



**Central
Connecticut
Health
District**

FDA FOOD CODE UPDATE

June 12, 2023

Introduction

The purpose of this presentation is to inform our licensed food establishments of the following:

1. Changes that have already been implemented since 2017 and 2018.
2. Recap of changes that have already been implemented.
3. Make you aware of additional changes that you will need to implement in your food service operation.

Food Code Changes

▶ Effective 2017:

- ▶ Cold holding temperatures decreased from 45°F or below to 41°F or below.
- ▶ Hot holding temperatures changed from a minimum of 140°F to a minimum of 135°F. • Food Establishments were reclassified to meet the FDA food classification definitions.
- ▶ Potentially Hazardous Food (PHF) became referred to as Time/Temperature Controlled for Safety (TCS) Foods.

▶ Effective 2018:

- ▶ Qualified Food Operator (QFO) became known as Certified Food Protection Manager (CFPM). Class II, III and IV food establishments were required to have trained CFPM's and expiration dates on these certifications became enforceable.
- ▶ All food establishments are required to register with the Connecticut Department of Public Health before a permit is issued or renewed by the local health department. (Because the CT DPH has not yet set up a registration system, this requirement is on pause. We will notify you when more information becomes available.

FDA FOOD CODE

- ▶ Went into effect in Connecticut on February 16, 2023
- ▶ Focuses on the 5 major risk factors that contribute to foodborne illness: **improper holding temperatures, inadequate cooking temperatures, contaminated equipment, food from unsafe sources, poor personal hygiene.**
- ▶ **What are the major changes?**
 - ▶ New terminology
 - ▶ New inspection form
 - ▶ Certified Food Protection Manager
 - ▶ Date Marking Requirements
 - ▶ Consumer Advisory
 - ▶ Handwashing Signage
 - ▶ 9 Major Food Allergens
 - ▶ Procedures for Responding to Incidents of Vomiting and Diarrhea
 - ▶ Variances

New Terminology

Changed Terminology

- ▶ Qualified Food Operator -> Certified Food Protection Manger
- ▶ Potentially Hazardous Food -> Time/Temperature Control for Safety (TCS)

New Terminology For Violations

- ▶ Priority Item Violations - Items that contribute directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard. (Examples: Improper reheating, employee working while ill, etc.)
- ▶ Priority Foundation Item Violations - Items that support, facilitate, or enable one or more priority items. (Examples: no person in charge, food not date marked, etc.)
- ▶ Core Item Violations - relates to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), facilities or structures, equipment design, or general maintenance. (Examples: improper storage of personal care items, lack of effective hair restraints, etc.)

New Inspection Forms

- ▶ **NO SCORE!**
- ▶ **NO PASS/FAIL!**
- ▶ **NO NUMERICAL DEMERITS (1 TO 4 POINTS)!**
- ▶ Violations are divided into three categories: priority, priority foundation, and core.
- ▶ Corrective action is based on risk level:
 - ▶ Priority Items: 72 hours
 - ▶ Priority Foundation Items: 10 calendar days (not business days)
 - ▶ Core Items: 90 days

Connecticut Department of Public Health EHS-108 Rev. 2/16/23

Food Establishment Inspection Report Page 1 of ____

Risk Category: **Food Establishment Inspection Report**

Establishment type: Permanent Temporary Mobile Other _____ Date: _____

Establishment _____ Time In _____ AM/PM Time Out _____ AM/PM

Address _____ LHD _____

Town/City _____ Purpose of Inspection: Routine Pre-op

Permit Holder _____ Reinspection Other _____

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Risk factors are important practices or procedures 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, N/A, N/O) for each numbered item IN=in compliance OUT=not in compliance N/A=not applicable N/O=not observed

