



FOOD CODE

October 2023

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AGENDA

- Review: Agencies for Preventing Foodborne Illness
 - FDA
 - Local Jurisdiction
- What is the Food Code?
 - Overview
 - Milestones
- 2022 Food Code - Summary of changes
 - 8 topics
- FAQs:
 - Impact to ServSafe Materials
- Resources

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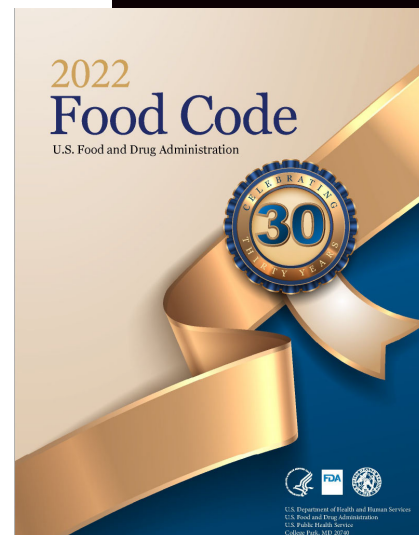
AGENCIES RESPONSIBLE FOR PREVENTING FOODBORNE ILLNESS

Food and Drug Administration (FDA):

- Inspects all food except meat, poultry, and eggs
- Regulates food transported across state lines
 - Provides technical support and training
- Issues the *Food Code*

The FDA Food Code:

- Provides recommendations for food safety regulations
- Created for city, county, state, and tribal agencies
- Is recommendation not law



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AGENCIES RESPONSIBLE FOR PREVENTING FOODBORNE ILLNESS - CONTINUED

State and Local Regulatory Authorities:

- Write or adopt codes regulating retail and foodservice operations
- Codes may differ from FDA *Food Code*

Food safety responsibilities include:

- Inspecting operations
- Enforcing regulations
- Investigating complaints and illnesses
- Issuing licenses/permits

TIPS:

Keep a copy of your local health code within the ENA Food Safety Manual

AND/OR

Bookmark a link to your local health code site on your desktop

✓ Check at least annually for any updates.

