

# **Supplement to the 2013 Food Code**

**U.S. Public Health Service**

**FDA**

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**College Park, MD 20740**

**IMPORTANT - Save this Supplement.** It is intended to keep the 2013 Food Code up-to-date. Changes, additions, deletions, and format modifications listed herein constitute revisions to the 2013 Food Code effective upon issuance.

## Supplement to the 2013 FDA Food Code

The Food Code (and its Supplement) is a model for safeguarding public health and ensuring food is unadulterated and honestly presented when offered to the consumer. It represents the Food and Drug Administration's (FDA) best advice for a uniform system of provisions that address safety and protection of food offered at retail and in food service.

This model is offered for adoption by local, state, territorial, tribal, and federal governmental jurisdictions for administration by the various departments, agencies, bureaus, divisions, and other units within each jurisdiction that have been delegated compliance responsibilities for food service, retail food stores, or food vending operations.

This document is available via the internet in PDF at the following link:  
<http://www.fda.gov/foodcode>.

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## Introduction

The Food and Drug Administration (FDA) is pleased to issue this Supplement to the 2013 Food Code (hereafter referred to as Supplement). This Supplement updates the 2013 Food Code to address several recommendations made at the 2014 Meeting of the Conference for Food Protection (CFP) with which the FDA, Centers for Disease Control and Prevention (CDC), and United States Department of Agriculture (USDA) concur. The changes contained in this Supplement reflect current science and food safety practices to reduce the incidence of risk factors known to cause foodborne illness.

From 1993 through 2001, the complete Food Code was issued every two years. With the support of the CFP, FDA currently issues a new Food Code every 4 years. The next complete revision of the Food Code will be published in 2017. Until that time, this Supplement provides a means of incorporating into the Food Code several changes with which there is substantial concurrence among the federal agencies and the other stakeholders. The Supplement ensures that the most current food safety provisions are available to agencies planning to initiate rule-making activities prior to 2017. This Supplement provides other users of the Food Code, such as educators, trainers, and the food service, retail food, and vending industries, with up-to-date information of how to best mitigate risk factors that contribute to foodborne illness.

The Supplement has been organized to facilitate the adoption of its provisions by federal, state, local, territorial, and tribal authorities. The Supplement is divided into 3 Parts:

- Part 1 - Summary of Changes - a "quick view" of the modifications
- Part 2 - Amendments, Additions, Deletions to the Preface, Chapters 1-8 and the Annexes - actual language modifications
- Part 3 - New Terms added to the Index to the Food Code

For consistency, drafting conventions used in the Federal Register for announcing proposed changes to federal rules are used to announce changes found in the Supplement to the 2013 Food Code. The standard terms used to describe a change are:

Amend. "Amend" means that an existing Food Code provision has changed. Because it is an introductory term, it is always used with one of the following specific amendatory terms to precisely describe the change to the Food Code provision.

## **Amendatory Terms**

**Add** - means a new provision has been inserted in the Food Code.

**Redesignate** - means to modify a Food Code provision by reformatting the text of the provision into a new structural nomenclature designation.

**Remove** - means an existing provision is being taken out of the Food Code.

**Revise** - means an existing Food Code provision is replaced in part, or in its entirety.

For example:

**Amend** Section 4-204.110 to **revise** subparagraph (B)(1) and to **add** subparagraph (B)(3) to read as follows: [text of changed subparagraph and newly added subparagraph]

Modifications are organized by Food Code chapter and are identified by Section (§) number and title, and the paragraph (¶), (e.g., ¶9-101.11(A)) or subparagraph (e.g., 9-101.00(A)(1)) to which the change is made. The full text of a Section is provided only if necessary to provide the proper context. Using Chapter 3 as an example, a change is introduced as follows:

### **Chapter 3 - Food**

**Amend § 3-202.11 to revise paragraph (D) to read as follows:**

#### ***Specifications for Receiving*** **3-201.11 Temperature.\***

[text of changed paragraph]

The Supplement also contains changes to the informational annexes of the Food Code. Using Annex 3 as an example, a change to the public health reasons for a Food Code provision in Chapter 4 is introduced as follows:

### ***Annex 3- Public Health Reasons/ Administrative Guidelines***

#### **4-202.15 - Can Openers.**

***Amend Public Health Reason for §4-202.15 to revise to read as follows:***

[text of changed paragraph]

We encourage all jurisdictions to examine the level of food safety protection their current rules and implementation strategies provide and take the steps necessary to increase that level in light of the 2013 Food Code and its Supplement. The adoption and implementation of the Food Code in all jurisdictions is an important strategy for achieving uniform national food safety standards and for enhancing the efficiency and effectiveness of our nation's food safety system.

The Department of Health and Human Services (DHHS) and USDA, along with state, local, tribal and other federal government agencies and the food industry, share responsibility for ensuring that our food supply is safe. DHHS and USDA, in partnership with numerous others, will continue to take progressive steps to strengthen our nation's food safety system. We look forward to achieving uniform and effective standards of food safety for food service, retail stores, and other retail-level establishments nationwide.

## **Part 1. Summary of Changes**

The amendments to the 2013 Food Code and its Annexes contained in the Supplement are summarized below. If an amendment relates directly to a recommendation of the Conference for Food Protection (CFP), the CFP issue number is provided in the parenthesis immediately after the summary entry.

### **Preface**

No Change.

### **Chapter 1-Purpose and Definitions**

No Change.

### **Chapter 2-Management and Personnel**

Amended the Food Code and its Annexes, where applicable, to revise the descriptors of illness caused by *Salmonella* Typhi or nontyphoidal *Salmonella*. This change allows the use of plain language descriptors to simplify the restriction and exclusion criteria. (CFP Issue 2014-III-028)

#### **2-103.11**

Amended to add new paragraph (I) to address additional duty requirement for the Person in Charge to ensure employees are routinely monitoring food temperatures during hot and cold holding and redesignate paragraphs (I) - (O) as new paragraphs (J) - (P). (CFP Issue 2014-I-020)

#### **2-201.11**

Amended subparagraph **2-201.11(A)(2)(e)** to add the illness, Typhoid fever, to the descriptor for reportable diagnosis of illness diagnosed due to *Salmonella* Typhi so that it reads: "Typhoid fever (caused by *Salmonella* Typhi)". (CFP Issue 2014-III-028)

Amended subparagraph **2-201.11(A)(2)(f)** to add the word, *Salmonella*, to the descriptor for reportable diagnosis of illness diagnosed due to nontyphoidal *Salmonella* so that it reads: "*Salmonella* (nontyphoidal)". (CFP Issue 2014-III-028)

Amended subparagraph **2-201.11(A)(3)** to replace the phrase, "Had a previous illness" with the phrase "Had Typhoid fever" and to delete the phrase "due to *Salmonella* Typhi". (CFP Issue 2014-III-028)

