system shall be installed and maintained to preclude the possibility of backflow or back siphonage.

4-303 **Non-potable water lines.**

The piping of any non-potable water system such as air conditioning and fire protection systems shall be labeled and identified so as to be readily distinguished from piping that carries potable water.

**TOILET FACILITIES**

4-401 **General.**

Only flush toilet facilities shall be installed in the establishment, shall be accessible to children, and properly maintained in a clean and sanitary condition utilizing good hygienic practices. The “1991 Colorado Plumbing Code” (1991 UPC) shall be used as a guideline. Summer camps shall have adequate toilet facilities available for use.

4-402 **Finishes.**

Toilet room walls and ceilings shall be constructed of easily cleanable, nonabsorbent materials. Floors shall have an impervious surface. Floor wall junctures shall be tightly coved with approved concave coving.

4-403 **Fixtures.**

Toilet fixtures shall be of an easily cleanable design and in all new or extensively remodeled facilities be of appropriate size and height for the children in the center.

4-404 **Privies.**

The use of privies in child care centers is prohibited, except that the use of privies located in remote areas of summer camps may be allowed only after obtaining the approval of the Department and meeting applicable standards and guidelines. Privies shall be separated from sleeping, activity, food preparation and storage rooms by a minimum of fifty (50) feet.

4-405 **Supplies.**

An adequate supply of toilet tissue shall be available from a wall hung dispenser located adjacent to each toilet.

4-406 **Toilet seat inserts.**

Toilet seat inserts, when used, shall be constructed of durable, easily cleanable materials and maintained in a clean and sanitary manner.

4-407 **Ventilation.**

All toilet rooms in new or extensively remodeled facilities shall have adequate mechanical ventilation to the outside. Chemical air fresheners which contain toxic substances shall not be used.

**HANDWASHING/BATHING FACILITIES**

4-501 **General.**

Handwashing and bathing facilities shall be installed using the “1991 Colorado Plumbing Code” (1991
UPC) as a guideline and be maintained in a clean, sanitary condition.

4-502 Location.

(a) Handwashing facilities shall be located in or immediately adjacent to toilet rooms, diaper changing areas, and food preparation areas as well as any other area where activities require frequent handwashing. In all new or extensively remodeled centers providing care to infants, toddlers or preschoolers, a handwashing sink shall be accessible without barriers allowing the caregiver to visually supervise the group of children during handwashing activities. In all new or extensively remodeled child care centers, children's handwashing sinks shall be at an appropriate height for the children in the center.

(b) Bathtubs or showers, when used, shall be located within the facility or within an approved building.

4-503 Water temperature.

(a) Each handwashing sink shall be provided with hot and cold water through a mixing valve or combination faucet. Hot water at sinks accessible to children shall not exceed a temperature of 110°F.

(b) Hot water delivered to bathing facilities shall be at least 90°F and shall not exceed 110°F.

4-504 Supplies.

Single service hand towels from a wall-hung dispenser and soap shall be provided at each handwashing sink at a height accessible by children in the center. Mechanical air drying devices may be used in lieu of towels. The use of common towels is prohibited.

4-505 Finishes.

Bathing facility walls and ceilings shall be constructed of easily cleanable, nonabsorbent materials. Floors shall have an impervious surface. Floor wall junctures shall be tightly coved with approved concave coving.

CUSTODIAL AREAS

4-601 Laundry.

(a) Laundry facilities, where provided, shall be installed using the “1991 Colorado Plumbing Code” (1991 UPC) as a guideline, and shall be well maintained in a clean condition and be inaccessible to children.

(b) In all new or extensively remodeled facilities where laundry facilities are provided, properly vented gas or electric dryers shall be installed.

(c) Soiled linens shall be stored in nonabsorbent or washable laundry bags until removed for laundering, shall be stored separate from clean linens and clothing, and shall be inaccessible to children.

(d) Laundry facilities shall be physically separated from food preparation, food storage, and restroom areas.

