



Regulatory Updates in 105 CMR 590.000 that adopts by reference the FDA 2013 Food Code and its Supplement (2015)

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Presenters

Lisa M. Berger, Berger Food Safety Consulting Pamela Ross-Kung, Safe Food Management Tom Nerney, FDA

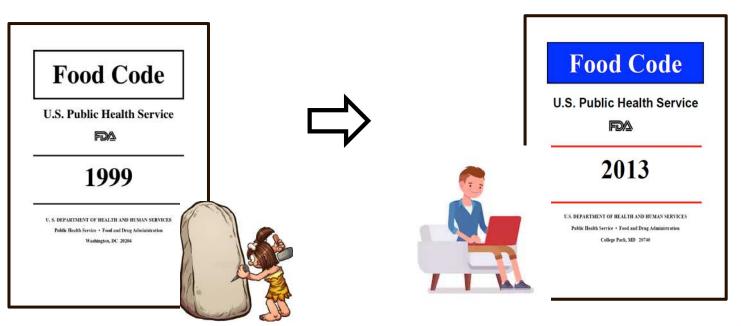








On September 12, 2018, the Massachusetts Department of Public Health amended *105 CMR 590.00: State Sanitary Code Chapter X: Minimum Sanitation Standards for Food Establishments* to include sections of the 2013 FDA Food Code, with amendments made by FDA in 2015. The amendments to 105 CMR 590.000 were published in the Massachusetts register on October 5, 2018 and became effective upon publication.





Hosts



BERRINIAE COUNTY BOARDS OF HEALTH APPOCIATO





Agenda

- History/Benefits of the FDA Food Code
- Preface Information to Assist the User
- New Risk Designations
- Significant Regulatory Changes since 1999 (using the 2013 FDA Food Code, with 2015 supplement, and 105 CMR 590.000)
- DPH Prototype Inspection Report Form and Marking Instructions
- Q&A

Note: This is a partial summary and does not include every change from the previous versions of 105 CMR 590 to the version effective on October 5, 2018. Please refer to the official version of 105 CMR 590 in the MA Register for the full text of the regulation.









Objectives:

- Understand the benefits of adopting the FDA Food Code
- Overview of how the preface can assist the user
- Identify the new risk designations
- Identify significant regulatory changes since 1999 (using the 2013 FDA Food Code, with 2015 supplement, and 105 CMR 590.000)
- Review the new DPH prototype inspection report form and explain the new marking instructions to assess the food establishment's operation and ensure that risk factors are in control









Historical Perspective

- Since the first Edition in 1993, government and industry stakeholders have come to recognize the FDA Food Code (FC) as a source of practical, sciencebased guidance and manageable, enforceable provisions for mitigating known risks of foodborne illness.
- Working with the Conference for Food Protection (CFP) and other stakeholders, FDA has incorporated and addressed key topics in the Food Code over the years.
- By adopting the 2013 FDA Food Code, and the supplement, along with 105 CMR 590.000, changes since 1999 will be enforced.









Benefits of Adopting the Food Code

- Uniform national standards for retail food safety to reduce complexity and ensure better compliance
- A more standardized approach to inspection and audits of food establishments can be established

Purpose

• The purpose of this Code is to safeguard public health and provide to consumers food that is safe, unadulterated, and honestly presented.











Preface Information to Assist the User









Preface - Information to Assist the User

- FC provisions address four major areas
 - Personnel, Chapter 2
 - Food, Chapter 3
 - Equipment/facilities/supplies, Chapters 4, 5, 6 and 7
 - Compliance and Enforcement, Chapter 8
- Chapter 1: Purpose & Definitions
- Preface: Background & Information to Assist the User









Preface - Information to Assist the User Cont'd

- Structural Nomenclature
 - Chapter 9
 - Part 9-1
 - Subpart 9-101
 - Section (§) 9-101.11
 - Paragraph (¶) 9-101.11(A)
 - Subparagraph 9-101.11(A)(1)

- Are all Code provisions debitable?
 - Those not intended for debiting
 - Ending in 2 digits after the decimal point and the last is a 0 (1-201.10)
 - Ending in 3 digits after the decimal point and the last two are 0s (8-805.100)









Preface - Information to Assist the User Cont'd

- Information presented by principle rather than subject
 - Equipment requirements are listed under headings:
 - Materials
 - Design and Construction
 - Numbers and Capacities
 - Location and Installation
 - Maintenance and Operation
 - Not by
 - Refrigerators
 - Sinks
 - Thermometers
 - Requirements need only be stated once, not repeated for each piece of equipment









TREATING COUNTY ROAMS OF HEALTH AMOUNT

Preface - Information to Assist the User Cont'd

Internal cross referencing

- Containing the word "under" (Sends)
 - Alert the reader to relevant information, and
 - Provide a system by which each violation is recorded under the most appropriate provision

- Contains the word "**in**"-(Incorporates)
 - Indicate the specific provisions of a separate document (CFR) incorporated by reference of the Code (3-201.11C) or;
 - Refers the reader to a nondebatable FC provision for further information or exception (3-201.16)







Preface - Information to Assist the User Cont'd

Unique Fonts

Portions written in *italics (3-304.17)*

- Not requirements (not cited)
 - Information purposes
 - Exceptions/other possibility
 - Usually involve "except for," "may," "need not" or "does not apply."

Words in SMALL CAPS are defined terms.







Preface - Information to Assist the User Cont'd

- Food Code Conventions:
 - Shall = imperative act/command
 - May not = absolute prohibition (2-301.15)
 - May = permissive/act is allowed 2-401.11(B)
 - "Means" is followed by a declared fact (1-201.10)









Preface - Information to Assist the User Cont'd

- Food Code Annexes
 - 1. Compliance and Enforcement
 - 2. References.
 - 3. Public Health Reasons/Admin Guidelines.
 - 4. Management of Food Safety Practices Achieving AMC of FBI Risk Factors.
 - 5. Conducting Risk Based Inspections.
 - 6. Food Processing Criteria.
 - 7. Model Forms, Guides and Other Aids









New Risk Designations









New Risk Designations

- The former use of "critical" or "non-critical" has been changed in recognition of the need to better identify risk-based controls within the Code's provisions.
- A "P" or "Pf" designation after a paragraph or subparagraph indicates that the provision within that section is a PRIORITY ITEM or PRIORITY FOUNDATION ITEM. Any unmarked provisions within a section are CORE ITEMS.









New Risk Designations – Before & After

1999	2013	
Violations Related to Foodborne Illness Intervention and Risk Factors (red items)	Priority Items	
Critical Violations (blue items)	Priority Foundation Items	
Non-critical violations (black items)	Core Items	









New Definition of "Priority Item"

- **Priority item** means a provision in this Code whose application 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.
- **Priority item** includes items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, handwashing
- **Priority item** is an item that is denoted in this Code with a superscript ^P

The term **Priority Item** implies an importance and need for immediate correction









New Definition of "Priority Foundation Item"

- **Priority foundation item** means a provision in this Code whose application supports, facilitates or enables one or more Priority Items.
- **Priority foundation item** includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling.
- Priority foundation Item is an item that is denoted in this Code with a superscript ^{Pf}

The term **Priority Foundation** links the provision to a Priority Item









New Definition of "Core Item"

- **Core item** means a provision in this Code that is not designated as a Priority Item or a Priority Foundation Item.
- **Core item** includes an item that usually relates to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), facilities or structures, equipment design, or general maintenance.

A Core Item has no specific superscript designation in the Code.









Examples of Risk Designation

Priority (P) 590.002; FC 2-301.12 Cleaning Procedure Observation – Employees not washing hands properly.

Priority Foundation (Pf) 590.006; FC 6.301.11 Handwashing Cleanser, Availability Observation – No soap available at the handwashing sink.

Core (C) 590.00; FC 6-301.14 Handwashing Signage Observation – There was no sign indicating that employees must wash their hands.









590.008; FC 8-405.11 & FC 8-406.11 Timely Correction

Considering the nature of the potential hazard involved and the complexity of the corrective action needed, the regulatory authority may agree to or specify a longer time frame not to exceed:

• Priority Item:

Corrected at time of inspection or 72 hours after inspection

• Priority Foundation Item:

Corrected at time of inspection or 10 calendar days after inspection

• Core Item:

As agreed to or specified by the regulatory authority, but no later than 90 calendar days after the inspection









CHAPTER 1 Definitions FC 1-201.10; 590.001(C)









Mechanically Tenderized

Added

- (1) "Mechanically tenderized" means manipulating meat with deep penetration by processes which may be referred to as "blade tenderizing," "jaccarding," "pinning," "needling," or using blades, pins, needles or any mechanical device.
- (2) "Mechanically tenderized" does not include processes by which solutions are INJECTED into meat.











Time/Temperature Control for Safety Food (TCS)

Replaced the term "Potentially Hazardous Food" (PHF) with Time/Temperature Control for Safety Food (TCS Food) to identify foods that require cold holding or hot holding during storage and display.

"Time/Temperature Control for Safety Food" (TCS Food) means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.





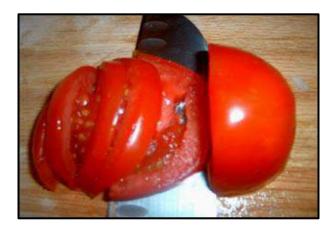




TCS Food List Expanded

Added cut leafy greens and cut tomatoes or mixture of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation.











