

# FDA Food Code Presentation

1

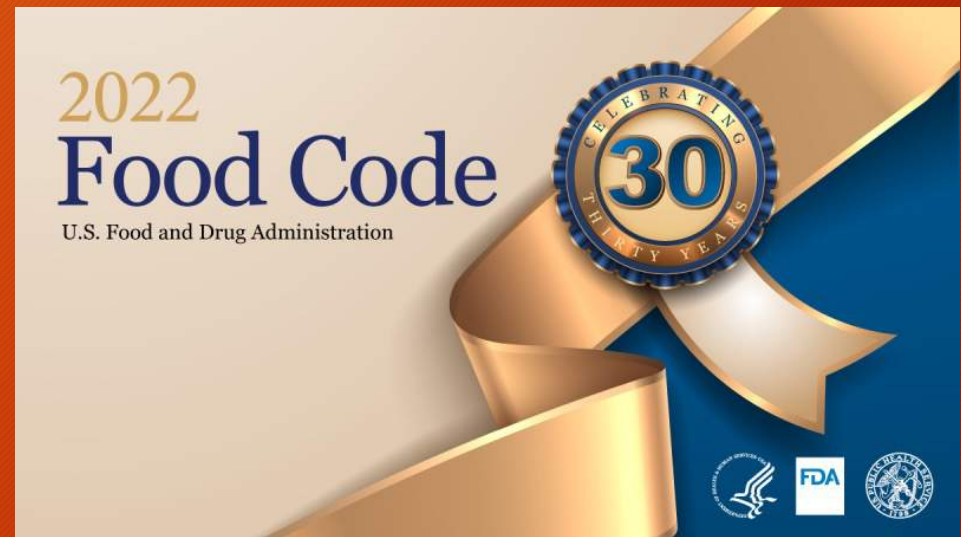
East Shore District Health Department  
September 2023



# FDA Food Code

2

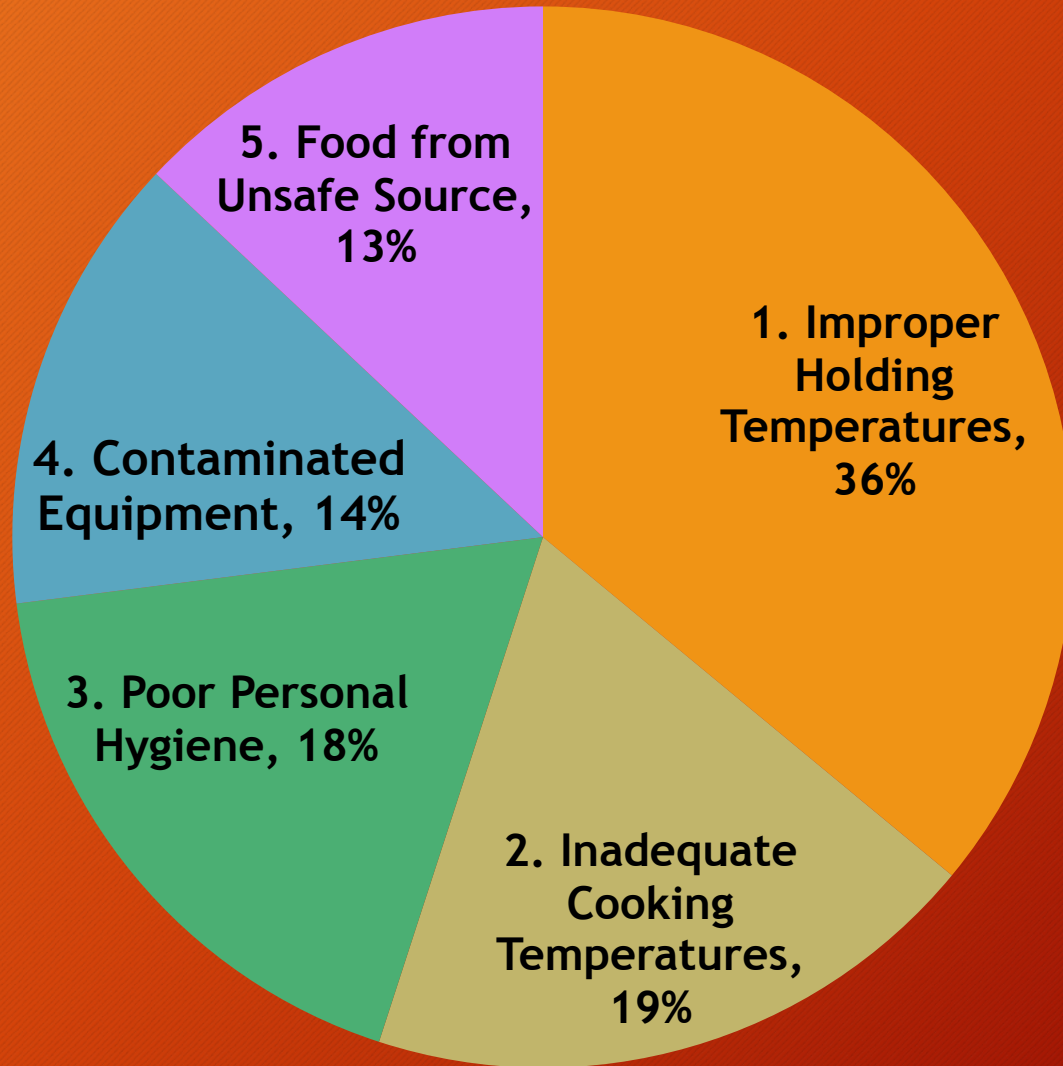
- FDA Food Code - 8 Chapters
- Annex - Supporting documents
- Revised every 4 years (New version 2022)
- Online - FDA Food Code - [www.fda.gov](http://www.fda.gov)
- <https://www.fda.gov/media/164194/download>