Amended subparagraph **2-201.11(A)(4)(c)** to replace “*Salmonella Typhi*” with “Typhoid fever”. (CFP Issue 2014-III-028)

Amended subparagraph **2-201.11(A)(5)(c)** to add in descriptor text for the illness caused by *Salmonella Typhi* so that it reads: “. . . Typhoid fever (caused by *Salmonella Typhi*).” (CFP Issue 2014-III-028)

### **2-201.12**

Amended subparagraph **2-201.12(A)(2)** to replace “nontyphoidal *Salmonella*” with “*Salmonella* (nontyphoidal)”. (CFP Issue 2014-III-028)

Amended the **margin tagline for subparagraph 2-201.12(C)** to replace “diagnosis or reported previous infection due to *S. Typhi*” with “diagnosis or reported previous illness with Typhoid fever”. (CFP Issue 2014-III-028)

Amended paragraph **2-201.12(C)** to replace “diagnosed with an infection from *Salmonella Typhi*” with “diagnosed with Typhoid fever or reports having had Typhoid fever”. (CFP Issue 2014-III-028)

Amended paragraph **2-201.12(G)** to replace “nontyphoidal *Salmonella*” with “*Salmonella* (nontyphoidal)”. (CFP Issue 2014-III-028)

### **2-201.13**

Amended to:

- revise paragraph (A) to replace “*Salmonella Typhi*” with “Typhoid fever”
- revise subparagraph (A)(5) to replace “nontyphoidal *Salmonella*” with “*Salmonella* (nontyphoidal)”
- revise the margin tag line for paragraph (C) to replace “*S. Typhi* diagnosis – removing exclusions” with “Typhoid fever diagnosis – removing exclusions”
- revise subparagraph (C)(2) to replace “*S. Typhi* infection” with “Typhoid fever”
- revise subparagraph (G)(1) to replace “nontyphoidal *Salmonella* infection” with “*Salmonella* (nontyphoidal) infection”
- revise the margin tagline for subparagraph (J)(3) to replace “*S. Typhi*” with “Typhoid fever (*S. Typhi*)”
- revise subparagraph (J)(3) to replace “*S. Typhi*” with “Typhoid fever (caused by *Salmonella Typhi*)”

(CFP Issue 2014-III-028)

## **Chapter 3-Food**

### **3-404.11**

Amended paragraph **3-404.11(A)** to replace cross reference to paragraphs 8-201.14(B)-(E) with a cross reference to §8-201.14.



### **3-502.12**

Amended Section 3-502.12 to revise paragraph (B) and subparagraphs (B)(6)(c), (D)(1), and (E)(2) to replace cross reference to paragraphs 8-201.14 (B) and (D) with a cross reference to paragraphs 8-201.14 (C) and (D).

### **3-801.11**

Amended subparagraph **3-801.11(A)(3)** to replace cross reference to paragraphs 8-201.14 (B)-(E) with a cross reference to §8-201.14 (C)-(E).

## **Chapter 4-Equipment, Utensils, and Linens**

### **Part 4-3-Numbers and Capacities**

Amended to add **new Subpart 4-303**, Cleaning Agents and Sanitizers.  
(CFP Issue 2014-I-030)

Amended to add **new Section 4-303.11** Cleaning Agents and Sanitizers, Availability, to require that equipment and utensil cleaning agents and sanitizers be provided and readily accessible for use. (CFP Issue 2014-I-030)

## **Chapter 5-Water, Plumbing, and Waste**

No Change.

## **Chapter 6-Physical Facilities**

No Change.

## **Chapter 7-Poisonous or Toxic Materials**

No Change.

## **Chapter 8-Compliance and Enforcement**

### **8-103.12**

Amended paragraph (B) to replace existing cross reference to paragraphs 8-201.14 (D) and (E) with a cross reference to paragraph 8.201.14 (D) and subparagraph (E)(3).  
(CFP Issue 2014-I-014)

### **8-201.14**

Amended to:

- add new paragraph (A) to add a new specification for the permit holder or permit applicant to include general information with the HACCP plan submission;
- add a new paragraph (F) that is not a new requirement within §8-201.14, but rather clarifies what was already required under the previous paragraph (E). This new paragraph (F) requires the permit holder to include any other application or submission information required by the regulatory authority;
- delete paragraph (C) and move the food employee and supervisory training plan provision to new paragraph (E);
- redesignate existing paragraph (A) as new paragraph (B) where the intent of paragraph (B) remains the same, although the paragraph was revised to remove the list of examples;
- redesignate existing paragraph (B) (flow diagram) as new paragraph (C) which keeps its original intent, and includes a more descriptive list of what the flow diagram should include;
- Minor changes were made to subparagraph (D)(3) to clarify that a food employee or person in charge may monitor critical control points. The previous codified language implied that a food employee, rather than the person in charge, must monitor the critical control points. In some operations, it may be the responsibility of the person in charge to monitor some or all critical control points instead of a food employee;
- Minor changes were made to subparagraph (D)(5) to clarify that a person in charge, or a food employee, may be responsible for taking corrective action when a critical limit is not met. The previous codified language implied that the person in charge needed to take action when critical limits were not met. In some operations, a designated food employee may be responsible for taking correction action when critical limits are not met; and
- revise paragraph (E) to incorporate the food employee and supervisory training plan from deleted paragraph (C) and include a new requirement for the permit holder's or permit applicant's HACCP plan submission to incorporate copies of blank records forms necessary for implementation of the HACCP Plan.

(CFP Issue # 2014-I-014)

#### **8-402.10**

Amended to redesignate the existing paragraph into new paragraph (A); add a new paragraph (B) to address the requirement for the Regulatory Authority to ensure that authorized representatives who inspect food establishments or conduct plan reviews for compliance with this Code have access to training and continuing education as needed to properly identify violations and apply the Code. (CFP Issue # 2014-II-003)

### **Annex 1-Compliance and Enforcement**

No Change.

## Annex 2-References

### 4. FOOD DEFENSE GUIDANCE FROM FARM TO TABLE

#### **Guidance on Responding to Food Emergencies:**

Amended the References for 4. Food Defense Guidance From Farm To Table under the section on Guidance on Responding to Food Emergencies, to add one new reference (#4), **Conference for Food Protection (CFP) Emergency Action Plan for Retail Food Establishments, 2<sup>nd</sup> Edition**, and make an editorial correction and a web URL update to the existing bulleted list. (CFP Issue 2014-III-002)

## Annex 3-Public Health Reasons

### Chapter 2-Management and Personnel

#### **Duties - 2-103.11 Person in Charge**

Amended Public Health Reasons for §2-103.11 Person in Charge (Duties) to add a new paragraph 5 that describes why paragraphs (G),(H) and the new (I) are important to the safe operation of a food establishment and to update the paragraphs referencing (M) and (N) to reflect the updated designations for paragraphs that follow the new (I).

