

Food Code

U.S. Public Health Service



2013

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service • Food and Drug Administration

College Park, MD 20740

Effective January 1, 2019

MoJin Solutions, LLC

Reminder! MA follows the *Federal Food Code* and 105 CMR 590.000 *State Sanitary Code Chapter X*

Both 105 CMR590.000 and the 2013 Federal Food Code are required

- Establishment regulations specific to MA
- Caterers
- Mobile Food Operators
- Temporary Food Events
- Inns and Bed & Breakfast Establishments
- Residential Kitchens

105 CMR 590.000 can be viewed at:

<http://www.mass.gov/eohhs/docs/dph/regs/105cmr590.pdf>

Objectives

- **Significant changes** from 1999 to the 2013 Federal Food Code
- **Examples of violations and risks**
- **Inspection Form features**
- **Inspection Approaches**

2013 Federal Food Code can be viewed at:

<https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm275.htm>

Copies can be purchased - MA State House Bookstore at 617-727-2834



2013 Food Code

Recognizes CDC 5 risk factors, leading cause of foodborne illness.

- Poor personal hygiene
- Unsafe food sources
- Improper cooking temps
- Improper holding temps
- Contaminated equipment

Emphasis is on Active Managerial Control

1. Establish Procedures
2. Train staff
3. Monitor
4. Verify staff following procedures
5. Verify procedures are effective

Terminology Change

Time/Temperature Controlled for Safety (TCS) formally
potentially hazardous foods (PHF's)

TCS foods require temperature controls to limit pathogenic
microorganisms or toxin formation

Added TCS foods:

- Cut leafy greens
- Cut melon
- Cut tomato



When You Review the 2013 Regulations Look for.....

Better Identification of Risk Controls

Former use of “critical” and “non critical” replaced with:

- Priority Item (P)
- Priority Foundation Item (Pf)
- Core Item

Emphasis on Temperatures and Cleaning & Sanitizing

- Food contact surfaces
- Non food contact surfaces
- Facilities

Priority Items (P)

(Eliminates, prevents, reduces risk to acceptable level)

Examples


3.302.11 Packaged and unpackaged food separation, segregation

3.302.15 Washing Fruits and Vegetables - devices and chemicals used in compliance with manufacturer's instructions.

3.304.15(a) Glove use - single task

3.501.14 Cooling, Time and Temperature

4.501.114 Chemical Sanitizers, temperature of water, pH, concentration and water hardness



Priority Foundation Items (Pf)

(Supports or facilitates a Priority Item)

Examples

3.202.18 Shellstock identification

3.501.15 Cooling Methods

4.203.11 Food Thermometers available and accurate

4.204.117 Warewashing Machines, Automatic Dispensing
Detergents and Sanitizers

4.302.14 Sanitizing Solution, Testing Devices



Core Items

(general sanitation, facility structure, equipment design & general maintenance)

Examples

3.302.12 Food Storage Containers identified with Common Name of Food

3.304.14 Wiping Cloths, Use Limitation

3.304.15(b)(c)(d) Gloves, use Limitation






Chapter 2 Management and Personnel

2.103.11 (Pf) Person in Charge (PIC)

Additional duties:

- Requires verified method for employees to report illness and relative health status.
- Direct supervision of food handling practices
- **Written procedures required**, employees trained in food and allergen safety where specified by the Code.

*** Reminder: the PIC is the person in charge of food safety!*



PIC - Written Procedures

The PIC will be responsible to train staff and maintain written procedures for:

1. 2-501.11 Vomit and Diarrheal Clean-up
2. TPHC -Time in place of Temperature
3. Non Continuous Cooking
4. Employees are “informed in a verifiable manner” of their responsibility to report to the PIC about their health and activities relating to foodborne illness.



Handwashing

Violation Examples

- Priority (P)
 - 2-301.12 Employee not washing their hands when dirty
 - 2-301.14 (H) Before donning gloves to initiate task that involves working with food.
- Priority Foundation (Pf)
 - 6-301 Handsink has no soap
 - 2-301.15 Using food sink
- Core
 - 4-601.11 Handsink is dirty



2-501.11 (Pf) Clean-up Diarrhea & Vomit

Establishment must have procedures in place for clean up of vomit and diarrheal events.

A Food Establishment shall have *"procedures to address specific actions employees must take to minimize the spread of contamination and exposure of employees, consumers, food and surfaces from vomitus or fecal matter."*



Look for
“Bodily Fluids Clean-up Kit”

*Post instructions, train staff on clean-up procedures.



Chapter 3 FOOD

Wiping Cloth, Use and Limitations

3-304.14 Wiping cloths stored in sanitizing buckets, *stored off floor (core)*



Kids Menu 3-304.11

- Comminuted meat – must be fully cooked
- All other undercooked foods are allowed with a consumer advisory




3-201.12 Shellstock Tags

- Date the last shellstock from the container is sold shall be recorded on the tag or label. (Pf)



3.401.14 Non Continuous Cooking

Raw animal foods that are cooked using a non continuous cooking process shall:

- Initial heat process no longer than 60 minutes.
 - Followed by *cooling* in accordance with time/temperature requirements.
 - Prior to service or holding cooked to the minimum cooking time/temperature required in 3-401.11.
 - Requires a written procedure submitted to Health Office for *prior approval required*.
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If you make fresh juice.....