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**TRIVIA: WHAT YEAR WAS THE 1ST
FOOD CODE ISSUED?**

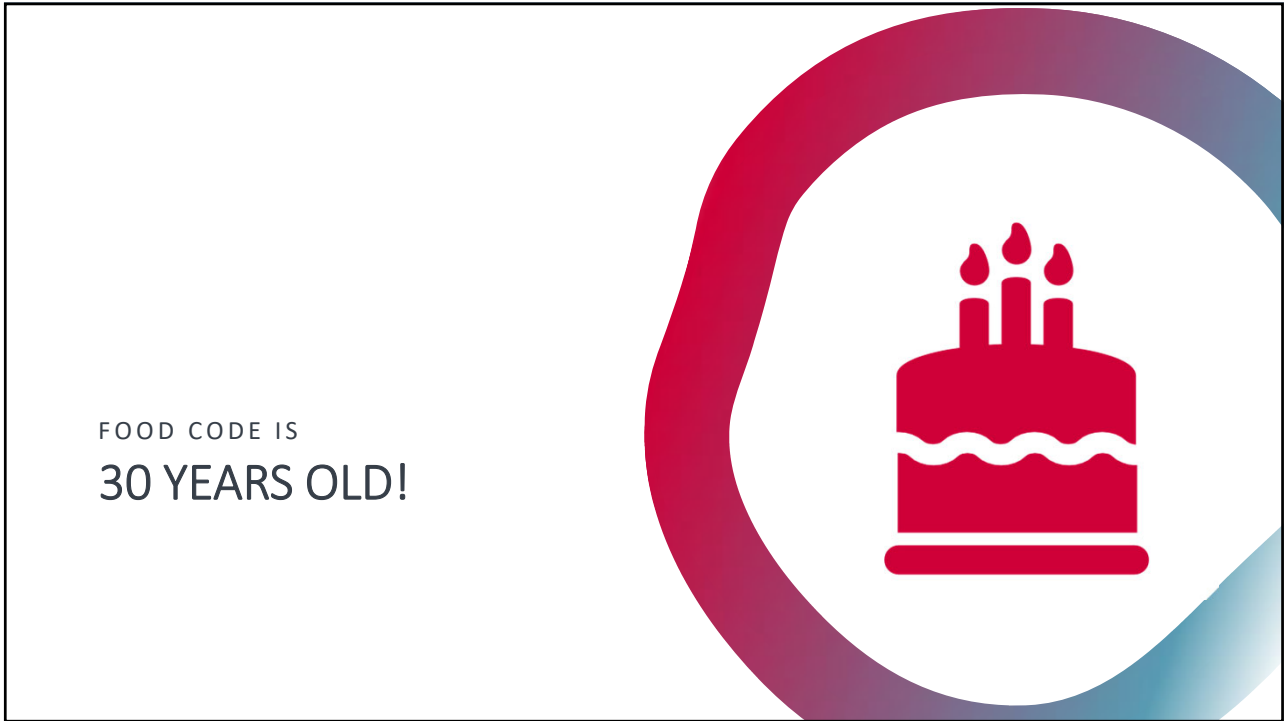
- A) 1975
- B) 1983
- C) 1993
- D) 2005

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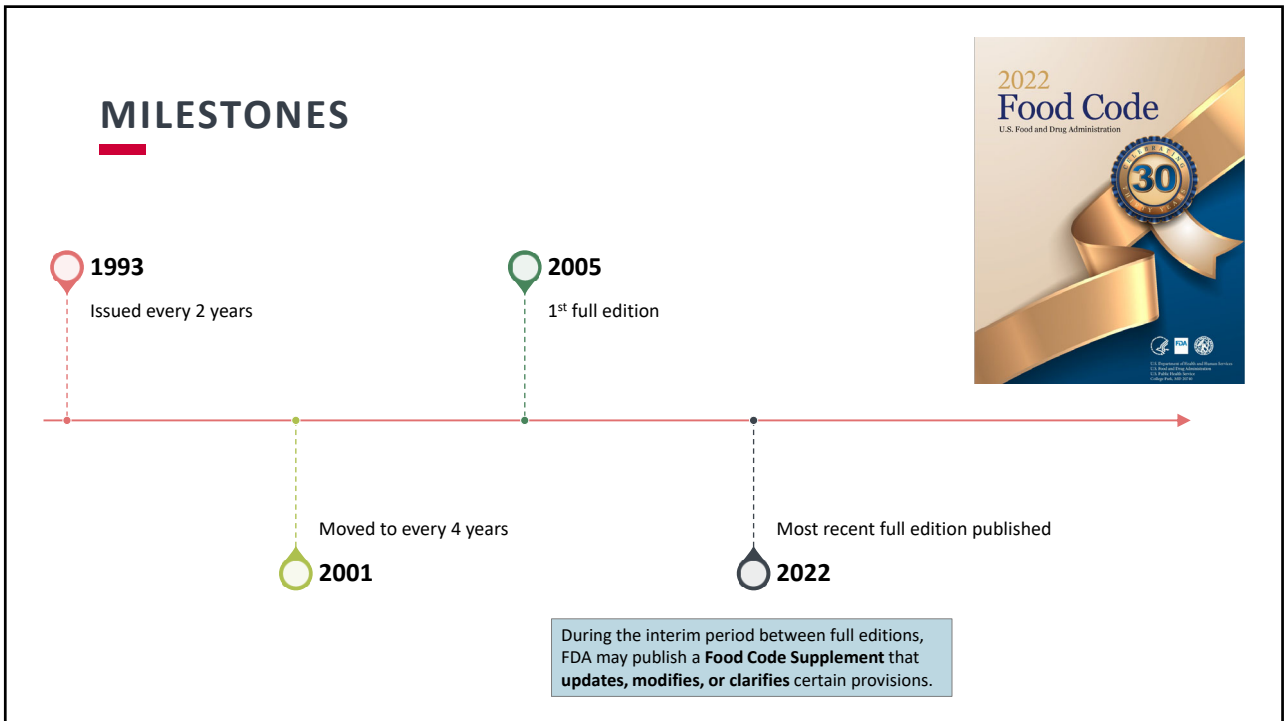
**WHAT YEAR WAS THE 1ST
FOOD CODE ISSUED?**

