



## **Town of South Windsor Health Department**

# **November 2018 FDA Food Code Info: Changes for January 1, 2019 and Beyond**

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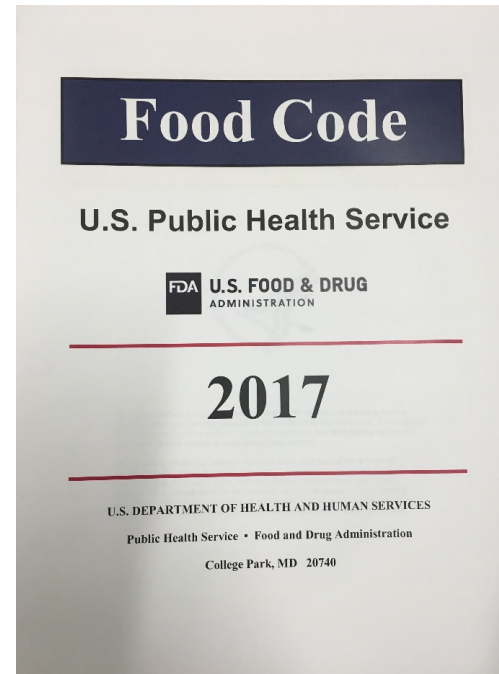
## Disclaimer

Any information contained in this presentation is for educational purposes only. The information provided represents a portion of the regulatory requirements of the FDA Model Food Code and is subject to change as the regulations have not yet been adopted. As we move through implementing this new code, the South Windsor Health Department is available to work with establishment operators to provide guidance and make the transition as smooth as possible.

# Objectives

By the end of this presentation you will:

- ▶ Understand what the CT adoption of the 2017 Food and Drug Administration (FDA) Model Food Code means for you.
- ▶ Understand changes effective January 1<sup>st</sup>, 2019
- ▶ Understand how SWHD will implement these changes



# Adoption

- ▶ CT Public Act 17-93: An Act Concerning the Department of Public Health's Recommendation Regarding Adoption of a Model Food Code -June 21, 2017
  - ▶ Adopt and administer by reference the FDA Food Code and any supplements (allows for future changes)
  - ▶ Requires update to state regulations and definitions
- ▶ CT Public Act 18-168: An Act Concerning the Department of Public Health's Recommendations Regarding Various Revisions to the Public Health Statutes -October 1, 2018
  - ▶ Moves adoption date to no later than January 1, 2019
  - ▶ Update to regulations has been formal submitted by DPH - FPP

# Implications

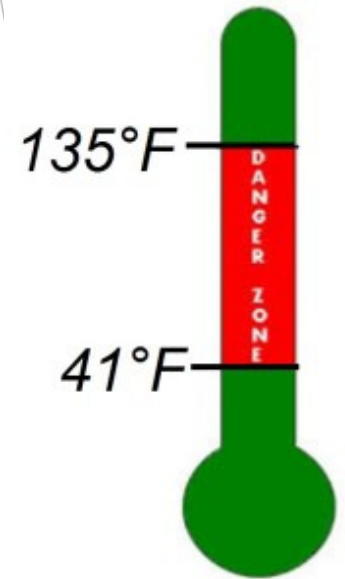
- ▶ Supports standardized and uniform food inspections
  - ▶ Consistency across the nation
  - ▶ Updated every 4 years (current version is 2017)
    - ▶ Supplements updated between revisions
- ▶ Promotes Active Managerial Control of food service establishments
- ▶ Allows for special processing of foods
- ▶ Unicode - meaning all types of retail food establishments are included under the same regulatory language



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## Review of Enforceable Actions in Effect:

- ▶ Hot holding temperature requirements  $\geq 135^{\circ}\text{F}$
- ▶ Cold holding temperature requirements  $\leq 41^{\circ}\text{F}$
- ▶ Classification Changes for Class I-IV
  - ▶ Inspection frequency changes
- ▶ No use of latex gloves - subject to fine of not less than \$250



# FDA Food Code Chapter 1: Purpose and Definitions

## ▶ *Intent*

- ▶ **1-102.10 Food Safety, Illness Prevention, and Honest Presentation.**
- ▶ The purpose of this Code is to safeguard public health and provide to CONSUMERS FOOD that is safe, unADULTERATED, and honestly presented.
  - ▶ Honestly presented = not misleading

## ▶ *Scope*

- ▶ **1-103.10 Statement.**
- ▶ This Code establishes definitions; sets standards for management and personnel, FOOD operations, and EQUIPMENT and facilities; and provides for FOOD ESTABLISHMENT plan review, PERMIT issuance, inspection, EMPLOYEE RESTRICTION, and PERMIT suspension.