(e) The water temperature for the laundry shall be maintained above 140°F unless an approved disinfectant is applied in the rinse cycle or the dryer uses heat above 140°F as specified by the manufacturer.
Soiled linen and clothing contaminated with blood, vomit, urine, or stool shall be stored and laundered separately.

**4-602 Storage.**

(a) Adequate storage space shall be provided and maintained in a clean and sanitary manner.

(b) Cleaning materials, bleaches, detergents, medications, and other toxic chemicals shall be properly labeled, and inaccessible to children.

(c) Clean linens and clothing shall be stored in a clean place and protected from contamination until used.

**CHAPTER FIVE INTERIOR DESIGN**

**PERSONAL BELONGINGS**

**5-101 Individual storage.**

Separate identified storage areas shall be provided for each child's and staff member's personal effects and clothing. Individual cubicles, lockers, or coat hooks shall be provided for storage of coats, hats, etc.

**PLAY EQUIPMENT**

**5-201 Toys.**

Toys and art supplies shall be made of safe, non-toxic, durable, cleanable materials, and shall meet the requirements of regulations adopted pursuant to Title 25-5-508 C.R.S. Soft, cloth toys shall be machine washable.

**NAPPING AREA AND EQUIPMENT**

**5-301 Napping supplies.**

All napping supplies such as cots, beds, cribs, floor mats, or linens shall be maintained in a sanitary manner.

(a) Mattresses, mats, or pads shall be covered with impervious easily cleanable materials. Cots shall be constructed of easily cleanable materials.

(b) Individual cribs, sleeping mats, cots or linens shall be issued to each child and marked with identifying information.

(c) Each crib, mat, or cot shall be thoroughly cleaned and sanitized prior to use by another child.

(d) Sleeping linens, mats, or cots shall be thoroughly cleaned and sanitized whenever soiled. Sleeping mats shall be stored so that there is no contact with the sleeping surface of another mat.

**RESTING AREA**

**5-401 Provision.**

Each facility shall include a resting area designated for the care of any ill or injured child awaiting the arrival of a parent or guardian.
(a) Such an area shall be adequately ventilated and heated.

(b) The resting area shall be equipped with a bed or cot which meets the requirements of Section 5-301 of these Rules and Regulations.

(c) Children in the resting area shall have access to toilet and lavatory facilities where health and sanitation measures can be carried out without interruption by other children and staff activities.

(d) The resting area shall be located so as to allow for staff supervision of the ill or injured child at all times.

**CHAPTER SIX DISEASE PREVENTION**

**PERSONAL HEALTH**

6-101 **Employee health.**

Employees shall be in good health and be free from communicable disease while caring for children, preparing food or employed in any capacity where there is a likelihood of transmitting disease to others at the center.

6-102 **Immunization.**

Children in care shall be immunized as required by Title 25-04-901 et seq. and the “1993 Rules of the Colorado Board of Health Pertaining to the Immunization of Students Attending School.” The official Certificate of Immunization or Exemption shall be on file.

**HYGIENIC PRACTICES**

6-201 **Staff handwashing.**

Staff members shall practice adequate handwashing by vigorously washing their hands with soap and warm running water, and drying them with clean disposable towels or a mechanical drying device:

(a) after using the toilet, changing diapers or assisting a child with toileting;

(b) after handling soiled dishes, soiled tissues, soiled diapers or other soiled laundry;

(c) immediately after reporting to work;

(d) before handling food or food utensils;

(e) after handling pets or other animals;

(f) after sneezing, coughing, or nose blowing; and

(g) at any other time their hands become soiled.

6-202 **Child handwashing.**

Children shall be taught to wash their hands vigorously with soap and warm running water and to dry them with sanitary towels or a mechanical drying device:

(a) after using the toilet, or diapering;
(b) prior to preparing or eating food;

(c) after sneezing, coughing, or nose blowing; and

(d) whenever their hands become soiled through activities conducted at the center such as playing in the sand, with animals, with clay, painting, etc.

6-203 Supervision.

Staff shall supervise children's handwashing to assure adequacy of the procedure.