3.404.11 (P) Treating Juices

Packaged juice shall be:

- (a) Treated under a HACCP plan to attain a 5-log reduction of most resistant microorganism of public health significance
- (b) Labeled if not treated to attain 5-log reduction



If you purchase ROP frozen fish...

3.501.13(e) Thawing ROP Fish (core)

- Refrigeration Method - remove from package prior to thawing in refrigerator.
- Running Water or Microwave Method - remove from package before or immediately after thawing.



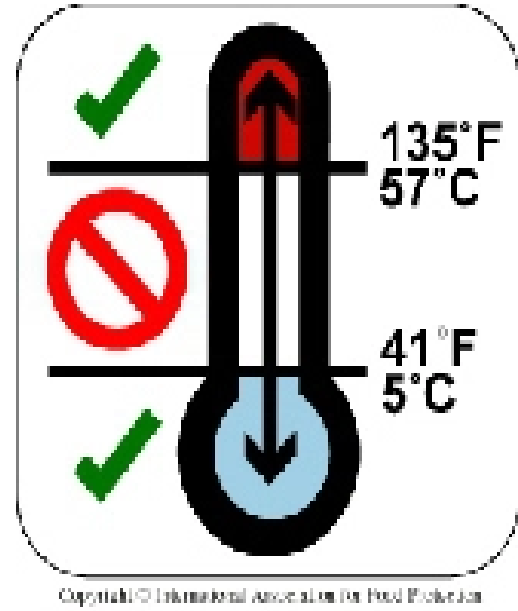
Temperature Controls

3.501.16 (P) Hot Holding reduced to 135°F

3.501.19 (P) Time as a Public Health Control

New Temperature Danger Zone

41°F - 135°F




Time as Public Health Control (TPHC)

Applies to

1. Working supply of TCS food before cooking or
2. Ready to Eat TCS food that is displayed or held for sale or service

Requirements

- Prerequisite : preparation, cooking, refrigeration is in compliance
 - **Written procedures in advance, submitted to health office** and available in establishment
 - Foods labeled with time removed from temperature controls and discard time **(Pf)**
 - Food in unmarked containers must be discarded. **(P)**
- 

3.501.19(b) TPHC

Hot or Cold Foods may be held at room temperature for 4 hours.

- Food is 41F or 135F at start (P)
- Foods marked with time removed from temperature controls & discard time not to exceed 4 hours. (Pf)
- Discard Food - in unmarked containers, or marked to exceed 4 hours. (P)

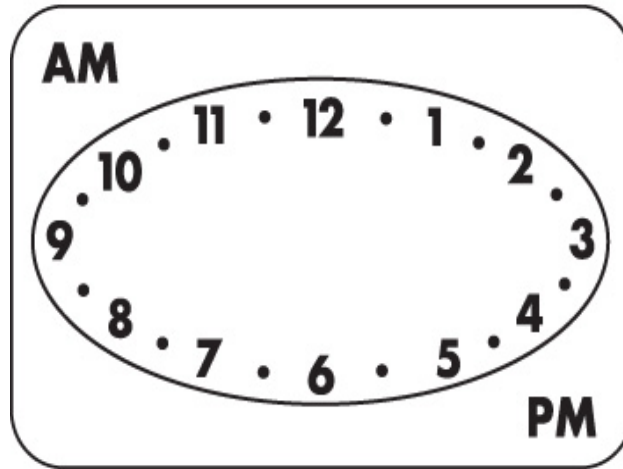
3.501.19(c) TPHC

Cold Foods may be held at room temperature for 6 hours.

- Food is 41F or 135F at start (P)
- Monitored - cant exceed 70°F within 6 hour holding. (Pf)
- Foods marked with time removed from temperature controls & discard time not to exceed 6 hours or 70F. (Pf)
- Discard Food - in unmarked containers, marked to exceed 6 hours, or above 70°F. (P)