- A) 1975
- B) 1983
- C) 1993 (Correct answer)**
- D) 2005

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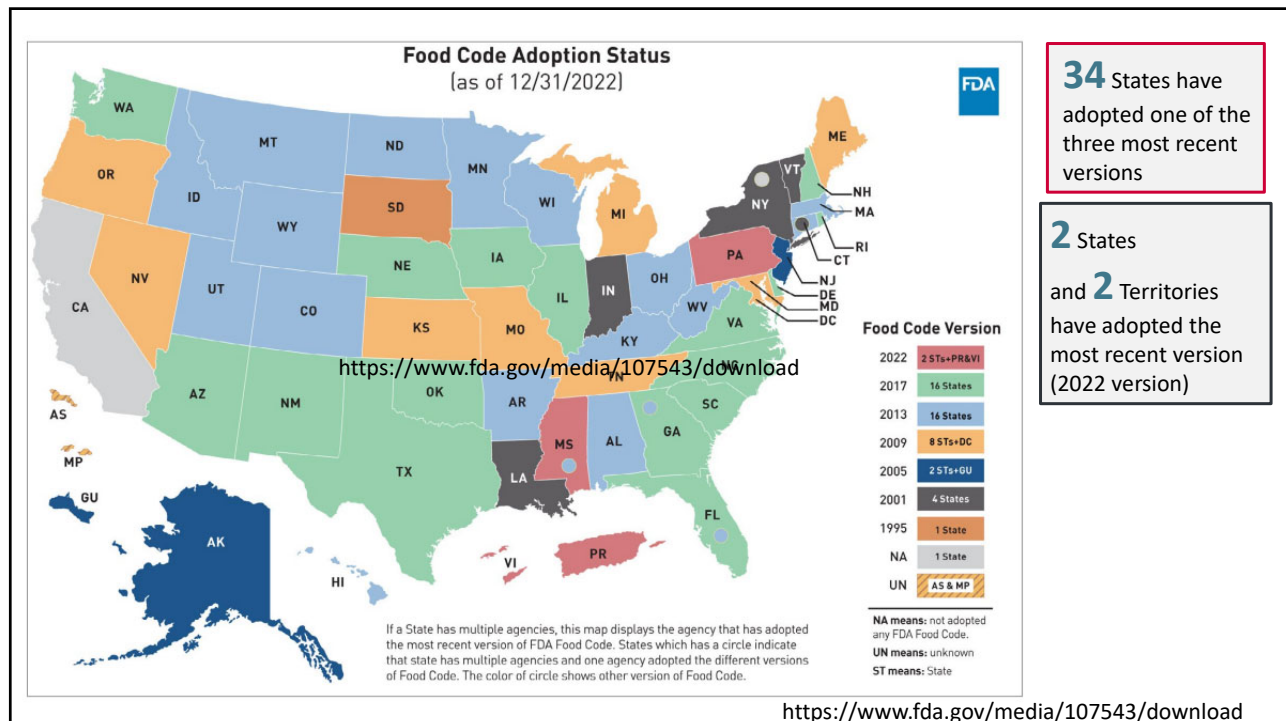
KEY NUMBERS ABOUT ADOPTION STATUS

34 States have adopted one of the three most recent versions
 = **62.47%** of the U.S. population)*

2 States and **2** Territories have adopted the most recent version (2022 version),
 representing **4.82%** of the U.S. population*

*Reporting period ending 12.31.22

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Follow your local jurisdiction regulations

ACTION ITEM:

- ✓ Check your local jurisdiction regulations
 - Did they adopt the 2022 Food Code?
 - Which Food Code are they operating under?
 - Have you printed it and/or have it bookmarked?
 - Do you check regularly for updates?
 - TIP: Set reminder in Outlook!
- ✓ How to check:
 - Who inspects you?
 - County or city (or state in some situations)?
 - Search examples:
 - [County] Food Safety regulations
 - Health Department regulations

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WHAT IS THE FOOD CODE?

- The U. S. Food and Drug Administration (FDA) publishes the Food Code
 - assists food control jurisdictions at all levels of government by providing them with a scientifically sound technical and legal basis for regulating the retail and food service segment of the industry

FOLLOW LOCAL JURISDICTION

- Local, state, tribal, and federal regulators use the *FDA Food Code* as a model to develop or update their own food safety rules and to be consistent with national food regulatory policy.



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SUMMARY OF CHANGES

8 key topics today

1. What is the change?
2. Impact for operations
3. Resources, as applicable

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ADDED SESAME AS 9TH MAJOR FOOD ALLERGEN

1. **Change:** Revise the definition of the term “Major food allergen” to **add Sesame** as the 9th major food allergen, effective January 1, 2023.

Note: **Crustacean shellfish** is a new clarification (previously: shellfish).

2. **Impact for operations:** applicable to major food allergens, including menu systems, signage (including digital), labeling and manufacturing requirements, recipes

3. **Resources:** [Allergen & Gluten Aware Resources](#)



• Amended §1-201.10(B) in subparagraph (1)(a)

TOPIC 1

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RESOURCES

Allergen & Gluten Aware

Allergen and Gluten Aware Manual

Implementation Tools

Posters

Audit & Forms

FARE Resources

Frequently Asked Questions

Training Videos

The program videos are divided into 7 sections, ranging from 15 minutes to 25 minutes in length.