Cut Leafy Greens Defined

Reference: Cut Leafy Greens, FDA Guidance

https://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/ IndustryandRegulatoryAssistanceandTrainingResources/ucm218750.htm

"Cut leafy greens" means greens whose leaves have been cut, shredded, sliced, chopped, or torn. The term "leafy greens" includes iceberg lettuce, romaine lettuce, leaf lettuce, butter lettuce, baby leaf lettuce, spinach, cabbage, kale, arugula and chard. The term "leafy greens" does not include herbs such as cilantro or parsley.











Determining if a food is TCS:

TCS Food does not include:

<u> 1999</u>

An air-cooled hard-boiled egg with shell intact;

<u>2013</u>

An air-cooled hard-boiled egg with shell intact, or an egg with shell intact that is not hard boiled, but has been pasteurized to destroy all viable salmonellae;









Determining if a food is TCS Cont'd:

TCS Food <u>does not include</u>:

<u>1999</u>

A food with an a_w value of 0.85 or less;

A food with a pH level of 4.6 or below when measured at 24°C (75°F);

<u>2013</u>

A FOOD that because of its pH or a_w value, or interaction of a_w and pH values, is designated as a non-PHF/non-TCS FOOD in Table A or B of this definition;

Added two interaction tables to take into consideration pH, a_w , pH and a_w , heat treatment, and packaging for a relatively simple determination of whether food requires time/temperature control for safety.









TCS Food Interaction Tables

Table A. Interaction of PH and A_w for control of spores in FOOD heat-treated to destroy vegetative cells and subsequently PACKAGED

A _w values	pH: 4.6 or less	pH: > 4.6 - 5.6	pH: > 5.6
<u><</u> 0.92	non-TCS FOOD*	non-TCS FOOD	non-TCS FOOD
> 0.92 - 0.95	non-TCS FOOD	non-TCS FOOD	PA**
> 0.95	non-TCS FOOD	PA	PA

* TCS FOOD means TIME/TEMPERATURE CONTROL FOR SAFETY FOOD

** PA means Product Assessment required

Examples: All heat treated and packaged

Udon Noodles	Aw = .82	pH = 6.14
*Parmesan Cheese	Aw = .6876	pH = 6.5









TCS Food Interaction Tables Cont'd.

Table B. Interaction of PH and A_W for control of vegetative cells and spores in FOOD not heat-treated or heat-treated but not PACKAGED

A _w values	pH: <4.2	pH: 4.2 - 4.6	pH: > 4.6 - 5.0	pH: > 5.0	
< 0.88	non-TCS food*	Non-TCS food	non-TCS food	non-TCS food	
0.88 – 0.90	non-TCS food	non-TCS food	non-TCS food	PA**	
> 0.90 - 0.92	non-TCS food	non-TCS food	PA	PA	
> 0.92	non-TCS food	PA	PA	PA	

TCS FOOD means TIME/TEMPERATURE CONTROL FOR SAFETY FOOD

** PA means Product Assessment required

Examples:

*Cantaloupe:

Green Curry Sauce:

Aw = >.99 Aw = .90 pH = 6.2-7.1 pH = 5.78 Not heat treated Heat treated; not packaged

Hosts



*Texas Health & Human Services - Publication #-23-14821 – 9/1/2017







TCS Food Interaction Tables Cont'd.

(d) A FOOD that is designated as Product Assessment Required (PA) in Table A or B of this definition and has undergone a Product Assessment showing that the growth or toxin formation of pathogenic microorganisms that are reasonably likely to occur in that FOOD Is precluded due to:

- (i) Intrinsic factors including added or natural characteristics of the FOOD such as preservatives, antimicrobials, humectants, acidulants or nutrients,
- (ii) Extrinsic factors including environmental or operational factors that affect the food such as packaging, modified atmosphere such as reduced oxygen packaging, shelf life and use, or temperature range of storage and use, or
 (iii) A combination of intrinsic and extrinsic factors; or.....











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"Cottage Food Operation" means:

A person who produces cottage food products only in the home kitchen of that person's primary domestic residence and only for sale directly to the consumer.

"Cottage Food Products" means:

Non-TCS baked goods, jams, jellies, and other non-TCS foods produced at a cottage food operation.

"Residential Kitchen" - means a kitchen in a private home.

Note: DPH kept the term residential kitchen, but added the cottage food operation and cottage food product definitions to 590.000 because this is a term used nationally and AFDO (works closely with FDA) has a Regulatory Guidance for Best Practices - Cottage Foods - April 2012 document on their website: Hosts http://www.afdo.org/resources/Documents/Committee%20Reports%202016-2017/Cottage %20Foods%20Guideliness %20(Complete)-FINAL%204-20-2012.pdf







"Caterer" means any person who prepares food intended for individual portion service, transports and serves it at another location, or who prepares and serves food at a food establishment, other than the one for which he holds a permit, for service at a single meal, party or similar gathering.

"Farmers Market" means a public market or public market place located in a city or town that operates or occurs more than once per year for the primary purpose for Massachusetts farmers, from more than one farm, to vend food, crops and other farm related items that they have produced directly to the public, or a public market or public market place used by farmers that is established by a municipality under G.L. c.40 §10, or operates on Department of Conservation and Recreation land by special permit under G.L. c.132A §2F.









Revised

- (1) "Food establishment" means an operation that:
 - (a) stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; market; vending location; institution; food bank; <u>residential</u> <u>kitchen in a bed-and-breakfast operation; residential</u> <u>kitchen for cottage food operation and, catering operation if the</u> operation provides food directly to a consumer or to a conveyance used to transport people <u>not including farm trucks</u>.











(3) Food establishment does not include:

- (a) An establishment that offers only pre-packaged foods that are not TCS foods;
- (b) An operation that only offers whole, uncut fresh fruits and vegetables, unprocessed honey, pure maple products, or farm fresh eggs which are stored and maintained at 45°F (7.2°C) or below;
- (c) A food processing plant; *including those that are located on the premises of a* food establishment;



MASSACHUSETTS ENVIRONMENTAL HEALTH ASSOCIATION





Food establishment does not include cont'd.

(d) A residential kitchen if only non-TCS food is prepared for sale or service at a function such as a religious or charitable organization's bake sale (if allowed by law)

and if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority;

(e) A residential kitchen that prepares food for distribution to a charitable facility in accordance with M.G.L c. 94, § 328;









Food establishment does not include cont'd.

(g) A residential kitchen, such as a family daycare provider;

or a bed-and-breakfast operation that prepares and offers food to guests if the home is owner occupied, the number of available guest bedrooms does not exceed six (6), breakfast is the only meal offered, the number of guests served does not exceed 18, and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the FC-regulatory authority;

(i) Cooking classes that are held for educational purposes only.









Revised

"Food Employee" means an individual working with unpackaged food, food equipment, or utensils, or food contact surfaces, with the exception of farm workers handling uncut fruits and vegetables, unprocessed honey, pure maple products, or farm fresh eggs which are stored and maintained at 45° F (7.2° C) or below.

This could include the owner, individual having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or any other person working in a food establishment.

Note: These "food employees" are allowed to work in a cottage food operation or a residential kitchen.









590.010 Chapter 10: Guidance on Retail Operations

Replaces the former 590.009 section for MA specific retail operations

- (A) Caterers
- (B) Mobile Food Operations
- (C) Temporary Food Establishments
- (D) Public Markets and Farmers Markets
- (E) Residential Kitchens: Bed and Breakfast Operations
- (F) Residential Kitchens: Cottage Food Operations
- (G) Schools and USDA Nutrition Programs
- (H) Leased Commercial Kitchens (Shared Kitchens or Incubators)
- (J) Innovative Operations

Permitting and approval requirements, as well as exemptions can be found here.











CHAPTER 2 Management and Personnel









Person-in-Charge (PIC) and Certified Food Protection Manager (CFPM)









Food Code Training



Sponsors

COUNTY ROAKIN OF HEALTH AND

590.002 (A); FC 2-101.11 Person in Charge – Assignment^{Pf}

- The permit holder shall be the person in charge (PIC) or shall designate a PIC and shall ensure that a PIC is present at the food establishment at all hours of the operation.
- The owner, or person(s) in charge shall designate an alternate person to be in charge at all times when they can't be present. The alternate, when acting as the PIC, shall be responsible for all duties specified in FC 2-103.11 (PIC Duties) and must be adequately trained by the PIC to ensure that the establishment operates in compliance with 105 CMR 590.00: State sanitary code chapter X: Minimum sanitation standards for food establishments (most recent revision – 10/5/18)

Note: Although the PIC must be a certified food protection manager, the alternate person is not required to be a certified food manager. However, when acting as the PIC, they must meet the requirements stated above.







PIC – Assignment^{Pf} Cont'd

 In addition, each food establishment shall employ at least one full-time equivalent (FTE) PIC who shall be on-site manager or supervisor and is at least 18 years of age and who by being a certified food protection manager has shown proficiency of required information through passing a certification examination that is part of an accredited program recognized by the Department.











590.002(B); FC 2-102.11 Person in Charge – Demonstration^{Pf}

- (A) Complying with this Code by having no violations of PRIORITY ITEMS during the current inspection;
- (B) Being a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM; AND
- (C) Responding correctly to the inspector's questions as they relate to the specific FOOD operation...