#### **2-201.11**

##### **Title I of the Americans with Disabilities Act of 1990 (ADA)**

Amended Public Health Reason for §2-201.11, Title I of the Americans with Disabilities Act of 1990 (ADA) in paragraph 3 to replace the term “*Salmonella* Typhi” with “Typhoid fever (caused by *Salmonella* Typhi)”. (CFP Issue 2014-III-028)

Amended Public Health Reason for §2-201.11, Title I of the Americans with Disabilities Act of 1990 (ADA), in paragraph 4 (Example 1) to replace the phrase “a disease caused by *Salmonella* Typhi” with the phrase “Typhoid fever (caused by *Salmonella* Typhi)”. (CFP Issue 2014-III-028)

#### **4-303.11**

Amended Public Health Reason for Chapter 4 Equipment, Utensils, & Linens, to add public health reasons for new §4-303.11 to address accessibility of cleaning agents and sanitizers for use. (CFP Issue 2014-I-030)

#### **8-201.12/8-203.10**

Amended Public Health Reason in paragraph 10 (the last paragraph) to update the cross reference to paragraph 2-103.11(L) to now cross reference the paragraph as renumbered, paragraph 2-103.11(N).

#### **8-403.50**

Amended Public Health Reason for Chapter 8 Compliance and Enforcement to add public health reasons for §8-403.50 Public Information to encourage the use of websites

to disseminate regulatory documents that describe the compliance status of a regulated food establishment. (CFP 2014-II-009)

## **Annex 4-Management of Food Safety Practices – Achieving Active Managerial Control of Foodborne Illness Risk Factors**

No Change.

## **Annex 5-Conducting Risk-based Inspections**

No Change.

## **Annex 6-Food Processing Criteria**

### **2. Reduced Oxygen Packaging, Section (I), Hazard Analysis and Critical Control Point (HACCP) Operation**

Amended Annex 6, Food Processing Criteria, 2. Reduced Oxygen Packaging, Section (I), Hazard Analysis and Critical Control Point (HACCP) Operation, to revise the introductory paragraph to replace the existing cross reference to paragraph 8-201.14(D) with a cross reference to §8-201.14.

## **Annex 7-Models Forms, Guides, and Other Aids**

### **Guide 3-B, Instructions for Marking the Food Establishment Inspection Report, Including Food Code References for Risk Factors/Interventions and Good Retail Practices**

Amended the Instructions for Marking the Food Establishment Report in Sections C (Risk Factors) and D (Good Retail Practices) to capture new or updated cross references based on changes made in this Supplement as follows:

Revised Section C, Supervision, Item #1, Applicable Code Section, to revise reference to paragraphs 2-103.11 (A)-(O) to be a reference to paragraphs 2-103.11 (A)-(P). (CFP Issue 2014-I-020)

Revised Section C, Employee Health/Responding to Contamination Events, Item #3, under #1, to update existing cross reference to paragraph 2-103.11(M) Person-in-Charge Duties (<sup>Pf</sup>), and replace it with a cross reference to paragraph 2-103.11(O) and under Applicable Code Section, to replace reference to paragraph 2-103.11(M) with reference to paragraph 2-103.11(O). (CFP Issue 2014-I-020)

Revised Good Retail Practices (GRPs), Section D, Utensils, Equipment, and Vending, Item #48, to reflect compliance instructions for new §4-303.11 and add new §4-303.11 into the list of Applicable Code Sections. (CFP Issue 2014-I-030)

## **Part 2. Amendments, Additions, Deletions, to Chapters 1-8 and the Annexes**

### **Preface**

No Change.

### **Chapter 1- Purpose and Definitions**

No Change.

### **Chapter 2- Management and Personnel**

***Amend §2-103.11 to add new paragraph (I), redesignate existing paragraphs (I)-(O) as new paragraphs (J)- (P) to read as follows:***

#### ***Duties-2-103.11-Person in Charge***

The PERSON IN CHARGE shall ensure that:

(A) - (H) -**No Change.**

(I) EMPLOYEES are properly maintaining the temperatures of TIME/TEMPERATURE CONTROL FOR SAFETY FOODS during hot and cold holding through daily oversight of the EMPLOYEES' routine monitoring of FOOD temperatures;<sup>Pf</sup>

J) CONSUMERS who order raw or partially cooked READY-TO-EAT FOODS of animal origin are informed as specified under § 3-603.11 that the FOOD is not cooked sufficiently to ensure its safety;<sup>Pf</sup>

K) EMPLOYEES are properly SANITIZING cleaned multiuse EQUIPMENT and UTENSILS before they are reused, through routine monitoring of solution temperature and exposure time for hot water SANITIZING, and chemical concentration, pH, temperature, and exposure time for chemical SANITIZING;<sup>Pf</sup>

(L) CONSUMERS are notified that clean TABLEWARE is to be used when they return to self-service areas such as salad bars and buffets as specified under § 3-304.16;<sup>Pf</sup>

(M) Except when APPROVAL is obtained from the REGULATORY AUTHORITY as specified in ¶ 3-301.11(E), EMPLOYEES are preventing cross-contamination of READY-TO-EAT FOOD with bare hands by properly using suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT;<sup>Pf</sup>

(N) EMPLOYEES are properly trained in FOOD safety, including FOOD allergy awareness, as it relates to their assigned duties; <sup>Pf</sup>

(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); <sup>Pf</sup> and

(P) Written procedures and plans, where specified by this Code and as developed by the FOOD ESTABLISHMENT, are maintained and implemented as required. <sup>Pf</sup>

***Amend §2-201.11 to revise subparagraphs (A)(2)(e) and (f), (A)(3), (A)(4)(c), and (A)(5)(c) to read as follows:***

### ***Responsibilities and Reporting Symptoms and Diagnosis***

#### **2-201.11-Responsibility of Permit Holder, Person in Charge, and Conditional Employees.**

A) The PERMIT HOLDER shall require FOOD EMPLOYEES and CONDITIONAL EMPLOYEES to report to the PERSON IN CHARGE information about their health and activities as they relate to diseases that are transmissible through FOOD. A FOOD EMPLOYEE or CONDITIONAL EMPLOYEE shall report the information in a manner that allows the PERSON IN CHARGE to reduce the RISK of foodborne disease transmission, including providing necessary additional information, such as the date of onset of symptoms and an illness, or of a diagnosis without symptoms, if the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE:

##### *reportable symptoms*

(1) Has any of the following symptoms:

(a) Vomiting, <sup>P</sup>

(b) Diarrhea, <sup>P</sup>

(c) Jaundice, <sup>P</sup>

(d) Sore throat with fever, <sup>P</sup> or

(e) A lesion containing pus such as a boil or infected wound that is open or draining and is:

(i) On the hands or wrists, *unless an impermeable cover such as a finger cot or stall protects the lesion and a SINGLE-USE glove is worn over the impermeable cover,* <sup>P</sup>