Introduction and Overview (22:05)	Personnel Roles and Responsibilities (15:43)	Communication (20:45)
Operations (17:37)	Hygiene, Cleaning and Sanitizing (6:17)	Catering & Food Truck (10:19)
Dealing with Allergens/Gluten Interventions (17:52)		

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ADDITIONAL DUTY REQUIREMENTS FOR THE PERSON IN CHARGE

1. **What is the change?** Additional duty requirement for the Person in Charge to ensure:
 - a) Food employees are properly maintaining the temperature of time/temperature control for safety foods (TCS) **during thawing** through daily oversight of the FOOD EMPLOYEE'S routine monitoring of food temperatures
 - b) Employees are properly trained in food safety, including **food allergy awareness**, as it relates to their assigned duties. Food allergy awareness includes:
 - i. describing foods identified as major food allergens, and
 - ii. the symptoms that a major food allergen could cause in a sensitive individual who has an allergic reaction.
2. **Impact for operations:**
 - a) Ensure when thawing food in refrigeration that equipment logs are maintained or thawing under water (log on the production sheet), microwave or part of cooking process (food temp logs)
 - b) Maintain awareness of 9 major food allergens and symptoms. Sesame is part of overall production training program (back and front of the house), increased awareness of sesame.
3. **Resources:**
 - a) Time and Temperature Control: 10 Take 5s available
 - b) Allergen and Gluten Aware: Take 5s and training videos available

- Amended ¶2-103.11, added new paragraph J and redesignated paragraphs (J) – (P) as new paragraphs (K) – (Q).
 - Amended ¶ 2-103.11(N) (now ¶2-103.11(O) in the 2022 Food Code) to indicate what food allergy awareness includes

TOPIC 2

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RESOURCES

- SharePoint > Safety-Risk Page
 - Logs
 - Take 5 Trainings
 - Allergen and Gluten Aware resources

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WARNING: TONGUE TWISTERS AHEAD

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MOLLUSCAN SHELLFISH

- NEW TERMS:

- “In-Shell Product” = non-living, processed shellstock with one or both shells present.

- REVISED DEFINITIONS:

- “Shellstock” to clarify that it is live molluscan shellfish in the shell.
 - “Shucked Shellfish” to clarify that both shells of this product are removed.
 - “**Molluscan shellfish**” = any edible species of fresh or frozen oysters, clams, mussels, and scallops or edible portions thereof, *except when the scallop product consists only of the shucked adductor muscle.*

- Molluscan Shellfish** includes:

- SHELLSTOCK, SHUCKED SHELLFISH and IN-SHELL PRODUCTS.

- Notes about containers:

- Molluscan Shellfish may NOT be removed from the container in which they are received other than immediately before sale or preparation for service.
 - Molluscan Shellfish from one tagged or labeled container **shall not be COMMINGLED** with molluscan shellfish from another container.



1. What is the change?
2. Impact for operations

- Amended ¶ 3-203.12(B) and (C) to include an invoice as appropriate documentation.

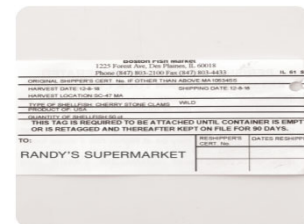
TOPIC 3

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MOLLUSCAN SHELLFISH IDENTIFICATION

Required documents:

- Molluscan shellfish must be received with **molluscan shellfish identification** (*previously known as shellstock identification tags*).
 - Tags indicate when and where they were harvested.
- Store shellfish in their original container.
 - **Do NOT** remove the molluscan shellfish identification until the last shellfish is used (tag must remain attached to the original container)
 - **Do** write the date the last shellfish was used on the molluscan shellfish identification (sold or served).
 - **Do** keep the molluscan shellfish identification on file for **90** days after the last shellfish was used, **maintain in chronological order**.



1. What is the change?
2. Impact for operations

TOPIC 3

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NEW TERM: TOBACCO PRODUCTS

- 1. What is the change?** Amended personal cleanliness section to include “tobacco products”
- 2. Impact for operations:** Replaces term “smoking”, to include use of tobacco products that contain nicotine from any source
- 3. Resources** – Handwashing poster, Take 5s



• Amended ¶ 2-301.14(D)

TOPIC 4

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RESOURCES

Personal Hygiene, Part 1: Handwashing
TAKE 5: A 5-MINUTE TRAINING
PAGE 1 OF 2

KEY POINTS
WHERE TO WASH?
Your supervisor should have sinks that are specifically for handwashing. Only wash your hands in a designated handwashing sink. DO NOT use handwashing sinks for other things. The sink must be stocked with:

- Hot and cold running water
- Single-use paper towels or hand dryer
- Soap
- Waste container
- Signage

HOW SHOULD YOU WASH YOUR HANDS?