6-204 Cleanliness.

All staff members shall practice good personal hygiene in order to reduce the potential for disease transmission.

6-205 Staff clothing.

All staff members shall wear clean outer garments. Staff members involved in both child care and food preparation shall wear a clean smock whenever they are involved with food preparation.

6-206 Personal articles.

(a) A supply of clean children's clothing shall be available for changing wet or soiled clothing.

(b) Personal hygiene articles, such as combs, toothbrushes and wash cloths, etc., shall be individually identified and stored in a sanitary manner so they do not come into contact with one another, and shall not be shared between children.

6-207 Dress-up clothing.

Dress-up clothing, wigs and hats shall be washable and shall be maintained in a clean condition.

6-208 Play tables.

Water tables, sand tables, and other play tables shall be maintained in a clean and sanitary manner.

6-209 Sanitization of toys.

Toys that are placed in children's mouths or are otherwise contaminated by body secretions or excretions shall be cleaned and sanitized prior to use by another child. All toys shall be maintained in a clean and sanitary condition.

MEDICATIONS

6-301 Storage.

Medication shall be inaccessible to children and shall be stored in the original container in a controlled area separated from food, cleaning compounds and other toxic substances. If refrigeration is required, the medication shall be stored:

(a) in a separate refrigerator maintained for that purpose only, or

(b) in an impervious secondary container in a designated area of a food storage refrigerator, separated from food and inaccessible to children.
CHAPTER SEVEN FOOD SERVICE

7-101 Sanitary requirements.

Child care centers serving meals shall meet the requirements of the “1990 Rules and Regulations Governing the Sanitation of Food Service Establishments in the State of Colorado” with the following exceptions:

(a) The number of toilet facilities shall meet the requirements of the Colorado Department of Social Services “Minimum Rules and Regulations for Child Care Centers”; 

(b) Commercial ventilation systems shall be required only when grease cooking is done routinely;

(c) Children may use the same room for eating and napping;

(d) Domestic food equipment is permitted, providing it is approved by the Department and maintained in good repair.

(e) Domestic dishwashing machines are approved if:

   (1) The water temperature in dishwashing machines equipped with a heat sanitizing cycle reaches a minimum of 150°F;

   (2) The water temperature in dishwashing machines without a sanitizing cycle reaches a minimum of 155°F;

   (3) Dish volume is such that all dishes and utensils can be washed and sanitized by using not more than two complete cycles of the dishwashing machine for each of the following: breakfast, lunch, dinner, and snacks.

(f) Where domestic equipment is permitted and used, domestic equipment installation methods shall be acceptable provided the equipment and surrounding area are maintained in a clean sanitary condition.

(g) In child care centers serving snacks containing only non-potentially hazardous foods from approved sources and served in single-service containers, the following shall apply:

   (1) All foods and single-service articles are protected during transportation, storage, preparation and service;

   (2) Good hygienic practices are employed;

   (3) Fruits and vegetables are thoroughly washed during preparation in a clean and sanitized kitchen sink; (The use of a handwashing sink for this purpose is not approved.)

   (4) Utensils used in food preparation are cleaned and sanitized in a manner approved by the Department, and properly stored after each use (The use of any handwashing sink for this purpose is not approved.); and

   (5) Single-service items are not reused and are disposed of properly.

(h) When parents furnish snacks for children other than their own child, the snack shall consist of only non-potentially hazardous foods. Nothing in this section shall prohibit the occasional serving of food in connection with a single event or celebration.
Child care facilities where individual meals are furnished by the parents shall be restricted to their own child and labeled with the child's name. Adequate refrigeration at 45°F or below shall be provided for safe storage of all potentially hazardous foods including infant formulas.

7-102 Prohibited foods.

Service of honey to infants shall be prohibited.

7-103 Prohibited activities.

Staff shall not be involved in the care of children and food preparation concurrently. Nothing in this section shall prohibit cooking teaching projects if good hygienic practices are observed.

CHAPTER EIGHT INFANT AND TODDLER NURSERIES EQUIPMENT REQUIREMENTS

PERSONAL ITEMS

8-101 Supplies.