NEW: 2-102.11 (C) (9) Describing foods identified as major allergens and the symptoms that a major food allergy could cause in a sensitive individual who has an allergic reaction.









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Certified Food Protection Manager (CFPM) Certificates

As a reminder, the CFPM certificates:

- Shall be prominently posted in the establishment next to the food establishment permit.
- Must be removed when the individual(s) is no longer employed on-site by the establishment.
- Must be replaced if the PIC(s) with demonstrated knowledge of food safety is transferred, terminated, or terminates employment.
 - The owner or permit holder shall notify the health department in writing and have 60 days to employ a replacement.
 - The health department may grant an extension not to exceed an additional 60 days to comply with this requirement if deemed necessary.







CFPM Exemptions – 590.002 (C); FC 2-102.12 Knowledge^{Pf}

590.002 (C) FC 2-102.12 shall not apply to:

- (a) Temporary food establishments operated by non-profit organizations such as, but not limited to, school sporting events, firemen's picnics, grange and church suppers and fairs;
- (b) Daycare operations which serve only snacks;
- (c) Food establishments restricted to the sale of pre-packaged food and limited preparation of non-time/temperature control for safety food and meat and poultry products processed under USDA supervision with a nitrite level of at least 120 PPM and a minimum brine concentration of 3.5%;
- (d) Satellite feeding sites, which receive prepared meals from commissaries for immediate service;
- (e) Elderly meal site locations where each Nutrition Project serves congregate meals in compliance with the requirements set forth in 651 CMR 4.00 and limits the site supervisors to the preparation of reheating commercially pre-cooked individually quick frozen (IQF) entrees, cooking commercially prepared dry pasta products for immediate service, and preparing salads and/or side dishes from fresh and/or frozen fruits and vegetables for immediate service.









590.002 (D); FC 2-103.11 PIC Duties^{Pf}

(F) EMPLOYEES are verifying that FOODS delivered to the FOOD ESTABLISHMENT during nonoperating hours are from APPROVED sources and are placed into appropriate storage locations such that they are maintained at the required temperatures, protected from contamination, unadulterated, and accurately presented. ^{Pf}

(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. ^{Pf}

(M) 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. ^{Pf}









590.002 (D); FC 2-103.11 PIC Duties^{Pf}

(N) EMPLOYEES are properly trained in FOOD safety, including food allergy awareness, as it relates to their assigned duties ^{Pf}

(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). ^{Pf}

(P) Written procedures and plans, where specified by this Code and as developed by the FOOD ESTABLISHMENT, are maintained and implemented as required. ^{Pf}







590.002(D); 2-103.11 (O) PIC Duties

"Verifiable Manner"

Examples:

"Foodborne Illness Investigation and Control Reference Manual" Food Employee Reporting Agreement - Sample - Ch. 7

"Instructions for Marking the Food Establishment Inspection Report, Including Food Code References for Risk Factors/Interventions" #3 under Employee Health/Responding to Contamination Events. **Food Code Training**





Foodborne Illness Investigation and Control Reference Manual



June 2017

Food Employee Reporting Agreement Preventing Transmission of Diseases through Food by Infected Food Employee

The purpose of this agreement is to ensure that Food Employees and Conditional Employees 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 foodbone illness.

I AGREE TO REFORT TO THE PERSON IN CHARGE:

A. SYMPTOMS OF:

diarrhea, fever, vomiting, jaundice, sore throat with fever, and lesions containing pas on the hand, wrist, or an exposed body part (such as boils and infected wounds, however small.)

B. MEDICAL DIAGNOSIS OF BEING ILL WITH:

narovirus, shiga toxin-producing E. celi, S. typhi (typhoid fever), Shigella spp., non-typhoidal Salmosella, and Hepatitis A, as well as other diseases that may be transmitted through food per 105 CMR 300,000. Cortact the Foad Protection Program at 617-0836-712 or The Epidemiology Program at 617-982-6800 for additional information.

C. PAST MEDICAL DIAGNOSIS OF DISEASES LISTED ABOVE:

D. HIGH-RISK CONDITIONS:

- Exposure to or suspicion of causing any confirmed outbreak of the diseases listed under Part B above.
- A household member has been diagnosed with diseases listed in Part B above.
- A household member attending or working in a setting experiencing a confirmed undersk of one of the dimension literation and B about
- outbreak of one of the diseases listed in part B above.

I have read (or had explained to me) and understand the requirements concerning my responsibilities under 105 CMR. 500/2013 Food Code and this agreement to comply with the reporting requirements specified above involving symptoms, dagrosse, and high-risk conditions specified. I also understand that should I experience one of the above symptoms or high-risk conditions, or should I be diagnosed with one of the above illnesses, I may be asked to change my job or to stop working altegrater andi such symptoms or illnesses have resolved.

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.

Food Employee or Conditional Food Employee Name (Please Print).

Signature of Above-named Individual_

Signature of Permit Holder or Representative

This is a model form created by MA Department of Public Health which is offered as a tool for industry to use to aid in compliance with 105 CMR 590,003(c) and the Federal Food Cede 2-201.11. The use of this form is voluntary and is not required by state regulation. Revised Jane, 2017









Employee Health & Hygiene









590.002 (E); FC 2-201 Responsibilities of Permit Holder, Person in Charge, Food Employees, and Conditional Employees^P

The following three sections were amended to add *Salmonella* (nontyphoidal) as one of the "Big Six" reportable illnesses:









590.002 (E)(F); FC 2-201 (11, 12, & 13) Employee Health

590.002 (E); FC 2-201.11 Responsibility of Permit Holder, Person in Charge, and Conditional Employees

• Addition of non-typhoidal *Salmonella* (NTS) as one of the pathogens that triggers employee reporting to establishment management

590.002; FC 2-201.12 Exclusions and Restrictions

• Requires food employees to report a diagnosis with an infection of non-typhoidal Salmonella (NTS) to the Person in Charge

590.002 (F); FC 2-201.13 Removal, Adjustment, or Retention of Exclusions and Restrictions

 Prompts Exclusion/Restriction/Reinstatement requirements similar to the 5 pathogens previously identified









590.002 (E); FC 2-201.11 Reportable Symptoms

- Vomiting
- Diarrhea
- Jaundice
- Fever with Sore Throat
- Lesions containing pus on hand, wrist or exposed portions of the arm
- Fever (no longer reportable)











590.002 (E); FC 2-201.11 Reportable Diagnosis <u>and</u> Past Illness

- Norovirus ^P
- Hepatitis A virus ^P
- Shigella spp. ^P
- SHIGA TOXIN-PRODUCING ESCHERICHIA COLI P
- Typhoid fever ^P
- Salmonella (non-typhoidal) ^P
- Any other disease transmissible through food so designated in 105 CMR 300.000: Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements.

<u>and</u>

• A diagnosis of Typhoid Fever within the past 3 months without antibiotics.