1. Wet your hands and exposed portions of arms with warm running water (at least 80°F).
 - Check and follow temperature requirements in your local jurisdiction.
2. Apply soap; apply enough to build up a good lather.
3. Vigorously scrub hands and arms with soap for at least **20 seconds**. Be sure to pay attention to removing soil from underneath fingernails and between fingers **AND** create friction on the surfaces of hands and arms.
 - Sing “Happy Birthday” song while you scrub.
4. Thoroughly rinse under running water.
5. Dry hands and arms with a single-use paper towel or warm-air hand dryer. To avoid recontamination, turn water off with a paper towel. When in a restroom, use a paper towel to open the door.

WHEN SHOULD YOU WASH YOUR HANDS?
Wash your hands **before you start work** and **before** doing any of the following activities:

- Before putting on gloves
- When changing from handling dirty dishes and utensils to clean dishes and utensils

Also, wash your hands **after**:

- Leaving the restroom
- Touching your hair, face, or body
- Handling uncleaned bags, linens, mats, poultry, or seafood
- Touching jewelry or accessories
- Clearing tables and handling dirty dishes
- Eating or drinking
- Handling money
- Changing gear or **using any tobacco products**
- Taking out garbage
- Handling soiled equipment or utensils
- Removing gloves and before putting new gloves on
- Leaving and returning to the kitchen
- Sneezing, coughing, or using a tissue
- Sneezing, coughing, or using a tissue
- After shaking hands or touching door handles
- Handling service animals
- Touching anything that may contaminate your hands (e.g. dirty equipment, work surfaces, and towels)

Source: ServSafe Manager, 7th Edition
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Personal Hygiene, Part 3: Hygiene Practices
TAKE 5: A 5-MINUTE TRAINING

REPORTING ILLNESS
Inform your supervisor when you have any of the following symptoms:
Infection or fever, sore throat, cold, cough, vomiting, diarrhea, body or eye infection, or any other infectious disease.
(Managers should follow the infectious illness policy.)

CUTS OR WOUNDS
Wear a single-use glove or a finger cot to finger cover open lacerations on wrists, hands or fingers. Then place a single-use glove over the cover.

EATING/DRINKING/USING TOBACCO PRODUCTS

- Beverages are allowed in accordance with applicable health code. They must be in a covered up and kept apart from food production.
- The break only in a designated area – away from production and service areas only.

HEALTH/HYGIENE

- Wash hands frequently by following the handwashing policy.
- When handling food, refrain from touching face, mouth, nose, hair, exposed skin and clothing.
- When coughing or sneezing, cover and turn away from food and food contact areas. (Immediately wash hands and exposed portions of arms.)
- Food handlers with persistent sneezing, coughing, or a runny nose that causes discharge from the eyes, nose, and mouth **may** work with exposed food, clean equipment, utensils, linens, or unwrapped single-use or single-serve product.
- Personal grooming (e.g. shaving, hair, depilatory wax) is prohibited in the kitchen, service and storage areas.
- Wear clean, disposable gloves when handling ready-to-eat food without a utensil. To prevent cross-contamination, **no bare hand contact** if you don't have gloves, use deli tissue, spatula or tong.

HAIR RESTRAINTS
Always wear a clean hat or other hair covering when prepping food, when working in prep areas, or areas used to clean utensils and equipment. Food handlers with facial hair should also wear a beard and mustache restraint.

QUICK QUIZ
Fill in the blank:
1. To restrain facial hair, wear a _____ and mustache restraint.
2. For people with facial hair, wear a _____ when handling ready-to-eat food without a utensil.
3. Wear clean, disposable _____ when handling ready-to-eat food without a utensil.
4. You must eat, drink, chew gum or use tobacco products in _____ only.

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HANDWASHING PROCESS

STEP 1 Wet hands with running water that is 85°F* or above.

STEP 2 Apply soap and lather backs of hands, between fingers and under fingernails.

STEP 3 Vigorously scrub hands and exposed portions of arms for 20 seconds (sing Happy Birthday).

STEP 4 Rinse thoroughly under running water.

STEP 5 Dry hands and exposed portions of arms with a single-use towel.

TO AVOID RECONTAMINATION, USE A PAPER TOWEL TO TURN OFF WATER AND OPEN DOORS
NOTE The whole process should last 30 seconds.