Adequate supplies of diapers, clean clothing and linens shall be available for the needs of each infant and toddler.

8-102 Storage.

Adequate storage space shall be provided for the personal items of each infant and toddler.

8-103 Wiping cloths.

Each infant and toddler shall be provided with two individual wash cloths and one towel or an adequate supply of soft, non-irritating disposable towels.

INFANT CARE

8-201 Clothing.

Clothing worn by staff members to and from work shall be covered or replaced by clean non-irritating washable smocks or similar clothing.

8-202 Pets.

Pets are prohibited in infant nurseries.

INFANT FEEDING

8-301 Hygienic practices.

(a) Staff members shall wash their hands and replace their smocks when smocks become soiled.

(b) Staff members involved in handling infants and changing diapers shall be prohibited from preparing meals and snacks for children not in their group.

8-302 Food storage.

(a) Infant food shall be stored in original, labeled, covered containers and be separated from other food stuffs.
(b) Infant formula in bottles and opened moist baby foods shall be labeled with the infant's name, stored at 45°F or below, dated and discarded at the end of the day. This shall not apply to frozen breast milk.

(c) No more than one infant shall be fed from the same container of food or with the same utensil.

**DIAPERING**

**8-401 Changing.**

Wet or soiled diapers and clothing shall be changed promptly.

**8-402 Changing station.**

A permanent diaper changing station shall be provided and located separated from any food preparation, storage or serving area, and shall include:

(a) A changing table of sturdy construction with a smooth, durable, nonabsorbent and easily cleanable surface.

(b) A handwashing sink located adjacent to the changing table and equipped with hot and cold running water delivered under pressure through a mixing faucet. Soap and single service towels from a wall hung dispenser or a mechanical drying device shall be located at each handwashing area.

(c) A solution of 1/4 cup of chlorine bleach per gallon of water or a solution containing any other chemical sanitizing agent registered with the U. S. Environmental Protection Agency as a disinfectant that will provide the equivalent bactericidal and viricidal effect of a solution of 1/4 cup of hypochlorite per gallon of water. This solution must be in a labeled container located completely out of the reach of children.

(d) A washable, covered container lined with a plastic bag located adjacent to the changing table and inaccessible to children.

**8-403 Procedures.**

The following procedure shall be conducted each time a diaper is changed:

(a) The child shall be placed on a clean, sanitized, dry changing table.

(b) The child shall be cleaned on the body wherever necessary.

(c) Soiled diapers and clothing shall be replaced with clean diapers and clothing.

(d) Soiled clothes shall be placed in a plastic bag for parents to take home. Soiled diapers shall be placed in a covered, impervious plastic lined receptacle.

(e) An infant's hands shall be washed using soap and warm water and dried with disposable towels. A toddler's hands shall be washed using soap and warm running water and dried with disposable towels.

(f) The child then may be returned to a clean crib or to play.

(g) The staff member shall then clean and sanitize the following:

(1) The diapering area;
(2) The equipment or supplies touched during diapering; and

(3) The soiled crib or cot.

(h) The staff member shall then thoroughly wash his/her hands with soap and warm running water and dry his/her hands with sanitary disposable towels or a mechanical drying device.

8-404 Cloth diapers.

If cloth diapers are used, a toilet shall be easily accessible for the removal of waste contents before placing the diapers in the waste receptacle. Cloth diapers or clothing shall not be rinsed. Cloth diapers shall be cleaned in accordance with practices approved by the Department.

CHAPTER NINE CARE OF ANIMALS

9-101 Number.

For a classroom of 25 children, not more than three adult caged animals, under five pounds each, or one larger animal which has been immunized in accordance with recommended veterinary practices may be provided by the center as pets. Nothing in this provision shall prohibit the properly located, stabled and corralled livestock such as horses at a summer camp or fish in bowls or aquariums.

9-102 Prohibited animals.