(ii) On exposed portions of the arms, *unless the lesion is protected by an impermeable cover,*<sup>P</sup> or

(iii) On other parts of the body, *unless the lesion is covered by a dry, durable, tight-fitting bandage,*<sup>P</sup>

*reportable diagnosis*

(2) Has an illness diagnosed by a HEALTH PRACTITIONER due to:

(a) Norovirus,<sup>P</sup>

(b) Hepatitis A virus,<sup>P</sup>

(c) *Shigella* spp.,<sup>P</sup>

(d) SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI*,<sup>P</sup>

(e) Typhoid fever (caused by *Salmonella* Typhi)<sup>P</sup> or

(f) *Salmonella* (nontyphoidal);<sup>P</sup>

*reportable past illness*

(3) Had Typhoid fever, diagnosed by a HEALTH PRACTITIONER, within the past 3 months, without having received antibiotic therapy, as determined by a HEALTH PRACTITIONER;<sup>P</sup>

*reportable history of exposure*

(4) Has been exposed to, or is the suspected source of, a CONFIRMED DISEASE OUTBREAK, because the FOOD EMPLOYEE or CONDITIONAL EMPLOYEE consumed or prepared FOOD implicated in the outbreak, or consumed FOOD at an event prepared by a PERSON who is infected or ill with:

(a) Norovirus within the past 48 hours of the last exposure,<sup>P</sup>

(b) SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI* or *Shigella* spp. within the past 3 days of the last exposure,<sup>P</sup>

(c) Typhoid fever within the past 14 days of the last exposure,<sup>P</sup> or

(d) Hepatitis A virus within the past 30 days of the last exposure;<sup>P</sup> or

*reportable history of exposure*

(5) Has been exposed by attending or working in a setting where there is a CONFIRMED



DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual who works or attends a setting where there is a CONFIRMED DISEASE OUTBREAK, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by:

(a) Norovirus within the past 48 hours of the last exposure,<sup>P</sup>

(b) SHIGA TOXIN-PRODUCING *ESCHERICHIA COLI* or *Shigella* spp. within the past 3 days of the last exposure,<sup>P</sup>

(c) Typhoid fever (caused by *Salmonella* Typhi) within the past 14 days of the last exposure,<sup>P</sup> or

(d) Hepatitis A virus within the past 30 days of the last exposure.<sup>P</sup>

**Amend §2-201.12 to revise subparagraph (A)(2), and paragraphs (C) and (G), and the margin tagline to (G) to read as follows:**

***conditions of exclusion and restriction***

**2-201.12-Exclusions and Restrictions.**

The PERSON IN CHARGE shall EXCLUDE or RESTRICT a FOOD EMPLOYEE from a FOOD ESTABLISHMENT in accordance with the following:

*symptomatic with vomiting or diarrhea*

(A) *Except when the symptom is from a noninfectious condition*, EXCLUDE a FOOD EMPLOYEE if the FOOD EMPLOYEE is:

(1) Symptomatic with vomiting or diarrhea;<sup>P</sup> or

(2) Symptomatic with vomiting or diarrhea and diagnosed with an infection from Norovirus, *Shigella* spp., *Salmonella* (nontyphoidal), or SHIGA TOXIN-PRODUCING *E. COLI*.<sup>P</sup>

(B) **No Change.**

*diagnosed or reported previous illness with Typhoid fever*

(C) EXCLUDE a FOOD EMPLOYEE who is diagnosed with Typhoid fever, or reports having had Typhoid fever within the past 3 months as specified under Subparagraph 2-201.11(A)(3).<sup>P</sup>

(D) – (F)- **No Change.**

*diagnosed with **nontyphoidal Salmonella** and asymptomatic*

(G) If a FOOD EMPLOYEE is diagnosed with an infection from *Salmonella* (nontyphoidal) and is ASYMPTOMATIC, RESTRICT the FOOD EMPLOYEE who works in a FOOD ESTABLISHMENT serving a HIGHLY SUSCEPTIBLE POPULATION or in a FOOD ESTABLISHMENT not serving a HIGHLY SUSCEPTIBLE POPULATION.<sup>P</sup>

(H) – (J)-**No Change.**

**Amend §2-201.13 to revise paragraph (A), subparagraph (A)(5), paragraph (C), subparagraphs (C)(2), (G)(1), (J)(3) and the margin tagline to subparagraph (J)(3) to read as follows:**

### ***Managing Exclusions and Restrictions***

#### **2-201.13 – Removal, Adjustment, or Retention of Exclusions and Restrictions.**

The PERSON IN CHARGE shall adhere to the following conditions when removing, adjusting, or retaining the EXCLUSION or RESTRICTION of a FOOD EMPLOYEE:

(A) *Except when a FOOD EMPLOYEE is diagnosed with Typhoid fever or an infection from hepatitis A virus:*

(1) - (4)-**No Change.**

#### ***Nontyphoidal Salmonella diagnosis***

(5) If a FOOD EMPLOYEE was diagnosed with an infection from *Salmonella* (nontyphoidal) and EXCLUDED as specified under Subparagraph 2-201.12(A)(2):

(a) **No Change.**

(b) **No Change.**

(B) **No Change.**

#### ***Typhoid fever diagnosis – removing exclusions***

(C) Reinstatement a FOOD EMPLOYEE who was EXCLUDED as specified under ¶ 2-201.12(C) if:

(1) The PERSON IN CHARGE obtains APPROVAL from the REGULATORY AUTHORITY;<sup>P</sup> and

(2) The FOOD EMPLOYEE provides to the PERSON IN CHARGE written medical documentation from a HEALTH PRACTITIONER that states the FOOD EMPLOYEE is free from Typhoid fever.<sup>P</sup>

(D) – (F)-**No Change.**

***nontyphoidal Salmonella- removing exclusion or restriction***

(G) Reinstate a food employee who was EXCLUDED as specified under subparagraph 2-201.12(A)(2) or who was RESTRICTED as specified under ¶ 2-201.12(G) if the PERSON IN CHARGE obtains APPROVAL from the REGULATORY AUTHORITY<sup>P</sup> and one of the following conditions is met:

(1) The EXCLUDED or RESTRICTED FOOD EMPLOYEE provides to the PERSON IN CHARGE written medical documentation from a HEALTH PRACTITIONER stating that the FOOD EMPLOYEE is free of a *Salmonella* (nontyphoidal) infection based on test results showing 2 consecutive negative stool specimen cultures that are taken;

a) Not earlier than 48 hours after discontinuance of antibiotics,<sup>P</sup> and

(b) At least 24 hours apart;<sup>P</sup>

(2) **No Change.**

(3) **No Change.**

(H) – (I)-**No Change.**

***exposure to foodborne pathogen and works in food establishment serving HSP – removing restriction***

J) Reinstate a FOOD EMPLOYEE who was RESTRICTED as specified under ¶ 2-201.12(J) and was exposed to one of the following pathogens as specified under Subparagraph 2-201.11(A)(4)(a-d) or 2-201.11(A)(5)(a-d):