<https://www.fda.gov/food/fda-food-code/food-code-2022>



# FDA Foodborne Illness Risk Factors





# Five Food Code Interventions

The five Food Code interventions encompass a wide-range of control measures specifically designed to protect consumer health.

- Demonstration of Knowledge
- Implementation of Employee Health Policies
- Hands as a Vehicle of Contamination
- Time/Temperature Relationships
- Consumer Advisory.

Source: FDA Food Code 2013: Annex 5 - Conducting Risk-based Inspections




# New Inspection Form

5

- Two sections:
  - Foodborne Illness Risk Factors and Public Health Interventions on top;
  - Good Retail Practices on the bottom
- Within each section are violations made up of
  - Priority
  - Priority Foundation
  - Core Items
- New timeframes to correct violations
- No rating score
  - You are either **IN**=in compliance or **OUT**=not in compliance



Risk Category:		<b>Food Establishment Inspection Report</b>				Page 1 of ____	
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			
<b>FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS</b>							
<small>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.</small>							
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	
<b>Supervision</b>							
1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PF	<input type="checkbox"/>	<input type="checkbox"/>	
Person/Alternate Person in charge present, demonstrates knowledge and performs duties.							
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C	<input type="checkbox"/>	<input type="checkbox"/>	
Certified Food Protection Manager for Classes 2, 3 & 4							
<b>Employee Health</b>							
3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P/PC	<input type="checkbox"/>	<input type="checkbox"/>	
Management, food employee and conditional employee, knowledge, responsibilities and reporting.							
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>	
Proper use of restriction and exclusion.							
5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PI	<input type="checkbox"/>	<input type="checkbox"/>	
Written procedures for responding to vomiting and diarrheal events.							
<b>Good Hygienic Practices</b>							
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Proper eating, tasting, drinking, or tobacco products use.							
7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C	<input type="checkbox"/>	<input type="checkbox"/>	
No discharge from eyes, nose, and mouth.							
<b>Preventing Contamination by Hands</b>							
8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PP	<input type="checkbox"/>	<input type="checkbox"/>	
Hands clean and properly washed.							
9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P/PC	<input type="checkbox"/>	<input type="checkbox"/>	
No bare hand contact with RTE food or a pre-approved alternative procedure properly followed.							
10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Adequate handwashing sinks, properly supplied/accessable.							
<b>Approved Source</b>							
11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P/PC	<input type="checkbox"/>	<input type="checkbox"/>	
Food obtained from approved source.							
12	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PP	<input type="checkbox"/>	<input type="checkbox"/>	
Food received at proper temperatures.							
13	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PP	<input type="checkbox"/>	<input type="checkbox"/>	
Food in good condition, safe, and unadulterated.							
14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P/PC	<input type="checkbox"/>	<input type="checkbox"/>	
Required records available: molluscan shellfish identification, parasite destruction.							
<b>GOOD RETAIL PRACTICES</b>							
<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		
<b>Safe Food and Water</b>							
30	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>	
Pasteurized eggs used where required.							
31	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P/PC	<input type="checkbox"/>	<input type="checkbox"/>	
Water and ice from approved source.							
32	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PF	<input type="checkbox"/>	<input type="checkbox"/>	
Variance obtained for specialized processing methods.							
<b>Food Temperature Control</b>							
33	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Proper cooling methods used; adequate equipment for temperature control.							