P=Priority item	PF=Priority foundation item	C=Core item	V=violation type	Mark in appropriate box for COS and/or R	COS=corrected on-site during inspection	R=repeat violation																								
IN	OUT	N/A	N/O	V	COS	R																								
Supervision																														
1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Person/Alternate Person in charge present, demonstrates knowledge and performs duties	PI	<input type="checkbox"/>																								
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Certified Food Protection Manager for Classes 2, 3, & 4	C	<input type="checkbox"/>																								
Employee Health																														
3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Management, food employee and conditional employee; knowledge, responsibilities and reporting	PI/PI	<input type="checkbox"/>																								
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper use of restriction and exclusion	P	<input type="checkbox"/>																								
5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Written procedures for responding to vomiting and diarrheal events	PI	<input type="checkbox"/>																								
Good Hygienic Practices																														
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper eating, tasting, drinking, or tobacco products use	PI/C	<input type="checkbox"/>																								
7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discharge from eyes, nose, and mouth	C	<input type="checkbox"/>																								
Preventing Contamination by Hands																														
8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hands clean and properly washed	PI/PI	<input type="checkbox"/>																								
9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No bare hand contact with RTE food or a pre-approved alternative procedure properly followed	PI/PI/C	<input type="checkbox"/>																								
10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate handwashing sinks, properly supplied/accessible	PI/C	<input type="checkbox"/>																								
Approved Source																														
11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food obtained from approved source	PI/PI/C	<input type="checkbox"/>																								
12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food received at proper temperature	PI/PI	<input type="checkbox"/>																								
13	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food in good condition, safe, and unadulterated	PI/PI	<input type="checkbox"/>																								
14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required records available: molluscan shellfish identification, parasite destruction	PI/PI/C	<input type="checkbox"/>																								
GOOD RETAIL PRACTICES																														
<small>Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.</small>																														
Mark OUT if numbered item is not in compliance V=violation type Mark in appropriate box for COS and/or R COS=corrected on-site during inspection R=repeat violation																														
OUT	N/A	N/O	V	COS	R																									
Safe Food and Water																														
30	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pasteurized eggs used where required	P	<input type="checkbox"/>																								
31	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water and ice from approved source	PI/PI/C	<input type="checkbox"/>																								
32	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Variance obtained for specialized processing methods	PI	<input type="checkbox"/>																								
Food Temperature Control																														
33	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cooling methods used; adequate equipment for temperature control	PI/C	<input type="checkbox"/>																								
34	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plant food properly cooked for hot holding	PI	<input type="checkbox"/>																								
35	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved thawing methods used	PI/C	<input type="checkbox"/>																								
36	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thermometers provided and accurate	PI/C	<input type="checkbox"/>																								
Food Identification																														
37	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food properly labeled; original container	PI/C	<input type="checkbox"/>																								
Prevention of Food Contamination																														
38	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Insects, rodents, and animals not present	PI/C	<input type="checkbox"/>																								
39	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Contamination prevented during food preparation, storage & display	PI/PI/C	<input type="checkbox"/>																								
40	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personal cleanliness	PI/PI/C	<input type="checkbox"/>																								
41	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wiping cloths: properly used and stored	C	<input type="checkbox"/>																								
42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Washing fruits and vegetables	PI/PI/C	<input type="checkbox"/>																								
Proper Use of Utensils																														
43	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In-use utensils: properly stored	C	<input type="checkbox"/>																								
44	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utensils/equipment/linens: properly stored, dried, & handled	PI/C	<input type="checkbox"/>																								
45	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Single-use/single-service articles: properly stored & used	PI/C	<input type="checkbox"/>																								
46	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gloves used properly	C	<input type="checkbox"/>																								
Utensils and Equipment																														
47	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food and non-food contact surfaces cleanable, properly designed, constructed, and used	PI/PI/C	<input type="checkbox"/>																								
48	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Warewashing facilities: installed, maintained and used; cleaning agents, sanitizers, and test strips available	PI/C	<input type="checkbox"/>																								
49	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Non-food contact surfaces clean	C	<input type="checkbox"/>																								
Physical Facilities																														
50	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hot and cold water available; adequate pressure	PI	<input type="checkbox"/>																								
51	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing installed; proper backflow devices	PI/PI/C	<input type="checkbox"/>																								
52	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sewage and waste water properly disposed	PI/PI/C	<input type="checkbox"/>																								
53	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet facilities: properly constructed, supplied, & clean	PI/C	<input type="checkbox"/>																								
54	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Garbage and refuse properly disposed; facilities maintained	C	<input type="checkbox"/>																								
55	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Physical facilities installed, maintained, and clean	PI/PI/C	<input type="checkbox"/>																								
56	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate ventilation and lighting; designated areas used	C	<input type="checkbox"/>																								
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Natural rubber latex gloves not used per CGS §19a-36f	C	<input type="checkbox"/>																								
<table border="1" style="width: 100%;"> <thead> <tr> <th>Violations documented</th> <th>Date corrections due</th> <th>#</th> </tr> </thead> <tbody> <tr> <td>Priority Item Violations</td> <td></td> <td></td> </tr> <tr> <td>Priority Foundation Item Violations</td> <td></td> <td></td> </tr> <tr> <td>Core Item Violations</td> <td></td> <td></td> </tr> <tr> <td>Risk Factor/Public Health Intervention Violations</td> <td></td> <td></td> </tr> <tr> <td>Repeat Risk Factor/Public Health Intervention Violations</td> <td></td> <td></td> </tr> <tr> <td>Good Retail Practices Violations</td> <td></td> <td></td> </tr> <tr> <td>Requires Reinspection - check box if you intend to reinspect</td> <td></td> <td></td> </tr> </tbody> </table>							Violations documented	Date corrections due	#	Priority Item Violations			Priority Foundation Item Violations			Core Item Violations			Risk Factor/Public Health Intervention Violations			Repeat Risk Factor/Public Health Intervention Violations			Good Retail Practices Violations			Requires Reinspection - check box if you intend to reinspect		
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Requires Reinspection - check box if you intend to reinspect																														
Person in Charge (Signature) _____ Date _____ Person in Charge (Printed) _____ Inspector (Signature) _____ Date _____ Inspector (Printed) _____ Appeal: The owner or operator of a food establishment aggrieved by this order to correct any inspection violation identified by the food inspector or to hold, destroy, or dispose of unsafe food, may appeal such order to the Director of Health, not later than forty-eight hours after issuance of such order.																														