105 CMR 300.000

		105 CMR: DI	EPARTMENT OF PUBI	IC HEALTH			
105 CMR	300.000:		DISEASES, SURVE	ILLANCE, AND ISC	OLATION AND		
2008-1-5T		QUARANTINE R	REQUIREMENTS	Г	CHEMICAL THE	52 FO NET 10 CH21/00	
Section					300.100: Diseases Rep	portable to Local Boards of Health	
00.001.					Cases of	or suspect cases of the diseases listed as follows shall be reported by household	
300.001: Purpose				members, physicians and other health care providers as defined by M.G.L. c. 111, § 1, and other			
300.020: Definitions					officials designated by the Department, by telephone, in writing, by facsimile or other electronic means, as deemed acceptable by the Department, including transmission from electronic health		
300.100: Diseases Reportable to Local Boards of Health				records, immediately, but in no case more than 24 hours after diagnosis or identification, to the			
300.110: Case Reports by Local Boards of Health				board of health in the community where the case is diagnosed or suspect case is identified. When			
300.120: Confidentiality				available, full demographic, clinical and epidemiologic information, as defined by the			
300.131: Illness Believed to Be Due to Food Consumption 300.132: Illness Believed to Be Transmissible Through Food					Department, must be included for each report. The local board of health's responsibility, upon		
300.132: Illness Believed to Be Transmissible Through Food 300.133: Illness Believed to Be Unusual					receipt of a report, is set forth in 105 CMR 300.110 and 300.160. Physicians and other health care providers shall also report the diseases listed as follows when identified to be present		
300.133: Illness Believed to Be Part of a Suspected or Confirmed Cluster or Outbreak			Cluster or Outbrack	through point of care testing.			
	134. Inness Beneved to Be Part of a Suspected of Commined Cluster of Outbreak 135: Reporting of Pediatric Influenza Deaths, Severe and Unusual Illness Due to In				Anthrax		
100.155:	of Antiviral Treatment or Prophylaxis Failure, and Illness Believed to Be Due				Arbovirus infection, including but not limited to, infection caused by: chikungunya virus, dengue, eastern equine encephalitis virus, Jamestown Canyon virus.		
	Influenza Viruses			ss believed to be Due	West Nile virus, yellow fever virus, and Zika virus		
136-	Reporting of Infection or Suspected Infection Believed to Be Transmitted by a			o Be Transmitted by a	Botulism		
100.150.	No.150 Reporting of Intection of Suspected intection believed to be transmitted by a Product or Transplanted Organ, Tissue or Tissue Product 0.140: Reporting of Animal Diseases with Zoonotic Potential by Veterinarians 0.150: Declaring a Disease or Condition Immediately Reportable, under Surveillance Isolation and Quarantine: Temporary Reporting, Surveillance and/or Isolation				Brucellosis		
200 140-					Foodborne illness due to toxins (including mushroom toxins, ciguatera toxins, scombrotoxin		
100.120.							
00.160: Diseases Reportable by Local Boards of Health to the Department				tetrodotoxin, paralytic shellfish toxin and amnesic shellfish toxin, staphylococcus			
	 Diseases Reportable by Local Boards of Heards to the Department Laboratory Findings Indicative of Infectious Disease Reportable Directly to the 				enterotoxin, and others) Encephalitis, any cause Hansen's disease (leprosy) Hemolytic uremic syndrome (HUS)		
100,170.	Laboratories		portable Directly to u				
00 171-	Reporting of Antimicrobial Resistant Organisms and Cumulative Antibiotic S Test Results (Antibiograms)			unulative Antibiotic S	Hepatitis A		
/00.171.				and adve surdoroue a	Hepatitis B		
800 172-	Submission of Selected Isolates and Diagnostic Specimens to the State Public			and to the State Public	Hepatitis C Hepatitis D		
	 Reporting of Certain Negative and Indeterminant Diagnostic Tests Associated w 				Hepatitis E		
	of Infection Status		stie rests resociated w	Hepatitis syndrome, acute			
Contraction of the second second		atory Findings Indicative of Infectious Disease Reportable Directly to th		Lymphocytic choriomeningitis			
100.174.		Care Testing	or inteenous Disease Ro	portable infectity to u	Malaria Measle		
800 175-			Infectious Agents in Clin	nical Laboratories and		s zitis, bacterial, community-acquired	
100.112.		Directly to the Depa		irear Euroratorico ana		gitis, viral (aseptic) or other infectious (non-bacterial)	
800 180-	Diseases Reportable Directly to the Department		Meningococcal disease, invasive infection (with N. meningitidis)				
	Reporting Work-related Disease Outbreaks		Mumps Pertussis				
	Joint Authority with Department of Labor and Workforce Development		ce Development	Plague			
	Surveillance and Control of Diseases Dangerous to the Public Health		Poliomyelitis				
	0.190. Survemance and control of Diseases Dangerous to the Fubite Health 0.191: Access to Medical Records and Other Information			aone riedini	Powass		
	0.192: Surveillance of Diseases Possibly Linked to Environmental Exposures		Pox virus infections in humans, including variola (smallpox), monkeypox, vaccinia, and other				
00.193: Surveillance of Injuries Dangerous to Public Health			in capeoures	orthopox or parapox viruses Rabies in humans			
300.200: Isolation and Quarantine Requirements				Respira	atory infection thought to be due to any novel coronavirus, including but not limited		
300.210: Procedures for Isolation and Quarantine					evere acute respiratory syndrome (SARS) and Middle East respiratory syndrome		

Hosts



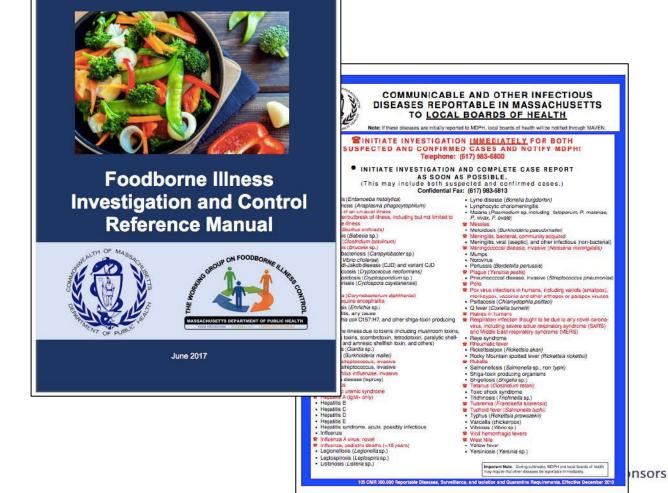


Sponsors





Ch. 4













590.002 (E); FC 2-201.11; FC 2-201.11 Reportable History of Exposure

- Exposure to, or suspicion of causing any confirmed outbreak of the diseases listed below:
- A household member has been diagnosed with one or more of the diseases listed below:
- A household member attended, or is working in a setting experiencing a confirmed outbreak of one of the diseases listed below:
 - Norovirus within the past 48 hours after last exposure
 - Shiga toxin-producing *E. coli* (STEC) or *Shigella* spp. within the past 3 days of the last exposure
 - *Salmonella* typhi within the past 14 days of the last exposure
 - Hepatitis A within the past 30 days of the last exposure

Remind employees to report reportable symptoms and ensure compliance with good hygienic practices, handwashing, and no bare hand contact with ready-to-eat foods.









590.002; FC 2-301.12 Proper Handwashing Procedure^P

Amended to read:

FOOD EMPLOYEES shall clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands or arms for at least 20 seconds . . .

Procedures:

- 1. Rinse under clean, running warm water;
- 2. Apply an amount of cleaning compound recommended by the cleaning compound manufacturer;
- 3. Rub together vigorously for at least 10 to 15 seconds . . . Creating friction on the surfaces of the hands and arms or surrogate prosthetic devices for hands and arms, finger tips, and areas between the fingers;
- 4. Thoroughly rinse under clean, running warm water; and
- 5. Immediately follow the cleaning procedure with thorough drying . . .









590.002; FC 2-301.14 When to Wash Hands^P

Amended to read:

 Food employees shall clean their hands and exposed portions of their arms as specified under 590.002; FC 2-301.12 immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and

(H) Before donning gloves to initiate a task that involves working with food









As a reminder:

590.003 (C); FC 3-301.11 Bare hand contact^P

FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT. Single-use natural rubber latex gloves are not recommended for food contact in FOOD ESTABLISHMENTS.









590.002 (G); FC 2-201.20

Prevention of Foodborne Cases of Viral Gastroenteritis

This is a completely new section of 105 CMR 590:

Food handlers who test positive for Norwalk virus, Norwalk-like virus, or any other calicivirus shall be excluded from handling duties for either 72 hours past the resolution of symptoms, or 72 hours past the date the positive specimen was provided, whichever occurs last.

In outbreak circumstances consistent with Norwalk virus, Norwalk-like virus, or any other calicivirus infection, affecting patrons or food handlers, food handling facility employees may be required to provide stool specimens for testing.









Responding to Contamination Events



590.002; FC 2-501.11 Clean-up of Vomiting & Diarrheal Events

Completely new subpart to Chapter 2 of the FDA Food Code

Requires food establishments to have procedures to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the establishment.

Procedures shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter.

Putting the proper response into action in a timely manner can help reduce the likelihood that food may become contaminated and that others may become ill as a result of the accident.











Why target Norovirus when cleaning after a vomit or diarrheal event?

According to the CDC:

- Norovirus is the leading cause of foodborne disease outbreaks in the United States.
- It is responsible for greater than 50% of all foodborne gastroenteritis outbreaks.
- An estimated 21 million cases of acute gastroenteritis are due to Norovirus infection.
- Transmission occurs via foodborne and person-to-person routes, airborne inhalation of vomitus droplets, and also through contact with contaminated environmental surfaces.
- Norovirus causes acute onset of vomiting (often explosive) and diarrhea (also often explosive) which can contaminate surfaces and become airborne increasing the chances of additional infections.
- Effective clean up of vomitus and fecal matter in a food establishment should involve a more stringent cleaning and disinfecting process.
- Some compounds that are routinely used for sanitizing food-contact surfaces and disinfecting countertops and floors, such as certain quaternary ammonium compounds, may not be effective against Norovirus.
- Food establishments should have procedures for the cleaning and disinfection of vomitus and/ or diarrheal contamination events that address the use of proper disinfectants at the proper concentration.



Hosts



URE COUNTY BOARDS OF HEALTH ASSOCIAT



590.002; FC 2-501.11 Clean-up of Vomiting & Diarrheal Events

Vomit and Diarrhea Clean-up Procedure – Sample - Chapter 8

"Foodborne Illness Investigation and Control Reference Manual"



Foodborne Illnes Investigation and Co Reference Manua



June 2017



Vomit and Diarrhea Clean-Up Procedure

WHY DO WE HAVE THIS PROCEDURE?

Vomiting and diarrhea can be symptoms of several very contagious diseases and it is the responsibility of food service management to protect both employees and customers from transmission of these diseases. The most important ways of accomplishing this task are:

- ensure that employees understand the importance of frequent handwashing and that they know where and how to wash their hands;
- 2) ensure that employees understand their responsibility to report all disease symptoms, such as vomiting, diarrhea, jaundoe, fever and sore throat; diagnosis of diseases; and exposure to others who are sick to the Person in Charge;
- ansure that employees are trained and do not handle food that is ready to eat with their bare hands;
- ensure that employees understand the importance of following all regular cleaning and sanitizing procedures on a daily basis and special cleaning and sanitizing procedures such as this one.

New employees will be trained in all of the above-mentioned procedures within the first week of hiring. Reminder trainings will be done for all food service staff on an **ANNUAL** basis.