34	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PI	<input type="checkbox"/>	<input type="checkbox"/>	
Plant food properly cooked for hot holding.							
35	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Approved thawing methods used.							
36	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Thermometers provided and accurate.							
<b>Food Identification</b>							
37	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Food properly labeled; original container.							
<b>Prevention of Food Contamination</b>							
38	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Insects, rodents, and animals not present.							
39	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P/PC	<input type="checkbox"/>	<input type="checkbox"/>	
Contamination prevented during food preparation, storage & display.							
40	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PC	<input type="checkbox"/>	<input type="checkbox"/>	
Personal cleanliness.							
41	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C	<input type="checkbox"/>	<input type="checkbox"/>	
Wiping cloths, properly used and stored.							
42	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P/PC	<input type="checkbox"/>	<input type="checkbox"/>	
Washing fruits and vegetables.							
Permit Holder shall notify customers that a copy of the most recent inspection report is available.							
Person in Charge (Signature)		Date		Violations documented			
Person in Charge (Printed)		Date		Date corrections due			
Inspector (Signature)		Date		Priority Item Violations			
Inspector (Printed)		Date		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			
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.							







# Priority Item (P)

8

- Contributes 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 such as cooking, reheating, cooling, handwashing, cleanliness of food contact surfaces.

For example:

- No handwashing
- Improper cooling
- Improper cold/hot holding (above 41 °F)
- Not cooking to proper temperatures
- (Comparable to 4-point demerit violations on current forms)
- Shall be corrected at time of inspection (or  $\leq$  72 hours)



# Priority Foundation Item (Pf)

9

- Priority foundation item (Pf): application supports, facilitates or enables one or more Priority item such as Hand soap, paper towels, necessary equipment, labeling.

For Example:

- No soap/paper towel at handsink
  - No consumer advisory when serving raw/undercooked foods
  - Refrigerator cannot maintain proper holding temperature
  - Food thermometer not available
  - Inadequate food labeling and/or date marking
- 
- Shall be corrected at time of inspection (or  $\leq$  10 calendar days)



# Core Items (C)

10

- General sanitation, operational controls, sanitation standard operating procedures, facilities or structures, equipment design, or general maintenance such as floors, walls, ceiling, hairnet, jewelry.

For example:

- Unclean floors
- Walls not cleanable/non-absorbent
- No hair restraint
- Corrected by a date & time as agreed to or specified by the Regulatory Authority but no later than 90 calendar days after the inspection.



# Corrected on Site (COS) Repeat violations

11

- Opportunity to correct violations during inspection
- Repeat violations are now noted on inspection form
- Part of active managerial control - showing overall procedures and processes in place for food safety



# New Classification System

12

- New classification system - ESDHD reclassified all establishments years prior to official adoption
- Class 2, 3 & 4 require Certified Food Managers (formerly called Qualified Food Operators)
- Certified Food Protection Manager on site during all hours of operation



# Terms

13

## 19-13-B42 Public Health code:

- Owner
- Qualified Food Operator
- Designated Alternate

## FDA Food Code

- Permit Holder
- Person in Charge
- Certified Food Manager



# Person in Charge/Certified Food protection manager (CFPM)

14

- Person in Charge requires a Certified Food Manager Certificate
- A Person in Charge must be at the establishment at all times during hours of operations (An establishment can assign multiple persons in charge who have Food Manager Certificates)
- Certified Food Managers are formerly known as Qualified Food Operators (You will now see CFPM)
- Certificates will need to be up to date to comply with the FDA Code
- Expired certificates are invalid