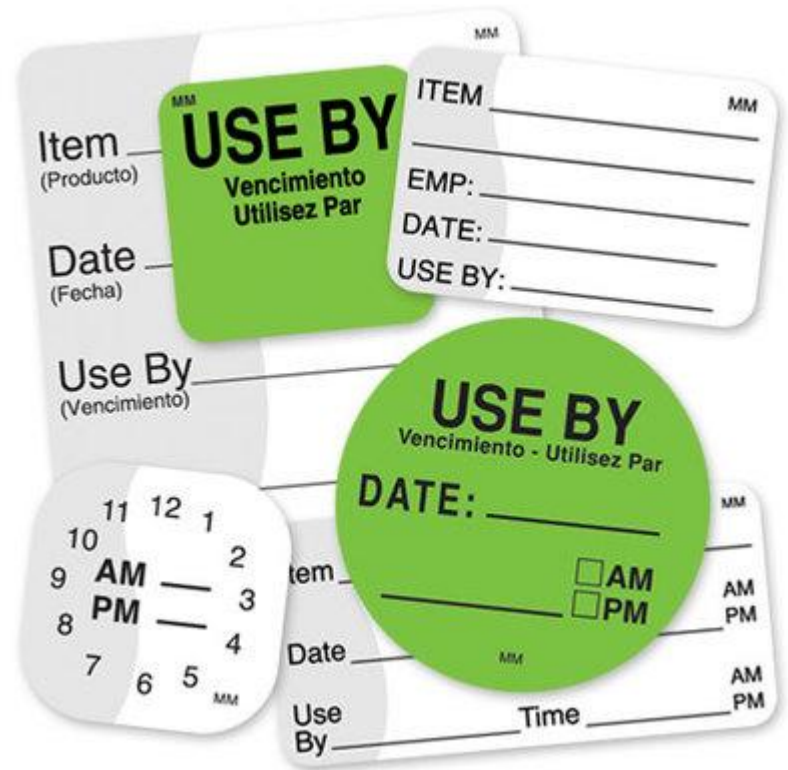
TPHC - Monitoring Methods

- Log
- Label
- Wax Pencil




3-501.17 (Pf) Date Marking Foods

- Prepared and commercially prepackaged TCS foods held for more than 24 hours require a **USE-by Date**.
- Maximum of 7 days refrigerated storage
*(Day 1 is preparation date)
- Cannot exceed manufacturer's date!



3-502.11 Special Processes (Pf)

Variance needed:

1. Smoking as means of preserving
 2. Curing
 3. Using additive to render food non TCS (**acidification**)
 4. Packaging TCS foods using reduced oxygen packaging
 5. **Raw sprouts production (new!)**
 6. Custom processing animals for personal use
 7. **Mollusk tank**
 8. Preparing food by other means that is determined by the regulatory authority to require a variance.
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3.502.12 ROP without a Variance

Changes:

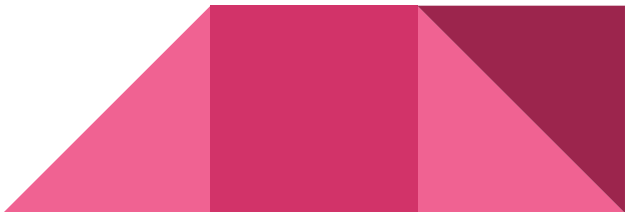
- Discard/Use-by changed from 14 to 30 days
- Added requirements for ROP cheeses

HACCP Plan not required:

- When food ROP on site removed from packaging in the food establishment within 48 hours after packaging.



3.801.11 Prohibited Foods for HSP

- Includes children age 9 or under in school, daycare or similar facility are included in a HSP.
 - Prepackaged juice requires 5 log reduction, HACCP and variance.
 - Unpackaged juice for service or sale requires HACCP.
 - Time as Public Health Control (TPHC) cannot be used for raw eggs.
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Chapter 4 Equipment, Utensils & Linens

4-302.13(b) (Pf) Mechanical Warewashers

HI- Temp Mechanical warewashers must have an irreversible registering temperature indicator for measuring the utensil surface temperature.



T-sticks

Additional Examples: Irreversible Temperature Indicators



**Dishtemp by
Thermoworks**

Ecolab Premium 160F/170F/180F Dishwasher Labels





Inspections

**Inspectors are to verify
“Priority Item” (P) violations are
corrected during the inspection.**



8.304.11 Public Notice of Inspections

Food establishment must notify customers that:

- Most recent inspection report is available to public for review.
- Post a sign or placard in conspicuous location or..... other method acceptable by regulatory authority.




Sample Notice

A copy of the most recent
Arlington Health Department
Food Inspection Report
is available to interested parties
upon request.
Please see the Manager.

***Post in conspicuous location in print large
enough for customer to read.*



8.405.11 Time Frame for Corrections

- Priority Item (P)
Corrected at time of inspection. The Regulatory Authority may allow up to 72 hours for items not feasible to correct immediately.
 - Priority Foundation Item (Pf)
Corrected at time of inspection. The Regulatory Authority may allow up to 10 calendar days.
 - Core Item
Corrected up to 90 days after the inspection or as allowed by the Regulatory Authority.
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What Can you do to prepare?

- Review the code – begin with Chapter 1, 3 and 4
- Review your food processes
- What Written procedures are required for your establishment?
- Review past inspection reports - most common violations?
- What procedures or training will result in better control and fewer violations?
- Obtain and organize resource material

Train Staff and Implement Procedures!

Monitor and Adjust or Re-train!



Thank You for your Time!
Please contact the Health Office
with your questions.