(1)-(2)-**No Change.**

***Typhoid fever (S. Typhi)***

(3) Typhoid fever (caused by *Salmonella* Typhi) and one of the following conditions is met:

(a) More than 14 calendar days have passed since the last day the FOOD EMPLOYEE was potentially exposed;<sup>P</sup> or

(b) More than 14 calendar days have passed since the FOOD EMPLOYEE'S household contact became ASYMPTOMATIC.<sup>P</sup>

(4) **No Change.**

## **Chapter 3-Food**

***Amend §3-404.11 to revise paragraph (A) to replace the cross reference to paragraphs 8-201.14 (B) - (E) with §8-201.14 to read as follows:***

### **3-404.11 Treating Juice**

JUICE PACKAGED in a FOOD ESTABLISHMENT shall be:

(A) Treated under a HACCP PLAN as specified in §8-201.14 to attain a 5-log reduction, which is equal to a 99.999% reduction, of the most resistant microorganism of public health significance;<sup>P</sup> or

(B) Labeled, if not treated to yield a 5-log reduction of the most resistant microorganism of public health significance:<sup>Pf</sup>

(1) As specified under § 3-602.11,<sup>Pf</sup> and

(2) As specified in 21 CFR 101.17(g) Food labeling, warning, notice, and safe handling statements, JUICES that have not been specifically processed to prevent, reduce, or eliminate the presence of pathogens with the following, "WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems."<sup>Pf</sup>

***Amend §3-502.12 to revise paragraph (B) and subparagraphs (B)(6)(c), (D)(1), and (E)(2) to read as follows:***

### ***Clostridium botulinum and Listeria monocytogenes Controls***

#### **3-502.12- Reduced Oxygen Packaging Without a Variance, Criteria**

(A) Except for a FOOD ESTABLISHMENT that obtains a VARIANCE as specified under § 3-502.11, a FOOD ESTABLISHMENT that PACKAGES TIME/TEMPERATURE CONTROL FOR SAFETY FOOD using a REDUCED OXYGEN PACKAGING method shall control the growth and toxin formation of ***Clostridium botulinum*** and the growth of ***Listeria monocytogenes***.<sup>P</sup>

(B) Except as specified under ¶(F) of this section, a FOOD ESTABLISHMENT that PACKAGES TIME/TEMPERATURE CONTROL FOR SAFETY FOOD using a REDUCED OXYGEN PACKAGING method shall implement a HACCP PLAN that contains the information specified under ¶¶ 8-201.14 (C) and (D) and that:<sup>Pf</sup>

(1) – (5)- **No Change.**

(6) Describes the training program that ensures that the individual responsible for the REDUCED OXYGEN PACKAGING operation understands the:<sup>Pf</sup>

(a) Concepts required for a safe operation,<sup>Pf</sup>

(b) EQUIPMENT and facilities,<sup>Pf</sup> and

(c) Procedures specified under Subparagraph (B)(5) of this section and ¶¶ 8-201.14 (C) and (D).<sup>Pf</sup>

(7) **No Change.**

(C) **No Change.**

(D) Except as specified under ¶(C) and ¶(F) of this section, a FOOD ESTABLISHMENT that PACKAGES TIME/TEMPERATURE CONTROL FOR SAFETY FOOD using a cook-chill or sous vide process shall:

(1) Provide to the REGULATORY AUTHORITY prior to implementation, a HACCP PLAN that contains the information as specified under ¶¶ 8-201.14 (C) and (D);<sup>Pf</sup>

(2) – (4) **No Change.**

(E) Except as specified under ¶(F) of this section, a FOOD ESTABLISHMENT that PACKAGES cheese using a REDUCED OXYGEN PACKAGING method shall:

(1) Limit the cheeses PACKAGED to those that are commercially manufactured in a FOOD PROCESSING PLANT with no ingredients added in the FOOD ESTABLISHMENT and that meet the Standards of Identity as specified in 21 CFR 133.150 Hard cheeses, 21 CFR 133.169 Pasteurized process cheese or 21 CFR 133.187 Semisoft cheeses;<sup>P</sup>

(2) Have a HACCP PLAN that contains the information specified under ¶¶ 8-201.14 (C) and (D) and as specified under ¶¶ (B)(1), (B)(3)(a), (B)(5) and (B)(6) of this section;<sup>Pf</sup>

(3) Labels the PACKAGE on the principal display panel with a “use by” date that does not exceed 30 days from its packaging or the original manufacturer’s “sell by” or “use by” date, whichever occurs first;<sup>Pf</sup> and

(4) Discards the REDUCED OXYGEN PACKAGED cheese if it is not sold for off-PREMISES consumption or consumed within 30 calendar days of its PACKAGING.<sup>Pf</sup>

(F) **No Change.**

***Amend §3-801.11 to revise subparagraph (A)(3) to read as follows:***

***Additional Safeguards***

### **3-801.11- Pasteurized Foods, Prohibited Re-Service, and Prohibited Food.**

In a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION:

(A) The following criteria apply to JUICE:

(1) For the purposes of this paragraph only, children who are age 9 or less and receive FOOD in a school, day care setting, or similar facility that provides custodial care are included as HIGHLY SUSCEPTIBLE POPULATIONS;

(2) PrePACKAGED JUICE or a prePACKAGED BEVERAGE containing JUICE, that bears a warning label as specified in 21 CFR, 101.17(g) Food labeling, warning, notice, and safe handling statements, Juices that have not been specifically processed to prevent, reduce, or eliminate the presence of pathogens, or a PACKAGED JUICE or BEVERAGE containing JUICE, that bears a warning label as specified under ¶ 3-404.11(B) may not be served or offered for sale;<sup>P</sup> and

(3) UnPACKAGED JUICE that is prepared on the premises for service or sale in a READY-TO-EAT form shall be processed under a HACCP PLAN that contains the information specified under §8-201.14 (C) - (E) and as specified in 21 CFR Part 120 – Hazard Analysis and Critical Control Point (HACCP) Systems, Subpart B Pathogen Reduction, 120.24 Process controls.<sup>P</sup>

(B) – (H) -No Change.

## **Chapter 4-Equipment, Utensils, and Linens**

*Amend Chapter 4 to add new Subpart, 4-303, Cleaning Agents and Sanitizers, and add a new Section 4-303.11 Cleaning Agents and Sanitizers, Availability, to read as follows:*

### **4-3-NUMBERS AND CAPACITIES**

#### **Subparts**

#### **4-301-Equipment**

#### **4-302-Utensils, temperature Measuring Devices, and Testing Devices**

#### **4-303-Cleaning Agents and Sanitizers**

#### **4-303.11-Cleaning Agents and Sanitizers, Availability**

(A) Cleaning agents that are used to clean EQUIPMENT and UTENSILS as specified under Part 4-6, shall be provided and available for use during all hours of operation.