# Approved Testing Sites (CFPM)

15



**EAST SHORE DISTRICT HEALTH DEPARTMENT**  
Bringing good health to the towns of Branford, East Haven and North Branford

## Five (5) Approved Testing Organizations and Tests for Certified Food Protection Manager Certification (formerly known as Qualified Food Operator – QFO)

- 1. ServSafe®**  
National Restaurant Association (NRA)  
Phone: 1-800-765-2122  
Website: [www.servsafe.com](http://www.servsafe.com)  
Exam Name: *ServSafe Food Protection Manager Exam*  
176 West Jackson, Suite 1500  
Chicago, IL 60604
- 2. National Registry of Food Safety Professionals/Environmental Health Testing**  
Phone: 1-800-446-0257  
Contact: [Customer.Service@nrfsa.com](mailto:Customer.Service@nrfsa.com)  
Website: [www.nrfsa.com](http://www.nrfsa.com)  
Exam Name: *Certified Food Safety Manager Exam*  
6751 Forum Drive, Suite 220  
Orlando, FL 32821
- 3. 360training.com®**  
Phone: 1-888-360-8764  
Contact: [Enrollment.Advisor@360training.com](mailto:Enrollment.Advisor@360training.com)  
Website: [www.360training.com](http://www.360training.com) or <https://www.360training.com/food-beverage-programs/food-manager-certification/ocmedicut-foot-safety-manager-certification>  
Exam Name: *Learn2Serve Food Protection Manager Certification Exam*  
6801 N. Capital of Texas Hwy., Suite 150  
Austin, TX 78731
- 4. AboveTraining, Inc. dba StateFoodSafety**  
Phone: 1-801-494-1416  
Website: [www.statefoodsafety.com](http://www.statefoodsafety.com)  
Exam Name: *StateFoodSafety Certified Food Protection Manager Exam*  
711 Timpanogos Pkwy, Bldg M, Ste 3100  
Orem, UT 84094
- 5. The Always Food Safe, LLC**  
Phone: 1-612-203-4872  
Website: <https://alwaysfoodsafes.com>  
Exam Name: *Food Protection Manager Exam*  
899 Montreal Circle  
St. Paul, MN 55102

Please note: Effective 4/1/22, Prometric is no longer offering the Certified Food Protection Manager exam. Those who passed the Prometric exam that was offered prior to this date are still acceptable to meet the regulatory requirement in Connecticut for being a Certified Food Protection Manager.

Rev. 1/3/23  
© CommonFood/CFPM approved testing organizations 2023

688 EAST MAIN STREET • ORCHARD RESEARCH PARK • BRANFORD, CT 06405  
TELEPHONE: (203) 481-4233 FAX: (203) 483-6894



# Date Marking Criteria

16

- TCS food prepared and held in a food establishment for more than 24 hours must be clearly marked to indicate **the date or day by which the food must be consumed on the premises, sold, or discarded.**
- Maximum of 7 days for foods held in refrigerator
- Day of preparation counts as Day 1
- Exemptions to Date Markin - Table



# Additional Requirements

17

- Mop sink now required by code
- If you have a hot water dish machine, temperature strips/device is required
- Allergen Statement
- Illness Policy
- Vomit/Diarrhea clean up
- Handwashing Signs posted
- Overall the FDA Code seeks more documentation of Standard Operating Procedures



# Employee Illness Agreement

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

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

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

### I AGREE TO REPORT TO THE PERSON IN CHARGE:

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

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

### Future Medical Diagnosis:

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

### Future Exposure to Foodborne Pathogens:

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

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

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

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

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

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

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

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

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



# Vomit/Diarrhea Clean Up

19

## Clean-up of Vomiting and Diarrheal Events



1. **Close or block off the affected area** using signage or a safety cone. Using a commercial biohazard kit, put on disposable plastic apron, face mask, shoe covers, then put on disposable gloves.



2. **Sprinkle absorbent material onto the spill** and allow it to stand for the time specified by the product label or until the fluid is fully absorbed and jelled. Apply EPA-approved disinfectant to the spill, following label directions and local regulatory agency requirements. Spray area until it is completely covered with the disinfectant solution, in accordance with the product label.