Certified Food Protection Manager

- ▶ Formerly known as a “Qualified Food Operator”
- ▶ **REQUIRED FOR CLASS 2, 3, AND 4 FOOD ESTABLISHMENTS**
- ▶ **Certified Food Protection Manger (CFPM)**
 - ▶ Must possess a valid (not out of date) certificate from an approved testing organization and have certificate on file at the food establishment.
 - ▶ Be a full-time employee
- ▶ If the CFPM is absent, a **Person In Charge (PIC)** is required to be present and demonstrate knowledge by either;
 - ▶ Having no Priority Item violations during the inspection
 - ▶ Be a Certified Food Protection Manager
 - ▶ Responding correctly to the inspector's questions as they relate to the specific food operation.

Date Marking

- ▶ **REQUIRED FOR REFRIGERATED, READY-TO-EAT AND TCS FOODS** that are held for more than 24 hours.
- ▶ All date marked foods **MUST BE CONSUMED WITHIN 7 DAYS.**

	Sunday March 25	Monday March 26	Tuesday March 27	Wednesday March 28	Thursday March 29	Friday March 30	Saturday March 31	Sunday April 1
Date Only								
<i>Food is labeled:</i> March 31	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Discard by midnight on Saturday, March 31 Day 7	
Day Only								
<i>Food is labeled:</i> Saturday	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Discard by midnight on Saturday Day 7	
Date and Time								
<i>Food is labeled:</i> April 1, 2018 10:00 pm	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Discard by 10pm on Sunday, April 1, 2018 Day 7	

Consumer Advisory

- ▶ This is **MANDATORY** and **MUST BE ON THE MENU IF YOU ARE SERVING RAW OR UNDERCOOKED ITEMS** from animal-derived foods.
- ▶ The Consumer Advisory requires two parts, a **DISCLOSURE** and a **REMINDER**.
- ▶ **DISCLOSURE:** This requires that any item you serve raw or potentially undercooked, for example eggs, meat, fish, or shellfish be identified on the menu. This can be indicated with an asterisk (*) or something similar placed next to the menu item.
- ▶ **REMINDER:** The statement “Thoroughly cooking meats, poultry, seafood, shellfish or eggs reduces the risk of foodborne illness” must be displayed on the menu, in at least an 11-point font and in a location prominent enough to be obvious to the reader. This statement can also be on a poster, table tent, placard, or other written means easily visible to patrons.
- ▶ The asterisk directs the consumer to a statement which says *This item is cooked to order and may contain raw or undercooked ingredients or something similar, as appropriate, followed by the reminder statement.

Consumer Advisory Examples

Menu Example A

Salads Grilled Chicken Salad Cobb Salad Caesar Salad (contains raw egg)*	Hamburgers (Cooked to Order)* Cheeseburger Bacon Deluxe Burger Ultimate BBQ Burger
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(Displayed at the bottom of the page)

* Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have a medical condition.