(B) Except for those that are generated on-site at the time of use, chemical SANITIZERS that are used to sanitize EQUIPMENT and UTENSILS as specified under Part 4-7, shall be provided and available for use during all hours of operation.

### **Chapter 5-Water, Plumbing, and Waste**

No Change.

### **Chapter 6-Physical Facilities**

No Change.

### **Chapter 7-Poisonous or Toxic Materials**

No Change.

### **Chapter 8-Compliance and Enforcement**

***Amend §8-103.12 to revise paragraph (B) to read as follows:***

#### **8-103.12-Conformance and Approved Procedures**

If the REGULATORY AUTHORITY grants a VARIANCE as specified in § 8-103.10, or a HACCP PLAN is otherwise required as specified under § 8-201.13, the PERMIT HOLDER shall:

(A) Comply with the HACCP PLANS and procedures that are submitted as specified under § 8-201.14 and APPROVED as a basis for the modification or waiver; <sup>P</sup> and

(B) Maintain and provide to the REGULATORY AUTHORITY, upon request, records specified under § 8-201.14 (D) and (E)(3) that demonstrate that the following are routinely employed;

(1) Procedures for monitoring the CRITICAL CONTROL POINTS, <sup>Pf</sup>

(2) Monitoring of the CRITICAL CONTROL POINTS, <sup>Pf</sup>

(3) Verification of the effectiveness of the operation or process, <sup>Pf</sup> and

(4) Necessary corrective actions if there is failure at a CRITICAL CONTROL POINT. <sup>Pf</sup>

***Amend §8-201.14 to add new paragraphs (A) and (F); delete paragraph (C); redesignate existing paragraph (A) as new paragraph (B); redesignate existing paragraph (B) as new paragraph (C); make minor changes in subparagraphs (D)(3) and (D)(5); and revise paragraph (E) to incorporate information from deleted paragraph (C) to read as follows:***

#### **8-201.14-Contents of a HACCP Plan**

For a food establishment that is required under § 8-201.13 to have a HACCP PLAN, the PERMIT applicant or PERMIT HOLDER shall submit to the REGULATORY AUTHORITY a properly prepared HACCP PLAN that includes:

(A) General information such as the name of the PERMIT applicant or PERMIT HOLDER, the FOOD ESTABLISHMENT address, and contact information;

(B) A categorization of the types of TIME/TEMPERATURE CONTROL FOR SAFETY FOODS that are to be controlled under the HACCP PLAN;<sup>Pf</sup>

(C) A flow diagram or chart for each specific FOOD or category type that identifies:

(1) Each step in the process;<sup>Pf</sup>

(2) The HAZARDS and controls for each step in the flow diagram or chart;<sup>Pf</sup>

(3) The steps that are CRITICAL CONTROL POINTS;<sup>Pf</sup>

(4) The ingredients, materials, and equipment used in the preparation of that FOOD;<sup>Pf</sup> and

(5) Formulations or recipes that delineate methods and procedural control measures that address the FOOD safety concerns involved.<sup>Pf</sup>

(D) A CRITICAL CONTROL POINTS summary for each specific FOOD or category type that clearly identifies:

(1) Each CRITICAL CONTROL POINT,<sup>Pf</sup>

(2) The CRITICAL LIMITS for each CRITICAL CONTROL POINT,<sup>Pf</sup>

(3) The method and frequency for monitoring and controlling each CRITICAL CONTROL POINT by the designated FOOD EMPLOYEE or the PERSON IN CHARGE,<sup>Pf</sup>

(4) The method and frequency for the PERSON IN CHARGE to routinely verify that the FOOD EMPLOYEE is following standard operating procedures and monitoring CRITICAL CONTROL POINTS,<sup>Pf</sup>



(5) Action to be taken by the designated FOOD EMPLOYEE or PERSON IN CHARGE if the CRITICAL LIMITS for each CRITICAL CONTROL POINT are not met, <sup>Pf</sup> and

(6) Records to be maintained by the PERSON IN CHARGE to demonstrate that the HACCP PLAN is properly operated and managed; <sup>Pf</sup>

(E) Supporting documents such as:

(1) FOOD EMPLOYEE and supervisory training plan that addresses the FOOD safety issues of concern; <sup>Pf</sup>

(2) Copies of blank records forms that are necessary to implement the HACCP PLAN; <sup>Pf</sup>

(3) Additional scientific data or other information, as required by the REGULATORY AUTHORITY, supporting the determination that FOOD safety is not compromised by the proposal. <sup>Pf</sup>

(F) Any other information required by the REGULATORY AUTHORITY.

***Amend §8-402.10 to redesignate existing paragraph into new paragraph (A) and add a new paragraph (B) to read as follows:***

### ***Competency***

#### ***8-402.10-Competency of Inspectors.***

(A) An authorized representative of the REGULATORY AUTHORITY who inspects a FOOD ESTABLISHMENT or conducts plan review for compliance with this Code shall have knowledge, skills and ability to adequately perform the required duties.

(B) The REGULATORY AUTHORITY shall ensure that authorized representatives who inspect a FOOD ESTABLISHMENT or conduct plan review for compliance with this Code have access to training and continuing education as needed to properly identify violations and apply the Code.

### **Annex 1-Compliance and Enforcement**

No Change.

### **Annex 2-References**

***Amend the References for 4. Food Defense Guidance From Farm To Table under the section on Guidance on Responding to Food Emergencies, to add one new reference (#4), Conference for Food Protection (CFP) Emergency Action Plan for***

***Retail Food Establishments, 2<sup>nd</sup> Edition, make an editorial correction and web URL update to the existing bulleted list to read as follows:***

#### **4. FOOD DEFENSE GUIDANCE FROM FARM TO TABLE**

The following is a summary of available resources on food defense that is of interest to the retail and food service food community. This listing is provided below and is not all-inclusive. It contains links to publications from federal regulatory agencies (primarily FDA, CDC, and USDA) and industry groups with information of interest to regulators, industry, and consumers. Responsibility for updating the web pages lies with the listed organization and those listed are up-to-date as of the printing of the 2005 Food Code.

**FDA Publications: No Change.**

**USDA Publications: No Change.**

**Industry Publications: No Change.**

#### **Guidance on Responding to Food Emergencies:**

- Centers for Disease Control and Prevention (CDC) Emergency Preparedness and Response information can be found at <http://www.bt.cdc.gov/>.
- USDA – Food and Nutrition Service food emergency publication, **Responding to a Food Recall** at [http://www.fns.usda.gov/sites/default/files/Responding\\_Food\\_Recall\\_FNS\\_Final\\_May\\_30\\_2014.pdf](http://www.fns.usda.gov/sites/default/files/Responding_Food_Recall_FNS_Final_May_30_2014.pdf)
- FDA's Office of Emergency Operations at 301-443-1240 for FDA regulated products and FSIS Technical Service Center at 1-800-233-3935 for USDA regulated products.
- **Conference for Food Protection (CFP) Emergency Action Plan for Retail Food Establishments, Second Edition** can be found at <http://www.foodprotect.org/>.