## ▶ Definitions

- ▶ **Potential Hazardous Foods (PHF) now Time/Temperature Control for Safety Food (TCS)**

# FDA Food Code Chapter 2: Management and Personnel

## PIC, CFPM, Alternate

- ▶ All FSE's required to have Person In Charge (PIC)
- ▶ Class II, III, IV establishments, the PIC is the Certified Food Protection Manager (CFPM) - formerly QFO
- ▶ Alternate Person in Charge
  - ▶ Appointed by PIC
  - ▶ Only applicable for non-peak hours
  - ▶ Does not need to pass accredited exam
  - ▶ Non-peak hours are when limited/no food prep is happening in establishment

CFPM Requirements	
Required of Class II, III & IV	Yes (Not required for Class I)
Approved Testing Organizations	ServSafe, Prometric, 360training.com, National Registry of Food Safety Professionals/Environmental Health Testing
Cert expires	Yes - Per CFP, certificates valid up to 5 years
Ensure temps, cleaning, hand washing, etc.	Yes
Verifiable reporting illness	Yes - Annex Forms 1-A and 1-B



# FDA Food Code Chapter 2: Continued

## 2-103.11 Person in Charge

### ► The PIC shall ensure that:

- (O) FOOD EMPLOYEES and CONDITIONAL EMPLOYEES are informed in a **verifiable** manner of their responsibility to report in accordance with LAW, to the PERSON IN CHARGE, information about their health and activities as they relate to diseases that are transmissible through FOOD, as specified under ¶ 2-201.11(A);

#### FORM 1-B Conditional Employee or Food Employee Reporting Agreement

Preventing Transmission of Diseases through Food by Infected Conditional Employees or Food Employees with Emphasis on Illness due to Norovirus, *Salmonella* Typhi, *Shigella* spp., or Shiga toxin-producing *Escherichia coli* (STEC), nontyphoidal *Salmonella* or Hepatitis A Virus

*The purpose of this agreement is to inform conditional employees or food employees of their responsibility to notify the person in charge when they experience any of the conditions listed so that the person in charge can take appropriate steps to preclude the transmission of foodborne illness.*

I AGREE TO REPORT TO THE PERSON IN CHARGE:

Any Onset of the Following Symptoms, Either While at Work or Outside of Work, Including the Date of Onset:

1. Diarrhea
2. Vomiting
3. Jaundice
4. Sore throat with fever
5. Infected cuts or wounds, or lesions containing pus on the hand, wrist, an exposed body part, or other body part and the cuts, wounds, or lesions are not properly covered (such as boils and infected wounds, however small)

Future Medical Diagnosis:

Whenever diagnosed as being ill with Norovirus, typhoid fever (*Salmonella* Typhi), shigellosis (*Shigella* spp. infection), *Escherichia coli* O157:H7 or other STEC infection, nontyphoidal *Salmonella* or hepatitis A (hepatitis A virus infection)

Future Exposure to Foodborne Pathogens:

1. Exposure to or suspicion of causing any confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other STEC infection, or hepatitis A.
2. A household member diagnosed with Norovirus, typhoid fever, shigellosis, illness due to STEC, or hepatitis A.
3. A household member attending or working in a setting experiencing a confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other STEC infection, or hepatitis A.

I have read (or had explained to me) and understand the requirements concerning my responsibilities under the Food Code and this agreement to comply with:

1. Reporting requirements specified above involving symptoms, diagnoses, and exposure specified;
2. Work restrictions or exclusions that are imposed upon me; and
3. Good hygienic practices.

I understand that failure to comply with the terms of this agreement could lead to action by the food establishment or the food regulatory authority that may jeopardize my employment and may involve legal action against me.

Conditional Employee Name (please print) \_\_\_\_\_

Signature of Conditional Employee \_\_\_\_\_ Date \_\_\_\_\_

Food Employee Name (please print) \_\_\_\_\_

Signature of Food Employee \_\_\_\_\_ Date \_\_\_\_\_

Signature of Permit Holder or Representative \_\_\_\_\_ Date \_\_\_\_\_

# FDA Food Code Chapter 2: Continued

## 2-501.11 Clean-up of Vomit/Diarrheal Event

### ▶ Written Procedures Required

- ▶ A FOOD ESTABLISHMENT shall have written procedures for EMPLOYEES to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the FOOD ESTABLISHMENT. The procedures shall address the specific actions EMPLOYEES must take to minimize the spread of contamination and the exposure of EMPLOYEES, consumers, FOOD, and surfaces to vomitus or fecal matter. <sup>Pf</sup>