WASH YOUR HANDS BEFORE:

- Starting a shift
- Leaving a station
- Returning from a break
- Putting on gloves
- Serving food
- Changing tasks

WASH YOUR HANDS AFTER:

- Taking out the trash
- Sneezing, coughing or using a tissue
- Handling chemicals
- Handling money
- Touching the face or body
- Eating
- **Use of tobacco products**
- Using the restroom

*Check with your local jurisdiction or regulatory authority.
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NEW: DOGS ON PATIOS



Live animals may NOT be allowed on the premises of a food establishment but...

1. **What is the change?** **IF approved** by the local regulatory authority, food establishments may allow pet dogs in outdoor dining areas.
 2. **Impact for operations:** **IF** your state or local government allows pups on patios, be sure to follow its restrictions and requirements.
 3. **Resources:** ***Check in with your local health regulatory agency.
- ✓ Some jurisdictions require official notification that a restaurant intends to allow dogs in its outdoor dining area; others require restaurants to apply for a permit.

TOPIC 5

NEW: HANDSINK WATER TEMPERATURE GUIDELINES

1. **What is the change?**
Wash hands with running water that is **85°F* or above**
✓ *Check with your local jurisdiction or regulatory authority
2. **Impact for operations:**
Follow your local regulatory authority
3. **Resources:** Poster and Take 5

HANDWASHING PROCESS

STEP 1 Wet hands with running water that is 85°F* or above.

STEP 2 Apply soap and lather back of hands, between fingers and under fingernails.

STEP 3 Vigorously scrub hands and exposed portions of arms for 20 seconds (sing happy birthday).

STEP 4 Rinse thoroughly under running water.

STEP 5 Dry hands and exposed portions of arms with a single use towel.

TO AVOID RECONTAMINATION, USE A PAPER TOWEL TO TURN OFF WATER AND OPEN DOORS

NOTE Use whole process should last 30 seconds.

WASH YOUR HANDS BEFORE:

- Starting a shift
- Leaving a station
- Returning from a break
- Putting on gloves
- Serving food
- Changing tasks

WASH YOUR HANDS AFTER:

- Taking out the trash
- Sneezing, coughing or using a tissue
- Handling chemicals
- Handling money
- Touching the face or body
- Eating
- Use of tobacco products
- Using the restroom

*Check with your local jurisdiction or regulatory authority. elior®

Personal Hygiene, Part 1: Handwashing

KEY POINTS

WHERE TO WASH?

Your supervisor should advise you that you should wash your hands at the following times: before and after each task, before and after each shift, before and after each break, before and after each use of the restroom, before and after each use of the telephone, before and after each use of the elevator, before and after each use of the vending machine, before and after each use of the coffee machine, before and after each use of the microwave, before and after each use of the toaster, before and after each use of the oven, before and after each use of the grill, before and after each use of the fryer, before and after each use of the deep fryer, before and after each use of the steam table, before and after each use of the hot holding cabinet, before and after each use of the cold holding cabinet, before and after each use of the ice machine, before and after each use of the dish rack, before and after each use of the sanitizer, before and after each use of the mop, before and after each use of the bucket, before and after each use of the mop bucket, before and after each use of the mop string, before and after each use of the mop head, before and after each use of the mop handle, before and after each use of the mop string, before and after each use of the mop head, before and after each use of the mop handle.

HOW SHOULD YOU WASH YOUR HANDS?

1. Wet your hands and exposed portions of arms with warm running water (85°F-92°F).
 - Check and follow temperature requirements in your local jurisdiction.
2. Apply soap, scrub enough to build up a good lather.
3. Rub hands back and forth with fingers for at least 20 seconds. Be sure to pay attention to scrubbing and friction underneath fingernails and between fingers. Rub across the surface of hands and arms.
 - Sing "Happy Birthday" using white your hands.
4. Thoroughly rinse under running water.
5. Dry hands and arms with a single use paper towel or warm air hand dryer. To avoid recontamination, turn water off with a paper towel. When in a restroom, use a paper towel to open the door.

WHEN SHOULD YOU WASH YOUR HANDS?