### **Annex 3- Public Health Reasons/Administrative Guidelines**

#### **Chapter 1 -Purpose and Definitions**

**No Change in Annex 3, Public Health Reasons, for Chapter 1.**

#### **Chapter 2- Management and Personnel**

**Amend Public Health Reasons for §2-103.11 to add a new paragraph 5 and revise paragraphs 7 and 8 to update the references to paragraphs 2-103.11(M) and (N) to**

paragraphs (N) and (O) respectively, to reflect the redesignation in § 2-103.11 to read as follows:

## **Duties-2-103.11-Person in Charge**

### **Paragraphs (1)-(4) - No Change.**

**New Paragraph 5:** An important duty of the Person in Charge is to make sure that any required temperatures are achieved or maintained when foods are cooked, cooled or held in a food establishment. By making it a duty of the Person in Charge to ensure that employees are monitoring food temperatures to verify the critical temperature limits, the likelihood of temperature abuse is reduced. This includes oversight of temperature monitoring to ensure: 1) that animal foods are being cooked to the required minimum temperatures to prevent the survival of pathogens that may be present (2-103.11(G)); 2) that cooked foods are being cooled rapidly to ensure that the growth of bacterial pathogens and toxin production is prevented (2-103.11(H)); and 3) that foods that require temperature control for safety are being held at temperatures that adequately prevent pathogen growth and toxin production (new 2-103.11(I)).

Paragraph (N) “EMPLOYEES are properly trained in FOOD safety, including food allergy awareness, as it relates to their assigned duties” allows industry to develop and implement operational-specific training programs for food employees. It is not intended to require that all food employees pass a test that is part of an accredited program.

Paragraph (O) emphasizes the important role the Person in Charge (PIC) has in making sure employees properly report certain information about their health status as it relates to diseases that are transmitted by food. In an effort to reinforce dialogue between food employees and the PIC, there must be a way to verify that food employees and conditional employees are informed of their responsibility to report such information. Examples of ways to verify that employees have been appropriately informed include:

**[Continue bulleted List with No Changes.]**

## **2-2- Employee Health**

### **Responsibilities and Reporting Symptoms and Diagnosis**

#### **2-201.11-Responsibility of the Person in Charge, Food Employees, and Conditional Employees.**

**Paragraphs (1) – (4)-No Change.**

**Reporting Symptoms:-No Change.**

## **Title I of the Americans with Disabilities Act of 1990 (ADA)**

***Amend Public Health Reason for §2-201.11, Title I of the Americans with Disabilities Act of 1990 (ADA) in paragraph 3 and paragraph 4 (Example 1) to read as follows:***

**Paragraphs (1) and (2) -No Change.**

A food employer may exclude any employee under the Food Code upon initially learning that the employee has Typhoid fever (caused by *Salmonella Typhi*), or has a gastrointestinal symptom listed in the Food Code. The excluded employee may then ask for an ADA reasonable accommodation instead of the exclusion. In response, the employer's first step should be to ask the employee to establish that the employee is disabled by the disease or symptom (or that the symptom is caused by another ADA disability). If the employee successfully proves that the employee has an ADA disability, then the employer may continue to exclude the employee under the Food Code if:

- there is no reasonable accommodation at work that would eliminate the risk of transmitting the disease while also allowing the employee to work in a food handling position, or
- all reasonable accommodations would pose an undue hardship on the employer's business; and
- there is no vacant position **not involving food handling** for which the employee is qualified and to which the employee can be reassigned.

Example 1: A food employee working in the café of a department store informs the employer that the employee has been diagnosed with Typhoid fever (caused by *Salmonella Typhi*). The employer immediately excludes the employee under the requirements of the Food Code. The employee then establishes that the disease is an ADA disability because it is severe and long-term and the employee requests reasonable accommodation instead of an exclusion. The employer determines that no reasonable accommodation would eliminate the risk of transmitting Typhoid fever (caused by *Salmonella Typhi*) through food and refuses to remove the exclusion. However, there is a vacant clerical position in another part of the store for which the employee is qualified. Unless the employer can establish that reassigning the employee to this position would be an undue hardship, the employer's failure to make the reassignment instead of continuing the exclusion would be a violation of the ADA.<sup>1</sup>

**Paragraphs (5) – (11) -No Change.**

**Pathogens Transmitted by Food Contaminated by Infected Persons Who Handle Food, and Modes of Transmission of Such Pathogens-No Change.**

Chapter 3-Food

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<sup>1</sup> Whether or not the employee in question is an individual with an ADA disability, in those jurisdictions where the Code is adopted, Food Code exclusions or restrictions must be removed when requirements for removal under § 2-201.13 of the Code are met.

**No Change in Annex 3, Public Health Reasons, for Chapter 3**

**Chapter 4-Equipment, Utensils, and Linens**

***Amend Public Health Reason for Chapter 4 Equipment, Utensils, & Linens, to add public health reasons for new §4-303.11 to read as follows:***

**4-303.11 Cleaning Agents and Sanitizers, Availability**

If the appropriate cleaning agents and sanitizers are not on hand at all times they may not be available when needed to clean and sanitize equipment and utensils. It is also important that the cleaning agents and sanitizers be on hand, even at times where warewashing may not be in progress, so that their suitability can be verified by the regulatory authority and, if needed, by personnel who are responsible for servicing the equipment.

**Chapter 5-Water, Plumbing, and Waste**

**No Change in Annex 3, Public Health Reasons, for Chapter 5.**

**Chapter 6-Physical Facilities**

**No Change in Annex 3, Public Health Reasons, for Chapter 6.**

**Chapter 7-Poisonous or Toxic Materials**

**No Change in Annex 3, Public Health Reasons, for Chapter 7.**

**Chapter 8-Compliance and Enforcement**

***Construction Inspection and Approval***

**8-201.12-Contents of the Plans and Specifications.**

**8-203.10-Preoperational Inspections.**

***Amend Public Health Reason in paragraph 10 to read as follows:***

**Paragraphs (1) – (9)- No Change.**

During the plan review stage, the regulatory authority and a management representative of the proposed food establishment should discuss available training options that may be used to train food employees and the person in charge regarding food safety as it relates to their assigned duties. By the time of the preoperational inspection, operating procedures for training should include definitive practices and expectations of how the management of the proposed food establishment plans to comply with paragraph 2-103.11(N) of this Code which requires the person in charge to assure that food employees are properly trained in food safety as it relates to their assigned duties.