VOMIT/DIARRHEA CLEAN-UP KIT

- A vomit/diarrhea clean-up kit is stored in a labeled bin in_Contents of Clean-up Kit:
 - 1) Personal Protective Equipment (PPE)
 - disposable gloves, nitrile or non-latex
 - face and eye shields (clean and sanitize after use) disposable shoe covers
 - disposable sprons
 - masks
 - hair covers
 - 2) Paper towels
 - 3) Absorbent material: baking soda, Red Z powder, or kitty litter
- 4) Scoop or scraper, preferably disposable
- 5) Large plastic bags with twist ties
- 6) Caution tape for closing off areas

Buckets, wiping cloths, detergent and sanitizers will also be needed and are available in various locations throughout the food service area. The Person-n-Charge is responsible for refilling the clean-up kit after use. Extra supplies will be on hand. All supplies will be purchased or ordered at the time of the incident so that the kit is ready for use as soon as possible after the incident.

WHEN A VOMITING OR DIARRHEA INCIDENT OCCURS

- 1) Remove the following from the area if no contact with vomit or diarrhea:
- a) employees and/or customers
- b) packaged food or food in closed containers
 c) packaged food or food in closed containers
- c) portable equipment, linens and open single-use and single-service articles.













Clean-up of Vomiting & Diarrheal Incidents Cont'd

Other Helpful Resources:

FDA 2013 Annex 3, Chapter 2 lists things to consider when developing a plan that addresses the need for the cleaning and disinfection of a vomitus and/or diarrheal contamination event.

CDC Poster – Help Prevent the Spread of Norovirus (using bleach)

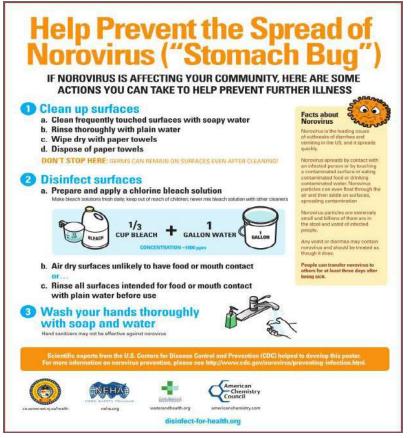








CDC Poster - Help Prevent the Spread of Norovirus



https://waterandhealth.org/wp-content/themes/accfl/pdfs/NorovirusPrevent_8.5x11_English_Color.pdf



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Clean up of Vomiting & Diarrheal Incidents Cont'd

Spill Kits – Although not required by regulation, if they make their own, or purchase one, ensure they contain an adequate supply of items (like sorbent, disinfectant, gloves, etc.) and that they refill supplies after use. *If they purchase or make their own spill kits, with the goal of*

eliminating Norovirus, the CDC recommends that the disinfectant be

registered by the EPA as effect against Norovirus.

For more information about disinfectants registered as effective against norovirus by the Environmental Protection Agency (EPA), see:

https://www.epa.gov/pesticide-registration/list-g-epa-registered-hospital-disinfectants-effective-Hostsagainst-norovirusSponsors





Country Boarns or Heatry Assoc





Spill Kit Content – Sorbant Options











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B.C.B.O.H.A.

Examples: EPA Registered Disinfectants









CHAPTER 3

Food









590.003 (B); FC 3-201.16 Wild Mushrooms

(A) Except as specified in ¶ (B) of this section, mushroom species picked in the wild shall be obtained from sources where each mushroom is individually inspected and found to be safe by an approved mushroom identification expert not be offered for sale or service by a food establishment unless the food establishment has been APPROVED to do so. P









590.003; FC 3-203.12 Shellstock, Maintaining Identification ^{Pf}



- (A) Except as specified under (C)(2) of this section, shellstock tags shall remain attached to the container in which the shellstock are received until the container is empty.
- (B) The date when the last shellstock from the container is sold or served shall be recorded on the tag or label.
- (C) The identity of the source of SHELLSTOCK that are sold or served shall be maintained by retaining SHELLSTOCK tags or labels for 90 calendar days from the date that is recorded on the tag or label (last sold/served date).









590.003; FC 3-203.12 (C)(2) Pf

(C)(2) If shellstock are removed from its tagged or labeled container:

- (a) Preserving source identification by using an approved record keeping system that keeps the tags or labels in chronological order correlated to the date that is recorded on the tag or label (last sold/served date),
- (b) Ensuring that shellstock from one tagged or labeled container are not commingled with shellstock from another container with different certification numbers; different harvest dates; or different growing areas as identified on the tag or label before being ordered by the consumer.









590.003 (B); FC 3-203.11 Shellfish, Original Container

Paragraph (D) was deleted.

Shucked shellfish may NOT be removed from the container in which they were received and repacked in self service containers.

Note: Good Manufacturing Regulations for Food – specifically section 105 CMR 500.020 (B) (2) d and e, prohibits high hazard processing, such as shucking and meat picking, and removing shellfish meats from the shell at the retail level. However, shellfish meat prepared and served "on the half-shell" is permitted by DPH. If a retailer wants to conduct any of these high hazard processes, they must apply for a variance from DPH.









590.003; FC 3-401.11 Cooking ^P

(C) A raw or partially cooked animal food may be served or offered for sale upon consumer request or selection in a R-T-E form if:

(D)(2) The food is served or offered for service by consumer selection from a children's menu, does not contain comminuted meat, and

Simply stated: ground *meats* cannot be offered raw or undercooked from a child's menu.

"Meat" means the flesh of animals used as food, including the dressed flesh of cattle, swine, sheep, or goats and other edible animals, except fish, poultry, and wild game animals as specified under subparagraphs 3-201.17 (s)(3) and (4).









590.003; FC 3-401.14 Non-Continuous Cooking of Raw Animal Foods

Non-continuous cooking means raw animal food is intentionally cooked to a temperature below the minimum required temperature during the first cook/heat and then **cooled.** The cooking process is completed at a later date or time during the second cook.

NOTE: raw animal foods that are **not cooled** after the initial heat/cook are not included in the definition of non-continuous cooking.









Non-Continuous Cooking Cont'd.

Raw animal FOODS that are cooked using a NON-CONTINUOUS COOKING process shall be:

- (A) Subject to an initial heating process that is no longer than sixty minutes in duration^P
- (B) Immediately after initial heating, cooled according to the time and temperature parameters specified for cooked TCS Food ^P
- (C) After cooling, held frozen or cold, as specified TCS foods; ^P
- (D) Prior to sale or service, cooked using a process that heats all parts of the food to a temperature and for a time as specified in the Food Code; ^P
- (E) Cooled according to the time and temperature parameters specified in the Food Code for TCS foods ^P









Non-Continuous Cooking Cont'd.

(F) Prepared and stored according to written procedures that: Pf

- (1) Have obtained prior approval from the regulatory authority;
- (2) Are maintained in the food establishment and are available to the regulatory authority upon request;
- (3) Describe how the requirements specified under ¶ (A)--(E) of this Section are to be monitored and documented by the permit holder and the corrective actions to be taken if the requirements are not met;
- (4) Describe how the foods, after initial heating, but prior to complete cooking, are to be marked or otherwise identified as foods that must be cooked as specified under ¶ (D) of this section prior to being offered for sale or service; and
- (5) Describe how the foods, after initial heating but prior to cooking as specified under ¶(D) of this section, are to be separated from ready-to-eat foods









590.003; FC 3-402.11 Parasite Destruction ^P

- (A) Except as specified in ¶ (B) of this sections, before service or sale in ready-to-eat form, raw, raw-marinated, partially cooked, or marinated-partially cooked fish shall be:
- Frozen and stored at a temperature of -4°F or below for a minimum of 7 days
- Frozen at -31°F or below until solid and stored at -31°F or below for a minimum of 15 hours; or
- Frozen at -31°F or below until solid and stored at -4°F or below for a minimum of 24 hours









Parasite Destruction Cont'd.

(B) Paragraph (A) of this section <u>does not apply</u> to:

(1) MOLLUSCAN SHELLFISH;

- (2) A scallop product consisting only of the shucked adductor muscle;
- (3) Tuna of the species Thunnus alalunga, Thunnus albacares (Yellowfin tuna), Thunnus atlanticus, Thunnus maccoyii (Bluefin tuna, Southern), Thunnus obesus (Bigeye tuna), or Thunnus thynnus (Bluefin tuna, Northern); or
- (4) Aquacultured FISH, such as salmon, that:
 - (a) If raised in open water, are raised in net-pens, or
 - (b) Are raised in land-based operations such as ponds or tanks, and
 - (c) Are fed formulated feed, such as pellets, that contains no live parasites infective to the aquacultured FISH.
- (5) FISH eggs that have been removed from the skein and rinsed.









New Temperature Danger Zone 41°F - 135°F

590.003; FC 3-202.11

Receiving hot foods - now **135°F** or above.

590.003; FC 3-304.12

In-use utensil – may now be stored in hot water at **135°F** or above.

590.003; FC 3-401.13

Cooking fruits and vegetables for hot holding **135°F** or above (no cooking requirement if cooked for immediate service).









New Temperature Danger Zone Cont'd.

590.003; FC 3-501.16

Hot holding is now **135°F** or above.