## Annex 3 – Public Health Reason/Administrative Guidelines

When developing a written plan that addresses the need for the cleaning and disinfection of a vomitus and/or diarrheal contamination event, a food establishment should consider:

- ▶ the procedures for containment and removal of any discharges, including airborne particulates;
- ▶ the procedure for cleaning, sanitizing, and, as necessary, the disinfection of any surfaces that may have become contaminated;
- ▶ the procedures for the evaluation and disposal of any food that may have been exposed to discharges;
- ▶ the availability of effective disinfectants, such as EPA registered disinfection products sufficient to inactivate norovirus, personal protective equipment, and other cleaning and disinfecting equipment and appurtenances intended for response and their proper use;
- ▶ procedures for the disposal and/or cleaning and disinfection of tools and equipment used to clean up vomitus or fecal matter;
- ▶ the circumstances under which a food employee is to wear personal protective equipment for cleaning and disinfecting of a contaminated area;
- ▶ notification to food employees on the proper use of personal protective equipment and procedures to follow in containing, cleaning, and disinfecting a contaminated area;
- ▶ the segregation of areas that may have been contaminated so as to minimize the unnecessary exposure of employees, customers and others in the facility to the discharges or to surfaces or food that may have become contaminated;
- ▶ minimizing risk of disease transmission through the exclusion and restriction of ill employees as specified in §2-201.12 of the Food Code;
- ▶ minimizing risk of disease transmission through the prompt removal of ill customers and others from areas of food preparation, service and storage; and
- ▶ the conditions under which the plan will be implemented.

# FDA Food Code Chapter 3: Food

## ► Date Marking

### ► On Premises Prep

- TCS Foods prepared and held in FSE for  $\geq 24$  hours
- Maximum of 7 days
- The day of prep is day 1



### ► Comm. Processed Food

- TCS Foods prepared in food processing plant, opened, held in FSE for  $\geq 24$  hours
- May not exceed manufacturer use-by date if date is based on food safety
- The day opened is day 1

## Cooking of Raw Animal Foods: Comminuted Meat and Fish

Minimum Temp (°F)	Minimum Time
145°F	3 minutes
150°F	1 minute
155°F	17 seconds
158°F	< 1 second (instantaneous)

## Whole Meat Roasts

Minimum Temp (°F)	Minimum Time
130°F	112 minutes
140°F	12 minute
145°F	4 minutes

# FDA Food Code Chapter 4: Equipment, Utensils, and Linens

## ► 4-204.112 Temperature Measuring Devices

- Warmest part of refrigerated unit
- Coolest part of hot food unit

4-204.112(B) Inapplicable to: devices where ambient air temps surrounding food is impractical - steam tables, salad bars, heat lamps, etc.

## ► 4-302.13 Temperature Measuring Devices, Manual and Mechanical Warewashing

- (A) In manual WAREWASHING operations, a TEMPERATURE MEASURING DEVICE shall be provided and readily accessible for frequently measuring the washing and SANITIZING temperatures. <sup>Pf</sup>
- (B) In hot water mechanical WAREWASHING operations, an irreversible registering temperature indicator shall be provided and readily accessible for measuring the UTENSIL surface temperature. <sup>Pf</sup>

# FDA Food Code Chapter 4: Continued

## 4-501.111 Manual Warewashing Equipment, Hot Water Sanitization Temperatures.

If immersion in hot water is used for SANITIZING in a manual operation, the temperature of the water shall be maintained at 77°C (171°F) or above. <sup>P</sup>

### 4-501.114(A) - Chlorine Solution Requirements:

Concentration Range (MG/L)	Minimum Temperature PH 10 or less °F	Minimum Temperature PH 8 or less °F
25 - 49	120	120
50 - 99	100	75
100	55	55

# FDA Food Code Chapter 6: Physical Facilities

## ► Handwashing signage

- Required at ALL hand sinks used by food employees
- Notifies employees to wash their hands
- Clearly visible



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# FDA Food Code Chapter 8: Compliance and Enforcement

Connecticut Department of Public Health  
6-16-10 Rev. 10/12/10

**Food Establishment Inspection Report** Page 1 of 1

Risk Category: ☐ Permanent ☐ Temporary ☐ Mobile ☐ Other

Establishment: ☐ LHD ☐ AM/PM ☐ Time In: ☐ Time Out: ☐

Address: ☐

Town/City: ☐

Permit Holder: ☐

Purpose of Inspection: ☐ Routine ☐ Pre-op

Reinspection: ☐

**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

Risk factors are important indicators of potential hazards identified as the most prevalent contributing factors of foodborne illness or injury. Interventions are control measures to prevent foodborne illness or injury.