Wash your hands **before you start work** and **before** doing any of the following activities:

- Before putting on gloves
- When changing from handling dirty dishes and utensils to clean dishes and utensils

Also, wash your hands **after**:

- Using the restroom
- Touching your face, hair, or body
- Handling uncleaned eggs, raw meat, poultry, or seafood
- Touching clothing or aprons
- Changing clothes and handling dirty dishes
- Handling money
- Handling or using any kitchen products
- Taking a garbage
- Handling soiled equipment or utensils
- Removing gloves and before putting on aprons
- Using and returning to the kitchen, poultry, or using a mop
- Handling chemicals
- Cleaning kitchen equipment (such as floor buffers)
- Handling service animals
- Touching anything that may contaminate your hands (e.g. dirty equipment, work surfaces, and linens)

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TOPIC 6

NEW: BULK FOOD LABELING

1. **What is the change?** Label information: Addresses major food allergen labeling in **bulk food** available for **consumer self dispensing**. *Reminder: **Sesame was added** as the 9th major food allergen
2. **Impact for operations:** Follow labeling requirements
3. **Resources:** [ENA Allergen & Gluten Aware Resources](#)



TOPIC 7

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FOOD PROPERLY LABELED – BULK | SELF-DISPENSING

The manufacturer's or processor's label that was provided with the FOOD;

OR

A card, sign, or other method of notification that includes:

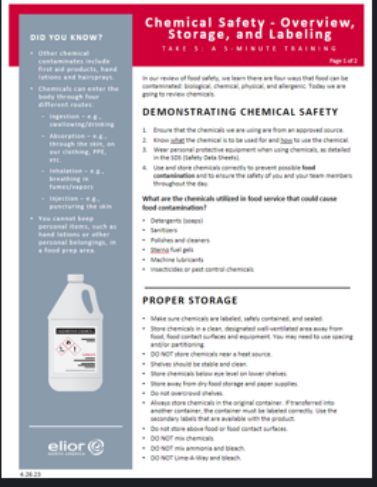
Common name of food

If made from 2 or more ingredients, a list of ingredients and sub-ingredients (in descending order of predominance by weight)

The name & place of business of the manufacturer, packer, or distributor

The name of the food source for each MAJOR FOOD ALLERGEN contained in the food.

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DID YOU KNOW?

- Other chemical contaminants include food and equipment, food labels and packaging.
- Chemicals can enter the body through four different routes:
 - Ingestion - e.g., handwashing/sanitizing
 - Absorption - e.g., through the skin, on our clothes, PPE, etc.
 - Inhalation - e.g., breathing in
 - Injection - e.g., puncturing the skin
- You cannot keep personal items, such as hand lotion or other personal belongings, in a food prep area.

PROPER STORAGE

- Make sure chemicals are labeled, safely contained, and sealed.
- Store chemicals in a clean, designated well-ventilated area away from food, food contact surfaces and equipment. You may need to use spiking and/or partitioning.
- DO NOT store chemicals near a heat source.
- Shelves should be stable and clean.
- Store chemicals below eye level on lower shelves.
- Store away from dry food storage and paper supplies.
- Do not overstock shelves.
- Always store chemicals in the original container. If transferred into another container, the container must be labeled correctly. Use the secondary labels that are available with the product.
- Do not store above food or food contact surfaces.
- DO NOT mix chemicals.
- DO NOT mix ammonia and bleach.
- DO NOT use in-line and bleach.

NEW: PROHIBITING STORAGE IN CONTAINERS PREVIOUSLY USED FOR CHEMICALS

1. **What is the change?** Storage of equipment, utensils, linens, single- service, or single-use articles in containers previously used for storing toxic chemicals is prohibited (applicable to ice and food).
2. **Impact for operations:** Unit Manager/PIC/all team members to be aware and monitor during walk-throughs.
 - a) Precaution: chemical products from store - are they certified to be used in food service establishments?
3. **Resources:** EcoSure Help Text (Approved chemicals, proper use, labeling and storage – 8.2.2) > Critical, Take 5 on Chemical Storage and Labeling

TOPIC 8

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SERVSAFE FOOD SAFETY CERTIFICATIONS

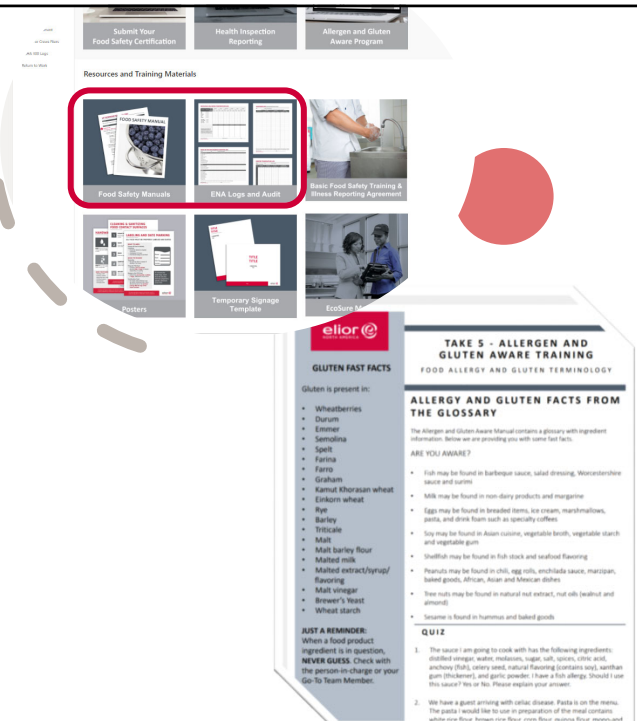
Q: What should I know about when to change books, exam, what percentage of the questions will change, etc.?