590.003; FC 3-501.14

Cooling - now **135°F** to 70°F in first 2 hours and then from 70°F to 41°F within the next 4 hours. Whole process not to exceed 6 hours. **590.003; FC 3-403.11**

Reheating commercially processed TCS foods - must now be reheated to **135°F** or above.









590.003; FC 3-501.13 Thawing

(E) Reduced oxygen packaged fish that bears a label indicating that it is to be kept frozen until time of use <u>shall be removed from</u> the reduced oxygen environment:

- (1) Prior to thawing under refrigeration; or
- (2) Prior to, or immediately upon completion of thawing using procedures specified in ¶ (B) of this section (thawing completely submerged under running water).













590.003; FC 3-501.17 Ready-to-Eat, TCS Food Date Marking^{Pf}

(A) On-premise preparation

Except when packaging food using a ROP method, refrigerated, R-T-E, TCS food prepared and held in a food establishment for more than 24 hours shall be clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded when held at a temperature of 41°F or less for a maximum of 7 days.

The day of preparation shall be counted as Day 1.









TCS Food Date Marking Cont'd.

(B) Commercially processed food

Refrigerated, R-T-E, TCS food prepared and packaged by a food processing plant shall be clearly marked, at the time the original container is opened in a food establishment and if the food is held for more than 24 hours, to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, based on the temperature and time combinations specified in the Food Code and:

- (1) The day the original container is opened in the food establishment shall be counted as Day 1; and
- (2) The day or date marked by the food establishment may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on food safety.









TCS Food Date Marking Cont'd.

(C) Combining ingredients:

A refrigerated, ready-to-eat time/temperature control for safety food ingredient or a portion of a refrigerated, ready-to-eat time/temperature control for safety food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first- prepared ingredient.









TCS Food Date Marking Cont'd.

- D) A date marking system that meets the criteria stated in (A) and (B) of this section may include:
 - 1) Using a method approved by the regulatory authority for refrigerated, ready-to-eat, time/ temperature control for safety food that is frequently rewrapped, such as lunchmeat or a roast, or for which date marking is impractical, such as soft serve mix or milk in a dispensing machine;
 - 2) Marking the date or day of preparation, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under (A) of this section;
 - 3) Marking the date or day the original container is opened in a food establishment, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under (B) of this section; or
 - 4) Using calendar dates, days of the week, color-coded marks, or other effective marking methods, provided that the marking system is disclosed to the regulatory authority upon request.









TCS Food Date Marking Cont'd.

- E) Paragraphs (A) and (B) of this section do not apply to individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.
- F) Paragraphs (A) and (B) of this section do not apply to live molluscan shellfish (i.e. clams, mussels, oysters).











TCS Food Date Marking Cont'd.

This does not apply to the following foods prepared and packaged by a food processing plant:

- 1) Deli salads, such as ham salad, seafood salad, chicken salad, egg salad, pasta salad, potato salad, and macaroni salad
- 2) Hard cheeses such as cheddar, gruyere, parmesan and reggiano, and romano;
- 3) Semi-soft cheeses such as blue, edam, gorgonzola, gouda, and monterey jack;
- 4) Cultured dairy products such as yogurt, sour cream, and buttermilk;
- 5) Preserved fish products, such as pickled herring and dried or salted cod, and other acidified fish products;
- Shelf stable, dry fermented sausages, such as pepperoni and Genoa; and
- 7) Shelf stable salt-cured products such as prosciutto and Parma (ham).

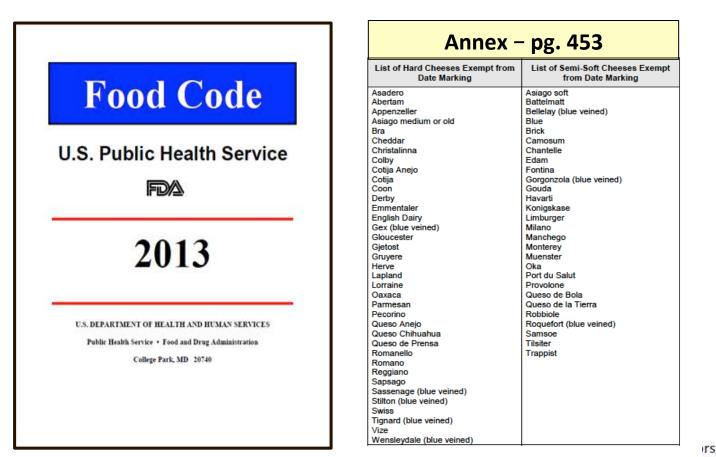








List of Hard and Semi-Soft Cheeses exempt from Date Marking













590.003; FC 3-501.18 Ready-to-Eat, TCS Food, Disposition^P

- A) A food specified in Section 3-501.17(A) or (B) shall be discarded if it:
 - Exceeds the temperature and time combination specified in Section 3-501.17(A), except time that the product is frozen;
 - 2) Is in a container or package that does not bear a date or day; or
 - Is appropriately marked with a date or day that exceeds a temperature and time combination as specified in Section 3-501.17(A).









590.003; FC 3-304.17 Refilling Returnables

(A) Except as specified in ¶¶ (B) - (E) of this section, empty c containers returned to a food establishment for cleaning and refilling with food shall be cleaned and refilled in a regulated food processing plant. ^P











590.003; FC 3-304.17 Refilling Returnables Cont'd

(B) A take-home food container returned to a food establishment may be refilled at a food establishment with food if the food container is:

(1) Designed and constructed for reuse^{P;}

(2) One that was initially provided by the food establishment to the consumer, either empty or filled with food by the food establishment, for the purpose of

being returned for reuse;

- (3) Returned to the food establishment by the consumer after use; and
- (4) Subject to the following steps before being refilled with food:
 - (a) Cleaned properly,
 - (b) Sanitized properly; P
 - (c) Visually inspected by a FOOD EMPLOYEE to verify that the container, as

returned, meets the requirements specified under Part 4-1 and 42; Pandel







Refilling Returnables Cont'd

- (C) A take-home food container returned to a food establishment may be refilled at a food establishment with a beverage if:
 - (1) The beverage is not a time/temperature control for safety food;
 - (2) The design of the container and of the rinsing equipment and the nature of the beverage, when considered together, allow effective cleaning at home or in the food establishment;
 - (3) Facilities for rinsing before refilling returned containers with fresh, hot water that is under pressure and not recirculated are provided as part of the dispensing system;
 - (4) The consumer-owned container returned to the food establishment for refilling is refilled for sale or service only to the same consumer; and









Refilling Returnables Cont'd

- (5) The container is refilled by:
 - (a) An employee of the food establishment , or



- (b) The owner of the container if the BEVERAGE system includes a contamination-free transfer process that cannot be bypassed by the container owner.
- (D) Consumer-owned, personal take-out beverage containers, such as thermally insulated bottles, nonspill coffee cups, and promotional BEVERAGE glasses, may be refilled by employees or the consumer if refilling is a contamination-free process.
- (E) Consumer-owned containers that are not food-specific may be filled at a water vending machine or system.











590.003; FC 3-502.11 Variance Required^{Pf}

- Smoking Food (only as method of food preservation)
- Curing Food
- Using Food Additives (i.e. vinegar) as food preservation or to render food a non TCS food
- Reduced Oxygen Packaging (ROP)
- Molluscan shellfish life-support system display tanks for consumption

 must obtain additional variance for wet storage systems from DPH
 (105 CMR 500.021(D).
- Custom Processing of Animals
- Preparing food by another method that is determined by RA to require a variance
- Sprouting seeds NEW!













590.003; FC 3-502.12 Reduced Oxygen Packaging Without a Variance (need a HACCP plan)

Various revisions made throughout this section:

- Listeria monocytogenes is now identified as a hazard along with C. Botulinum for ROP
- ROP packages held at 41°F, shelf life extended from 14 days to 30 days
- HACCP plan must be provided to the Regulatory Authority prior to implementation

Revisions under Cook-Chill or Sous Vide include:

- Limits foods packaged using Sous Vide or Cook- Chill to only those foods which are fully cooked prior to service
- Holding time at 5°C (41°F) or less for a maximum of 7 days unless held at 34°F in which shelf-life is 30 days









Reduced Oxygen Packaging Without a Variance Cont'd.

No variance OR HACCP plan required if:

- Always labeled with production time & date
- Held at 41°For lower
- Removed from packaging within 48 hours.









590.003 (D); FC 3-501.19 Time as a Public Health Control (TPHC)

If time rather than temperature is used as a public health control for TCS foods:

Cold food may remain out of temperature control for up to 6 hours providing that the product temperature does not exceed 70°F.

Written procedures must be prepared in advance, submitted to the RA for review, maintained in the establishment, and made available to the RA. No variance is required.

No Change: If food is above 70°F, only 4 hours is allowed out of temperature control. Hot food may remain out of temperature control for up to 4 hours.









590.003; FC 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; ^P or
- (B) **Labeled**, if not treated to yield a 5-log reduction of the most resistant microorganism of public health significance: ^{Pf}
 - (1) As specified under § 3-602.11, $^{\rm Pf}$ 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."* ^{Pf}

NOTE: Previously mentioned under 3-801.11: Pasteurized Foods, Prohibited Reservice, and Prohibited Food (foods that may not be offered for sale or service in an HSP).