Psittacine birds, or any other animal which may pose a hazard to the health of the children shall be prohibited in the child care center. Wild, dangerous or potentially aggressive animals or fish shall be prohibited.

9-103 Cleaning.

(a) The cages of each animal shall be easily cleanable and cleaned as needed.

(b) All animal wastes on outdoor play areas shall be promptly removed and placed in a closed disposal container.

9-104 Child participation.

Children may participate in the care of tame animals; however, they shall be supervised in proper handling techniques and proper handwashing following contact with the animals.

9-105 Animal feed.

All animal feed shall be stored separate from human food.

CHAPTER TEN TOXIC MATERIALS MANAGEMENT

INSECT AND RODENT CONTROL

10-101 Control.

(a) The use of poisonous compounds to control weeds, rodents, insects, and other pests shall be implemented only after other, less toxic means have been used for control. These compounds shall be used according to labeled instructions.

(b) All food, food utensils, and equipment, bedding, toys, sleeping mats and other equipment, materials
and items that will come into contact with food or children must be completely protected during the time pesticide application is being conducted. Pesticides shall be applied only in such a manner as to prevent skin contact and other exposure to children or staff. Application shall not be conducted when children are present.

(c) Only approved insecticides, rodenticides, and herbicides can be used. Application must strictly follow all label instructions and must be authorized by the director. Rodenticides shall be dispensed in tamper proof boxes, must have a distinctive color so as not to be mistaken for food, and shall be in cake or pellet form.

(d) Restricted pesticides shall be applied only by a certified pest control applicator or under the direct supervision of a certified pest control applicator.

**POISONOUS OR TOXIC MATERIALS**

**10-201 Presence.**

There shall be present in child care establishments only those poisonous or toxic materials necessary for general maintenance of the building, grounds, and equipment. These compounds shall be used according to labeled instructions.

**10-202 Containers.**

Containers of poisonous or toxic materials shall be prominently and distinctly labeled for easy identification of contents. Poisonous or toxic materials shall not be transferred into food or drink containers.

**10-203 Storage.**

Poisonous or toxic materials shall not be stored or used in a way that could contaminate food, food utensils and equipment, bedding, sleeping mats, toys and other equipment, materials and items that will come into contact with food or children. Toxic materials shall be stored in compliance with Section 4-602 of these Rules and Regulations.

**10-204 Use.**

Sanitizers, cleaning compounds or other compounds intended for use on food contact surfaces and body contact surfaces shall not be used in a way that leaves a toxic residue on such surfaces.

**10-205 Asbestos.**

Before the start of any remodeling, a child care facility shall be examined for the presence of asbestos by a State certified asbestos inspector. If asbestos is found, it shall be managed in accordance with the “1993 Colorado Air Quality Control Commission Regulation Number 8 Part B.”

**10-206 Urea-formaldehyde foam insulation.**

The use of urea formaldehyde foam insulation is prohibited.

**ART AND SCIENCE MATERIALS**

**10-301 General.**

Art and science materials must be nontoxic, safe and used in a way so as not to constitute a hazard to the children or staff.
10-302 **Prohibited chemicals.**

The use of concentrated or strong acids and bases; carcinogenic materials; toxic organic solvents; materials that produce toxic dusts, plasters, glazes and dyes; aerosol spray paint cans and air brushes shall be prohibited. Nontoxic, water-based materials should be used.

10-303 **Storage.**

All art and science materials must be stored in original containers, out of the reach of children. Art materials shall not be transferred into food or drink containers. All art and science materials, unless easily identifiable, must be clearly labeled.

Copies of the “Rules and Regulations Governing the Sanitation of Child Care Centers in the State of Colorado” are available for reference from the Director, Consumer Protection Division, Colorado Department of Health, 4300 Cherry Creek Drive, South, Denver, Colorado 80222-1530.

A copy of any reference rule, code, or standard that has been incorporated in these rules and regulations is available for reference at the Consumer Protection Division, Colorado Department of Health, 4300 Cherry Creek Drive South, Denver, Colorado 80222-1530. This reference does not include later amendments to or editions of the incorporated material.