- Updates will include ServSafe courses, books, and exams which will all be released at the same time.
 - Availability likely to be in Q4 of 2023
- Candidates sitting for their exam before Q4 should not need any supplementary materials (at this time) to the ServSafe Manager Book 7th edition to prepare for the exam.
- Stay tuned for more information!

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RESOURCES

- **Review Local Jurisdiction Requirements**
- 2022 Food Code – download full document or summary
- **SharePoint:**
 - Food Safety Manual
 - Take 5 Trainings
 - SAFE Trainings
 - Food Safety Lead(s) in your segment
 - Email: foodsafety@elior-na.com
 - NEW!** Office Hours



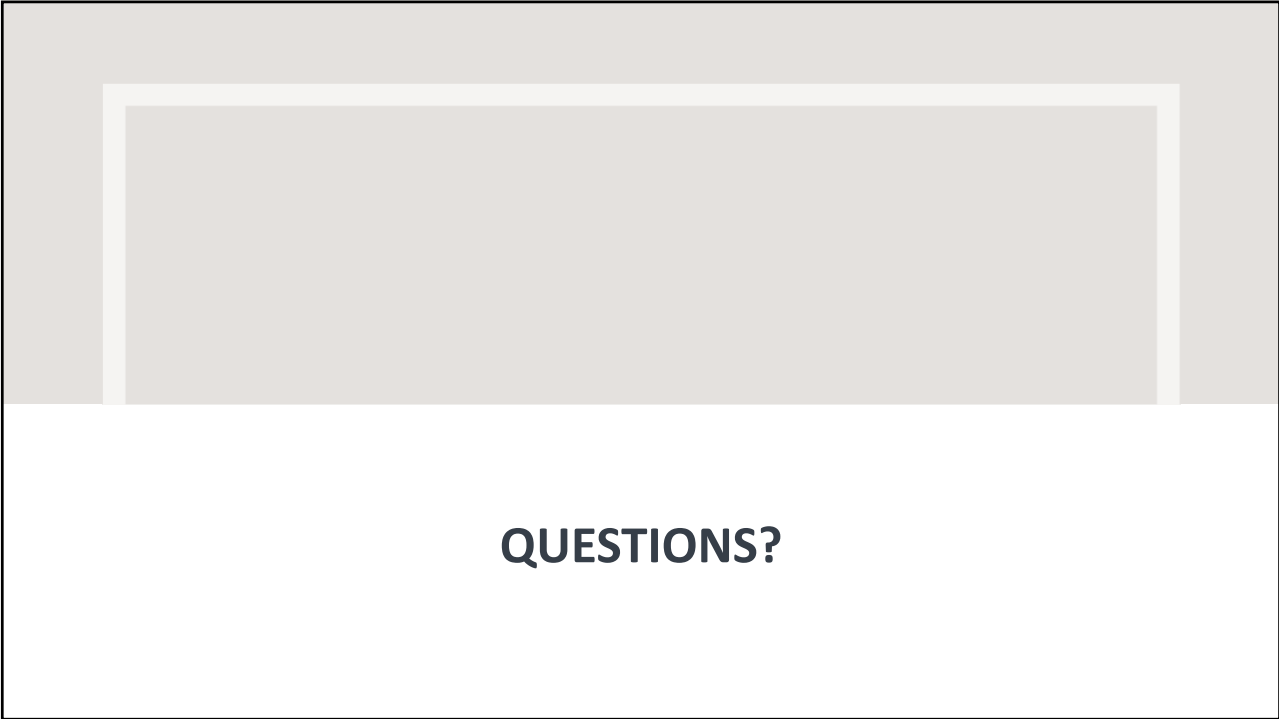
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RESOURCES

- **SharePoint > Safety-Risk**
 - Food Safety**
 - Training**




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