Food Code Training



590.004; FC 3-304.14 (E) Wiping Cloths, Use Limitation

Containers of chemical sanitizing solutions in which wet wiping cloths are held between uses shall be stored off the floor and in a manner that prevents contamination.









CHAPTER 4

Equipment, Utensils and Linens









590.004; FC 4-302.13 (A) Temperature Measuring Devices, Manual Warewashing^{Pf}

In <u>manual</u> warewashing operations, a temperature measuring device shall be provided and readily accessible for frequently measuring the washing and sanitizing temperature. ^{Pf}











590.004; FC 4-302.13 (B)

Temperature Measuring Devices, Manual and Mechanical Warewashing^{Pf}

In hot water <u>mechanical</u> warewashing operations, an irreversible registering temperature indicator shall be provided and readily accessible for measuring the utensil surface temperature.













590.004; FC 4-303.11 Cleaning Agents & Sanitizers, Availability

- (A) Cleaning agents that are used to clean equipment and utensils 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 shall be provided and available for use during all hours of operation.

Found in 2015 Supplement









590.004; FC 4-904.14

Rinsing Equipment and Utensils after Cleaning and Sanitizing

After being cleaned and sanitized equipment and utensils shall not be rinsed before air drying or use unless:

- (A) The rinse is applied directly from a potable water supply by a warewashing machine that is maintained and operated as specified under Subparts 4-204 and 4-501; and
- (B) The rinse is applied only after the equipment and utensils have been sanitized by the application of hot water or by the application of a chemical sanitizer solution whose EPA-registered label use instructions call for rinsing off the sanitizer after it is applied in a commercial warewashing machine.









CHAPTER 5

Water, Plumbing & Waste









590.005; FC 5-202.12 Handwashing Sink Installation



Changed:

A handwashing sink shall be equipped to provide water at a temperature of least **100**^f through a mixing valve. ^{Pf}









590.005; FC 5-203.13 Service Sink

- At least one (1) service sink or one (1) curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.
- Toilets and urinals may not be used as a service sink for the disposal of mop water and similar liquid waste.









CHAPTER 6 Physical Facilities









590.006; FC 6-301.12 Hand Drying Provisions

Adds a new (D) to a hand drying device that employs a high velocity, pressurized air at ambient temperatures allow non-heated, fast blowing air for hand drying. ^{Pf}









590.006; FC 6-501.18 Cleaning of Plumbing Fixtures

Plumbing fixtures, such as hand washing sinks, toilets, and urinals shall be cleaned as often as necessary to keep them clean.









590.006; FC 6-501.111 Controlling Pests

1999 – The presence of insects, rodents, and other pests shall be *controlled to minimize their presence* on the premises by:.....

2013 - The PREMISES shall be maintained <u>free</u> of insects, rodents, and other pests. The presence of insects, rodents, and other pests shall be controlled to eliminate their presence.



MASSACHUSETTS

ENVIRONMENTAL HEALTH

MHOA





CHAPTER 7

Poisonous or Toxic Materials









590.007; FC 7-206.13 Tracking Powders, Pest Control and Monitoring^P

(A) Except as specified in (B) of this sections, a tracking powder pesticide may not be used in a food establishment.^P

(B) If used, a nontoxic tracking powder, such as talcum or flour may not contaminate food, equipment, utensils, linens, and singleuse articles.









CHAPTER 8

Compliance & Enforcement









590.008; FC 8-304.11 Responsibilities of the Permit Holder

Amended to add new $\P(K)$ to include a requirement for the permit holder to notify customers that a copy of the most recent establishment inspection report is available upon request by posting a sign or placard in a location in the food establishment that is conspicuous to customers or by another method acceptable to the regulatory authority.

A copy of our most recent inspection report is available upon request.











Inspection Form Marking Instructions









Marking Instructions for DPH Inspection Report

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Note: The marking instructions do not take into consideration supplemental regulations or amendments made by state or local regulatory agencies. Sponsors



B.C.B.O.H.A







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Instructions for Marking the Food Establishment Inspection Report

- On second page of MA form:
 - Purpose (routine, re-inspection, etc.)
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Hosts



Food Establishment Inspection Report

- Complete the establishment information (usual or common name, address, phone, permit #, owner, and PIC)
- Inspector name
- Date with "time in" and "time out"
- Number of violations and repeat violations for FBI Risk Factors and Interventions.







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Signature of Person-in-Charge:										Date:		
Signature of Inspector:										Date:		

Hosts



FBI Risk Factors & Public Health Interventions

This section is prominent in the report because it depicts the foodborne illness risk factors and public health interventions. Maintaining compliance for these items is vital in preventing foodborne illness outbreaks.

Foodborne Illness Risk Factors

- Food from Unsafe Sources
- Improper Holding Temperatures
- Inadequate Cooking
- Contaminated Equipment
- Poor Personal Hygiene

Public Health Interventions

- Demonstration of Knowledge
- Employee Health Controls
- Controlling Hands as a Vehicle for Contamination
- Time & Temperature Parameters for Controlling Pathogens
- Consumer Advisory







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Hosts



Compliance Status

- IN = In Compliance
- OUT = Out of Compliance
- NO = Not observed
- NA = Not applicable
- COS = corrected on-site during inspection
- R = repeat violation







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Signature of Person-in-Charge:															Date:					

Hosts



COS - Corrected On Site

Inspectors are required to verify that violations involving Priority and Priority Foundation Items are corrected.

When these items are corrected during the inspection, the violation will be marked COS, or Corrected On Site. Alternately, the inspector may elect to set a completion date by which a violation must be corrected. In that case, COS would not be marked and the inspector would be required to make a follow-up visit to the establishment.

R - Repeat Violation

This column allows an inspector to indicate that a violation seen during the current inspection was also noted on the previous inspection.







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Hosts



N/A - Not Applicable N/O - Not Observed

If N/A or N/O is not listed as an option for a particular item, this means that this item <u>must be</u> <u>evaluated</u> during the inspection and a compliance status must be determined.

OUT – Out of Compliance

If the item is marked OUT, document details of each violation for the item number in "Observations and Corrective Actions" section.







Establishment:							Date: Page 1 o	f
Address:							Time in: Time out:	
Telephone:	Per	mit	No.				Number of Violated Provisions Related	
Owner:							to Foodborne Illness Risk Factors and Interventions (Items 1 through 29):	
Person-in-charge:							Number of Repeat Violations Related	
,							to Foodborne Illness Risk Factors	
Inspector:							and Interventions (Items 1 through 29):	
							AND PUBLIC HEALTH INTERVENTIONS t applicable COS = corrected on-site during inspection R = repeat	
IN = In compliance OUI = out of compliance	N/U =	not	ODSE	rvec	1 N/	A = nc	t applicable COS = corrected on-site during inspection R = repeat	violatio
Compliance Status		N	OUT N	A NO	cos	B	Compliance Status	io cos
Supervision		1				1	Protection from Contamination	
Borgon in charge procent domone	trates	T					15 Food separated and protected	
1 knowledge, and performs duties							Eood-contact surfaces: cleaned &	
2 Certified Food Protection Manager				1			¹⁶ sanitized	
Employee Health			L				Proper disposition of returned,	
Management, food employee and		1					17 previously served, reconditioned & unsafe food	
3 conditional employee; knowledge, responsibilities and reporting		1					Time/Temperature Control for Safety	
4 Proper use of restriction and exclusion	sion	+		ł		H	18 Proper cooking time & temperatures	
Dressedures for responding to useri		+		t		H	Dreper reheating presedures for het	-
and diarrheal events	ung						19 holding	
Good Hygienic Pract	ices						20 Proper cooling time and temperature	
6 Proper eating, tasting, drinking, or							21 Proper hot holding temperature	
tobacco use				Ŀ.			22 Proper cold holding temperature	
7 No discharge from eyes, nose, and							23 Proper date marking and disposition	
Preventing Contamination	by Hay	ada			1		24 Time as a Public Health Control	
8 Hands clean & properly washed	ру па	lus		E	T		Consumer Advisory	
No have hand contact with ready to	-eat				-		25 Consumer advisory provided for raw /	
9 food	out						undercooked food	
10 Adequate handwashing sinks prop	erly						Highly Susceptible Populations	
supplied and accessible							26 Pasteurized foods used; prohibited foods not offered	
Approved Source		-	_	_			Food/Color Additives and Toxic Substances	
11 Food obtained from approved sour		1_				H	27 Food additives: approved & properly	
12 Food received at proper temperatu		+			-	H	27 used	
13 Food received in good condition, sa unadulterated							28 Toxic substances properly identified, stored & used	
Required records available: shellst	ock	1			1		Conformance with Approved Procedures	_
tags, parasite destruction		1		1	1	ш	Compliance with variance / specialized	
							29 process / HACCP Plan	
applicable sections of the 2013 FDA For an order of the Board of Health. Failure establishment permit and cessation of for	od Coo to cor ood es you ma	ie. rect tabli ay re	This viola ishm eque	rep ation ent st a	ort, ns ci ope hea	when ted in ration: ring b	Language of the CCP Plan mas marked "OUT" indicated violations of 105 630.000. The boot may a Bood of the second of the food the the boot may a Bood of the second of the food of the the boot may a subject to a notice of suspension, revocation, or effore the board of health in accordance with 105 CMR 590.01	itute: non-
							Dater	
Signature of Person-in-Charge:							Date:	
Signature of Inspector:							Date:	

Hosts



An N/A can be used when there are exemptions to the requirement:

Item #2 – Certified Food Protection Manager.