3. Using a disposable shovel and paper towels, **completely pick up all of the jelled substance**. Place it in a heavy-duty trash bag and seal the bag tightly according to your facility's procedures. Place this bag into a second trash bag (leave open).



4. **Use paper towels and additional disinfectant** following label directions to clean up surrounding areas that may have been affected by the spill, including around and under chairs, tables, benches, etc. Place all soiled paper towels into the outer trash bag.



5. **Once more, apply disinfectant** to the area, following directions for use on the product label. Allow the product to penetrate and remain wet for the time specified on the product label. Wash, rinse, and sanitize all food contact surfaces in affected area.



6. Once thorough cleaning and disinfecting is completed, **remove the apron and shoe covers** and place them into the outer trash bag. Remove gloves and dispose of into outer trash bag.



7. **Seal the bag tightly and place in the dumpster** outside the establishment, having a second employee who is wearing proper gloves open doors and the dumpster to prevent cross-contamination.



8. Once the affected area is dry, remove wet floor sign and **reopen the area**.

### Help Prevent the Spread of Norovirus ("Stomach Bug")

IF NOROVIRUS IS AFFECTING YOUR COMMUNITY, HERE ARE SOME ACTIONS YOU CAN TAKE TO HELP PREVENT FURTHER ILLNESS.

- 1. Clean up surfaces**
  - a. Clean frequently touched surfaces with soapy water
  - b. Rinse thoroughly with plain water
  - c. Wipe dry with paper towels
  - d. Dispose of paper towels
- 2. Disinfect surfaces**
  - a. Prepare and apply a chlorine bleach solution  
Use bleach solution that has 5% (not more) of sodium bleach. Do not mix bleach with other liquids. Always ventilate an area as it may irritate your eyes and the lining of your nose and throat. Never mix bleach with ammonia.
  - b. Leave surface wet for at least 5 minutes
  - c. Rinse all surfaces intended for food or mouth contact with plain water before use
- 3. Wash your hands thoroughly with soap and water**  
Use ordinary bar soap. Wash for 20 seconds.

**Focus about Norovirus**

Norovirus is the leading cause of gastroenteritis (stomach and intestinal illness) in the United States. It is highly contagious and is easily transmitted in a wide range of settings, including homes, schools, daycares, restaurants, hospitals, cruise ships, and public places. It is not the same as food poisoning or food-borne illness.

Norovirus particles are small and can survive in the environment for several days.

By 2012, the CDC estimated that 21 million people were hospitalized because of norovirus in the United States.

Prevention and control measures include:

- Frequent hand washing
- Disinfecting surfaces
- Avoiding contact with vomit or stool
- Avoiding contact with contaminated surfaces

**1 cup of 5% bleach solution + 1 gallon of water = 1 quart of 1:10 bleach solution**

© 2012 National Health and Medical Research Council

ECOLAB | SERVSAFE | ECHE | AMERICAN SOCIETY OF CLINICAL MICROBIOLOGISTS | CDC | HEALTHY PEOPLE 2020



# Allergen Statement

## **CAUTION:**

**\*Individuals with food allergies please read before you order!**

Food prepared by this establishment may have been cooked with or come in contact with the following allergens:

- Milk/ Dairy
- Eggs
- Wheat
- Soy/ Soybean
- Peanuts
- Tree Nuts
- Fish
- Shellfish
- Sesame



# Handwash Signage

21

## Wash Your Hands!



**1** Wet Hands



**2** Soap



**3** Wash for 20 seconds



**4** Rinse



**5** Dry



**6** Turn Off Water with Paper Towel

Connecticut Environmental Health Association  
[www.cteha.org](http://www.cteha.org)

Used with permission by University of Nebraska-Lincoln Extension in  
Lancaster County and the Lincoln-Lancaster County Health Department





# Food Safety Reminders

22

- Raw meat stored below ready to eat foods
- Food containers are food grade
- Foods properly covered
- Cooling requirements
- Non-latex gloves required
- Food thermometers/alcohol prep pads or other means to sanitize between use



Thank you for attending!

23

Questions?