## **8-403.50-Public Information**

***Amend Public Health Reason for Chapter 8 Compliance and Enforcement to add public health reasons for §8-403.50 Public Information to read as follows:***

Regulatory documents that describe the compliance status of a regulated food establishment may be of particular interest to consumers, academia, industry, and other regulators. Certain laws may obligate government entities to make regulatory documents available to the public upon request. Proactively making these documents available to the public, by way of a website, may reduce the burden associated with requesting these documents, and therefore make it more likely that these documents will be accessible and reviewed by interested stakeholders.

## **Annex 4-Management of Food Safety Practices – Achieving Active Managerial Control of Foodborne Illness Risk Factors**

No Change.

## **Annex 5-Conducting Risk-based Inspections**

No Change.

## **Annex 6-Food Processing Criteria**

***Amend Annex 6, Food Processing Criteria, 2. Reduced Oxygen Packaging, Section (I), Hazard Analysis and Critical Control Point (HACCP) Operation, to revise the introductory paragraph to replace the existing cross reference to ¶8-201.14(D) with a cross reference to §8-201.14 to read as follows:***

### ***(I)-Hazard Analysis and Critical Control Point (HACCP) Operation***

All food establishments packaging food in a reduced oxygen atmosphere must develop a HACCP plan and maintain the plan at the processing site for review by the regulatory authority. For ROP operations, the plan must include the requirements specified under § 8-201.14. In addition, the HACCP plan may also include:

- (1) A complete description of the processing, packaging, and storage procedures designated as critical control points, with attendant critical limits, corrective action plans, monitoring and verification schemes, and records required;
- (2) A list of equipment and food-contact packaging supplies used, including compliance

standards that may be required by the regulatory authority, i.e., a recognized third party equipment evaluation organization such as NSF International;

(3) A description of the lot identification system;

(4) A description of the employee training program;

(5) A listing and proportion of food-grade gasses used; and

(6) A standard operating procedure for method and frequency of cleaning and sanitizing food-contact surfaces in the designated processing area.

## **Annex 7-Model Forms, Guides, and Other Aids**

### **Guide 3-B**

#### **Instructions for Marking the Food Establishment Inspection Report, Including Food Code References for Risk Factors/Interventions and Good Retail Practices**

***Amend Section C, Supervision, Item #1, Applicable Code Section, to revise to read as follows:***

#### **C. MARKING INSTRUCTIONS FOR EACH RISK FACTOR AND INTERVENTION ON THE INSPECTION REPORT**

##### **Supervision**

1. PIC present, demonstrates knowledge, and performs duties

##### **Applicable Code Section:**

2-101.11-Assignment <sup>(Pf)</sup>

2-102.11(A), B) and (C)(1), (4)-(16)-Demonstration <sup>(Pf)</sup>

2-103.11 (A)-(P)-Person-In-Charge-Duties <sup>(Pf)</sup>

***Amend Section C, Employee Health/Responding to Contamination Events, Item #3, #1 to read as follows:***

#### **C. MARKING INSTRUCTIONS FOR EACH RISK FACTOR AND INTERVENTION ON THE INSPECTION REPORT**

##### **Employee Health/Responding to Contamination Events**

**3. Management and food employee knowledge, and conditional employee; responsibilities and reporting.**

**IN/OUT-**This item must be marked IN or OUT of compliance. This item is marked IN compliance when the following criteria are met:

1. The PIC is aware of his or her responsibility to inform food employees and conditional employees of their responsibility to report certain symptoms or diagnosed diseases to the person in charge and for

the PIC to report to the regulatory authority as specified under Food Code ¶ 2-103.11 (O) and ¶¶ 2-201.11 (A),(B), (C), and (E); **and**

**2. and 3. No Change.**

**Applicable Code Sections:**

2-102.11(C)(2),(3) and (17) -Demonstration <sup>(Pf)</sup>

2-103.11 (O) -Person in Charge-Duties <sup>(Pf)</sup>

2-201.11(A), (B), (C), & (E)-Responsibility of Permit Holder, Person in Charge, and Conditional Employees <sup>(P,Pf)</sup>

***Amend Good Retail Practices, Section D, Utensils, Equipment, and Vending, Item #48, to read as follows:***

**Good Retail Practices (GRPs)**

**D. MARKING INSTRUCTIONS FOR EACH GOOD RETAIL PRACTICE (GRP) ON THE INSPECTION REPORT**

**Utensils, Equipment and Vending**

**48. Warewashing facilities, installed, maintained, used, test strips**

Adequate warewashing facilities must be available and used for the cleaning and sanitization of food-contact surfaces, including the availability of means to monitor its use and the effectiveness of sanitization. For example, an irreversible registering temperature indicator is provided and readily accessible for measuring the utensil surface temperature for establishments that have a hot water mechanical warewashing operation. Observation of manual and mechanical warewashing methods are made to **assess** the procedure for cleaning and sanitizing equipment and utensils. This item is marked OUT of compliance when cleaners and sanitizers are not available for use within the food establishment.

**Applicable Code Sections:**

4-203.13-Pressure Measuring Devices, Mechanical Warewashing Equipment <sup>(C)</sup>

4-204.113-Warewashing Machine, Data Plate Operation Specifications <sup>(C)</sup>

4-204.114-Warewashing Machines, Internal Baffles <sup>(C)</sup>

4-204.115-Warewashing Machines, Temperature Measuring Devices <sup>(Pf)</sup>

4-204.116-Manual Warewashing Equipment, Heaters and Baskets <sup>(Pf)</sup>

4-204.117-Warewashing Machines, Automatic Dispensing of Detergents and Sanitizers <sup>(Pf)</sup>

4-204.118-Warewashing Machines, Flow Pressure Device <sup>(C)</sup>

4-204.119-Warewashing Sinks and Drainboards, Self-Draining <sup>(C)</sup>

4-301.12-Manual Warewashing, Sink Compartment Requirements <sup>(Pf, C)</sup>

4-301.13-Drainboards <sup>(C)</sup>

4-302.13-Temperature Measuring Devices, Manual and Mechanical Warewashing <sup>(Pf)</sup>

4-302.14-Sanitizing Solutions, Testing Devices <sup>(Pf)</sup>

4-303.11-Cleaning Agents and Sanitizers, Availability <sup>(Pf)</sup>

**4-501.14 to end of the list at 4-603.16- No Change.**



### **Part 3. New Terms added to the Index to the Food Code**

Cleaning agents,  
availability

nontyphoidal *Salmonella* (NTS). See *Salmonella* (nontyphoidal)

Sanitizer,  
availability

NTS, *Salmonella* (nontyphoidal) or nontyphoidal *Salmonella*. See *Salmonella* (nontyphoidal)

*Salmonella* (nontyphoidal) See *nontyphoidal Salmonella (NTS) or NTS, Salmonella (nontyphoidal)*

Typhoid fever (caused by *Salmonella Typhi*)