Disclosure

Reminder

Menu Example B

Hamburgers Cheeseburger * Bacon Deluxe Burger * Ultimate BBQ Burger *	Steaks & Poultry Porterhouse 12oz. * Grilled Chicken New York Strip 6oz. *
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(Displayed at the bottom of the page)

* These items may be served undercooked. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.

Disclosure

Reminder

Menu Example C

Seafood Salmon on the Grill Oysters on the Halfshell (served raw) * Breaded Shrimp	
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(Displayed at the bottom of the page)

* Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.

Disclosure

Reminder

Required Signage

▶ Handwashing

- ▶ Food Establishment are required to have handwashing signs at **ALL HANDWASHING SINKS** to notify food employees to wash their hands.



Link to handwashing sign:

<https://static1.squarespace.com/static/5c4085e585ede1f50f94a4b9/t/6480ad4943aba15e46a3ad90/1686154569311/handwash-signage.pdf>

Food Allergens

ALLERGEN MANAGEMENT

Food allergies can be deadly.

These nine allergens require labeling and control:



Wheat



Eggs



Fish



Tree Nuts



Shellfish



Soy



Peanuts



Milk



Sesame

Symptoms of an allergic reaction may include **itching, swelling, throat irritation, hives, trouble breathing and cardiac arrest.**

Allergens can be listed by different names but should be labeled on packaging. Some common ingredients may contain hidden allergens. For example, mayonnaise may contain soy or eggs, and pesto may contain tree nuts.

Keep food allergens away from non-allergen foods.



Label

Label all allergens in storage. Store them away from non-allergen foods.



Wash

Wash hands, utensils and surfaces when switching from allergen to non-allergen foods.



Communicate

Let customers and staff know about possible allergen risks. Tell cooks about customers' allergies.



Call 911 at the first sign of a reaction.

The permit holder shall notify consumers by written notification of the presence of major food allergens as an ingredient in unpackaged food items that are served or sold to the consumer. 3-602.12 FDA Food Code

Written notification can be provided in many forms such as: physical or electronic means, including, but not limited to, brochures, doll case or menu notifications, label statements, table tents, or placards. Annex 3-144 FDA Food Code

Adapted from wakegov.com

- ▶ The permit holder is now **REQUIRED TO NOTIFY CUSTOMERS BY WRITTEN NOTIFICATION OF THE PRESENCE OF MAJOR FOOD ALLERGENS** as an ingredient in unpackaged food items that are served or sold.

- ▶ Link to poster:

<https://static1.squarespace.com/static/5c4085e585ed1f50f94a4b9/t/6487129961eea1065280e586/1686573721636/foodallergenposter-english-sized.pdf>

Procedures for Responding to Incidents of Vomiting and Diarrhea

- ▶ **ALL FOOD ESTABLISHMENTS ARE REQUIRED TO HAVE A WRITTEN PROCEDURE FOR VOMITING AND DIARRHEAL EVENTS** for employees to follow.

- ▶ Link to clean-up plan:

<https://static1.squarespace.com/static/5c4085e585ede1f50f94a4b9/t/64809e71a9b4054197196f44/1686150769466/Vomit+and+Diarrhea+Plan+for+FSE.pdf>

Vomit & Diarrhea Clean-up Plan

PURPOSE

In accordance with 2-501.11 of the FDA Food Code, "A food establishment must have written procedures to implement a plan 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".

ASSEMBLE A CLEAN-UP KIT

You can buy a kit from a supplier or assemble your own. Clean-up kits should contain personal protective equipment and cleaning supplies.

Basic Personal Protective Equipment	Recommended Personal Protective Equipment
<ul style="list-style-type: none">• Single-use gloves• 1 disposable mask or other effective face covering	<ul style="list-style-type: none">• 1 pair of goggles• 1 disposable gown with sleeves• 1 disposable hair cover• 1 pair of disposable shoe covers
Basic Cleaning Supplies	Recommended Cleaning Supplies
<ul style="list-style-type: none">• Plastic garbage bags with seal or twist tie• Paper towels• Absorbent powder/solidifier (such as kitty litter or baking soda)• Disinfectant**	<ul style="list-style-type: none">• 1 scoop/scrapper• Drop cloth• Caution tape (for marking contaminated area)• Dedicated mop and bucket (disposable mop heads recommended)

****Disinfectant:**

- If using concentrated bleach (shown as 8.25% on the label), add 3/4 cups of bleach to 1 gallon of water.
- If using regular bleach, (shown as 5.25% on the label), add 1 cup of bleach to 1 gallon of water.
- Commercially prepared disinfectants effective against Norovirus can be used. The U.S. Environmental Protection Agency has a list of approved commercial disinfectants for reference.