Mark designated compliance status (IN, OUT, NO, NA) for each numbered item. Check compliance. Out of compliance. Not applicable. Not observed.

Mark in appropriate box for COS and/or R. Violation type. Repeat violation. COS-corrected on-site during inspection.

1. ☐ IN ☐ OUT ☐ NO ☐ NA ☐ R ☐ P ☐ PF ☐ C ☐ V ☐ I ☐ S ☐ E ☐ T ☐ A ☐ N ☐ O ☐ N ☐ A ☐ P ☐ R ☐ C ☐ I ☐ S ☐ E ☐ T ☐ A ☐ N

# FDA Food Code Chapter 8: Compliance and Enforcement

- ▶ Application submission required 30 calendar days before opening - 8-302.11
  - ▶ Temp events will still be granted the 2 week cutoff (SW). - NO LAST MINUTE EXCEPTIONS!
- ▶ Permit Holder Responsibilities
  - ▶ 8-304.11(A) Post the PERMIT in a location in the FOOD ESTABLISHMENT that is conspicuous to CONSUMERS;
  - ▶ 8-304.11(K) Notify customers that a copy of the most recent establishment inspection report is available upon request by posting a sign or placard in a location in the food establishment that is conspicuous to customers or by another method acceptable to the REGULATORY AUTHORITY.

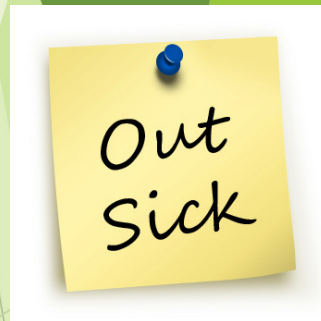


## Other Important Changes:

- ▶ All inspections using State form - no more green/red & black/individual municipality temp event forms
- ▶ Special Processing allowed (with variance or other requirements):  
Sous vide/ROP, Smoking, Curing, Molluscan Shellfish Tanks, Acidification of Sushi Rice, Sprouting Seeds, Food Additives, etc. (ask
- ▶ Food Service Establishments to Register with CT DPH per CGS 19a-36i(3) (draft - not this renewal period)
  - ▶ Temp Events/Farmers Markets - Exempt
- ▶ **Town of South Windsor online permitting and payment coming soon!**

# FDA Food Code: Illness and Outbreaks

- ▶ Foodborne Illness-including, but not limited to, illness due to heavy metal intoxications, staphylococcal food poisoning, botulism, salmonellosis, shigellosis, Clostridium perfringens intoxication and hepatitis A, acquired through the ingestion of a common-source food or water contaminated with a chemical, infectious agent or the toxic products of a chemical or infectious agent
- ▶ Foodborne Disease Outbreak- the occurrence of two or more cases of a similar illness resulting from the ingestion of a common food.
- ▶ Local Health Investigation of Illness-false information, impeding an investigation or refusing to cooperate with an investigation
  - ▶ Class C misdemeanor
- ▶ DPH Commissioner can announce name of facility that is source of outbreak if it will reduce illness



# What is SWHD Doing and How Can You Help?

- ▶ SWHD
  - ▶ Updating all forms
  - ▶ Hosting Info Sessions
  - ▶ Recertification of Inspectors
    - ▶ 70-80 hours of online FDA courses, conferences and grants
    - ▶ Food Inspection Training Officer (FITO)
    - ▶ Field Certification, Continuing Ed, Recertify every 3 years
- ▶ Establishment Owner/Operators
  - ▶ Read the Food Code
  - ▶ Food License Renewals
    - ▶ Current Contact Information (recalls, trainings, storms)

# Resources

- ▶ 2017 FDA Food Code
  - ▶ <https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/UCM595140.pdf>
- ▶ 2017 FDA Food Code Annexes
  - ▶ Application of the regulations
  - ▶ Link same as above
- ▶ CFSAN Education Resource Library:
  - ▶ <https://epublication.fda.gov/epub/>
- ▶ CT DPH - Food Protection Program
  - ▶ <https://portal.ct.gov/DPH/Food-Protection-Program/Main-Page>

Further Questions? [www.southwindsor.org](http://www.southwindsor.org)

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**Thank  
You!**

**Special  
thanks to  
our friends  
at LLHD!**

**FDA Food Code**

<https://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/UCM374510.pdf>