Variance Requirements/Special Processes

- ▶ A food establishment must obtain a variance from the CT Department of Public Health prior to conducting Specialized Processing Methods listed under Section 3-502.11. (smoking, curing, using food additives or adding components such as vinegar, sprouting seeds or beans,
- ▶ A food establishment may conduct Reduced Oxygen Packaging (ROP) without a variance as long as a HACCP Plan is submitted to the local health department prior to implementation. You may contact the CT Department of Public Health, Food Protection Program at (860) 509-7297 for more information on how to obtain a variance for a specialized process method.



Forms 1-A and 1-B

▶ FORM 1-A Conditional Employee and Food Employee Interview

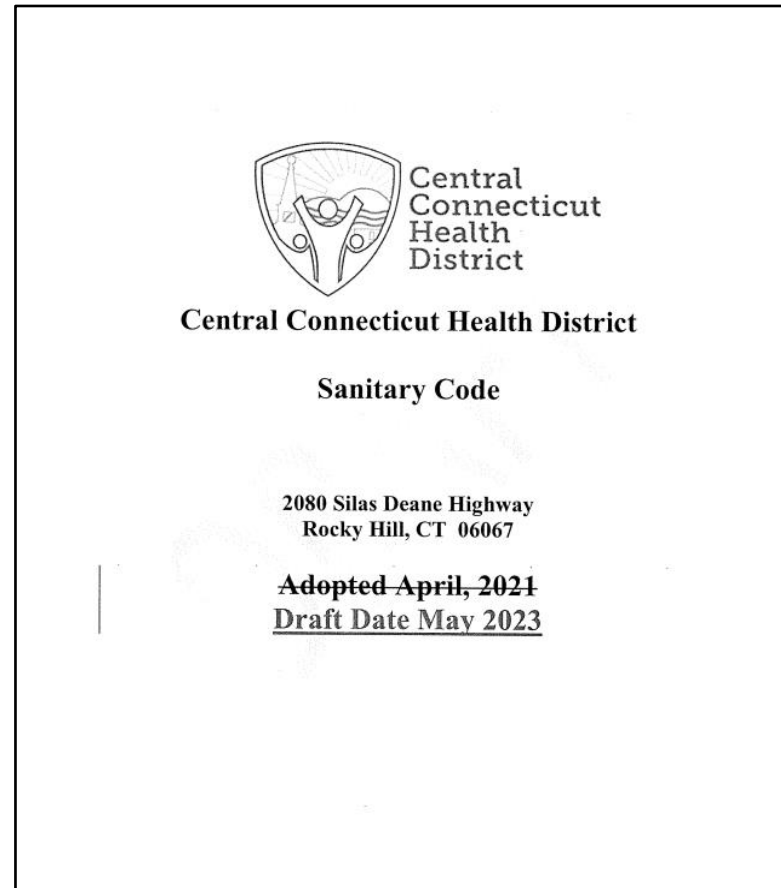
- ▶ The purpose of this interview is to inform conditional employees and food employees to advise the person in charge of past and current conditions described so that the person in charge can take appropriate steps to preclude the transmission of foodborne illness.
- ▶ <https://static1.squarespace.com/static/5c4085e585ede1f50f94a4b9/t/6487164e31e6f57d8cc0cdfd/1686574671005/FORM%2B1-A%2BConditional%2BEmployee%2Band%2BFood%2BEmployee%2BInterview.pdf>

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

- ▶ 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.
- ▶ <https://static1.squarespace.com/static/5c4085e585ede1f50f94a4b9/t/648716c997ab9904c2fd9580/1686574793341/FORM+1-B+Conditional+Employee+or+Food+Employee+Reporting+Agreement+%28002%29.pdf>

Sanitary Code Updates

- ▶ We are also updating other chapters of our sanitary code, such as rooming units and cosmetology. You can see the changes on our website, <https://www.ccthd.org/sanitary-code> .



Questions?

Find the full FDA Food Code 2022 here:
<https://www.fda.gov/media/164194/download>