 No CFPM is required in certain establishments (i.e. for a daycare that only serves snacks or a non-profit temporary food service establishment.)

Item # 16 – Food-Contact surfaces: cleaned and sanitized

 There is no requirement to clean equipment and utensils when only prepackaged foods are sold.







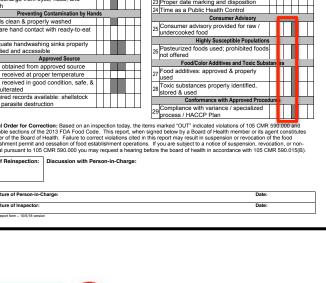
	Per	mit											
Owner: Person-in-charge: Inspector: FOODBORN	Pen	mit	-						Time in: Time o	ut:			
Owner: Person-in-charge: Inspector: FOODBORN		-	No	o.:					Number of Violated Provisions Re	elate	d		-
Person-in-charge: Inspector: FOODBORN									to Foodborne Illness Risk Fa				
Inspector: FOODBORN									and Interventions (Items 1 throug				
FOODBORN									Number of Repeat Violations Re to Foodborne Illness Risk Fa				
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IN = in compliance OUT = out of comp	IE ILLNES	SF	RIS	KF	ACT	FOF	S AN	D	PUBLIC HEALTH INTERVENTIONS				
	liance N/O =	not	t ob	serv	ed M	€/A =	not ap	pli	cable COS = corrected on-site during inspection	R=	rep	eat vi	latic
		1	1				-			-	- T		r
Compliance Status		N	OUT	NA		DS R			Compliance Status		OUT		COS
Supervis		1	-			-		c.	Protection from Contaminatio	n			
Person-in-charge present, der knowledge, and performs duti		1					1		Food separated and protected Food-contact surfaces: cleaned &	+			-
2 Certified Food Protection Mar		+	⊢	F	-	+	1		Food-contact surfaces; cleaned & sanitized				
Employee I		1	1	- 1		1	-		Proper disposition of returned,	+	H		-
Management, food employee		Т	Г			Т	1	7	previously served, reconditioned &	1			l l
3 conditional employee; knowle		1	1						unsafe food	1			L
responsibilities and reporting									Time/Temperature Control for Sa	fety		_	
4 Proper use of restriction and e							1		Proper cooking time & temperatures				I
5 Procedures for responding to and diarrheal events								9	Proper reheating procedures for hot holding				
Good Hygienic				_					Proper cooling time and temperature				
6 Proper eating, tasting, drinkin tobacco use	g, or								Proper hot holding temperature				
No discharge from euce need	and	-	-	┥┣	_				Proper cold holding temperature				
7 mouth	, anu								Proper date marking and disposition				I
Preventing Contamir	ation by Har	nds			_	_	2	24	Time as a Public Health Control				L
8 Hands clean & properly wash	ed	Γ	Γ] [Т	-	-	Consumer Advisory Consumer advisory provided for raw /	-	F		-
9 No bare hand contact with read food	idy-to-eat						2		undercooked food				
Adequate handwashing sinks	properly	1						-	Highly Susceptible Population			_	
supplied and accessible							2		Pasteurized foods used; prohibited food not offered	s			
Approved S								ľ	Food/Color Additives and Toxic Sub	otan	es		-
11 Food obtained from approved									Food additives: approved & properly		Ť		
12 Food received at proper temp							2		used				
Food received in good conditi unadulterated							2		Toxic substances properly identified, stored & used				
14 Required records available: si tags, parasite destruction	nelistock	1						_	Conformance with Approved Proce	dur			
lags, parasite destruction		1	1	1			2		Compliance with variance / specialized		Π		
							_		process / HACCP Plan				<u> </u>
applicable sections of the 2013 FC an order of the Board of Health. F establishment permit and cessatio renewal pursuant to 105 CMR 590	A Food Coo ailure to cor n of food est	le. rec labl ay r	Th t via ish equ	is re olati mer Jest	eport ons o nt op a he	who cited erati arin	n sigr in this ns. If	neo s re f y	arked "OUT" indicated violations of 105 CMI d below by a Board of Health member or its a sport may result in suspension or revocation ou are subject to a notice of suspension, rev the board of health in accordance with 105 C	ager of th ocat	it co ne fo ion,	nstiti od or no	ites
Signature of Person-in-Charge:									Date	:			

Hosts

MASSACHUSETTS

ENVIRONMENTAL HEALTH

MHOA



An N/A can be used when there are exemptions to the requirement:

Item # 25 – CA provided

The establishment does not serve raw/undercooked ٠ food.

Item #26 – Pasteurized Food

This only applies to HSP's ٠

Item #27 – Food Additives

The establishment does not use additives.

Item # 29 – Compliance with variance

The establishment is not required to have a variance ٠ or HACCP plan.







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Hosts



An N/O can be used when a particular item was not observed:

Item #6, 7, & 8 – Good Hygienic Practices and Prevention of Contamination by Hands.

 An N/O should only be used in <u>RARE</u> <u>circumstances</u> when there are no food workers present at the time of the inspection.







Address:					10		of	_
Falaak aa a				Time in: Time of	out:			
Telephone:	Permit No.:			Number of Violated Provisions R	elate	d		
Owner:				to Foodborne Illness Risk F				
Person-in-charge:				and Interventions (Items 1 throug Number of Repeat Violations R	-			_
				to Foodborne Illness Risk F				
Inspector:				and Interventions (Items 1 through	gh 29):		
				HEALTH INTERVENTIONS				
IN = in compliance OUT= out of compliance	N/O = not observed	N/A = n	ot applicable CO	IS = corrected on-site during inspection	R=	repe	at viola	tior
Compliance Status	IN OUT NA NO	COS R		Compliance Status	IN	OUT N		os
Supervision	The bost we have			Protection from Contamination			-leolo	~
Boreon in charge present domone	trates		15 Food set	parated and protected			TT	Т
1 knowledge, and performs duties			Eood oo	ntact surfaces; cleaned &				4
2 Certified Food Protection Manager			16 sanitized					
Employee Health				lisposition of returned,				Τ
Management, food employee and			17 previous unsafe fi	ly served, reconditioned &				
3 conditional employee; knowledge, responsibilities and reporting			unsate te	Time/Temperature Control for S	ofaty			
4 Proper use of restriction and exclusion	sion		18 Proper of	cooking time & temperatures				1
5 Procedures for responding to vomi			Dropor r	eheating procedures for hot				+
and diarrheal events	•		19 holding					
Good Hygienic Pract	ices		20 Proper c	ooling time and temperature				
6 Proper eating, tasting, drinking, or				not holding temperature	T			Τ
 tobacco use No discharge from eyes, nose, and 				old holding temperature				
7 mouth				late marking and disposition				
Preventing Contamination	by Hands		24 Time as	a Public Health Control				_
8 Hands clean & properly washed			1-	Consumer Advisory	- 1	-r	_	_
9 No bare hand contact with ready-to food	-eat			er advisory provided for raw / oked food				
Adequate handwashing sinks prop	erly		Besterri	Highly Susceptible Populatio		<u> </u>	_	T
supplied and accessible			26 not offer	zed foods used; prohibited food ed	IS			
Approved Source				Food/Color Additives and Toxic Sul	ostan	ces		
11 Food obtained from approved sour				ditives: approved & properly		Ē		Т
12 Food received at proper temperatu Food received in good condition, sa			21 used					
13 unadulterated	aic, a			bstances properly identified,				
Required records available: shellst	ock		20 stored &	used Conformance with Approved Proc	odur			
14 tags, parasite destruction			Complia		eauri	:5		-
	-	_		/ HACCP Plan				
Official Order for Correction: Based o applicable sections of the 2013 FDA For	od Code. This rep	ort. when	ems marked "O signed below b	UT" indicated violations of 105 CM	agen	t cor	stitute	es
an order of the Board of Health. Failure establishment permit and cessation of for renewal pursuant to 105 CMR 590.000 Date of Reinspection: Discussion v	ood establishment	operatior hearing I	is. If you are su	bject to a notice of suspension, re-	vocat	ion, e	or non	
Signature of Person-in-Charge:				Date	9:			

Hosts



All others items can have any of the following marked (IN, OUT, NO, N/A, COS, or R):

Item # 9 – No Bare Hand Contact

Item #12 – Food Rec. at Proper Temps

Item #14 – Required Records: shellstock / parasite destruction

Items #18 - #24 – Time/Temperature Control for Safety







st	ablishment:				Date:		Pa	ge 2	of	
GOOD RETAIL PRACTICES AND MASSACHUSETTS-ONLY SECTIONS										
IN - in compliance OUT- out of compliance N/O - not observed N/A - not applicable CO8 - corrected on-site during inspection R - repeat violation										
	Complement Of t	-			Compliance Chebra					
	Compliance State	IS IN OUT NA od and Water	NO COS R		Compliance Status Warewashing facilities: installed,	N	OUT	NA	NO	005 R
_	Pasteurized eggs used				maintained, & used: test strips					
30	required	wiere			Non-food contact surfaces clean	1	F	i i		+
31	Water & ice from approv	ved source			Physical Facilities			_		1
	Variance obtained for sp processing methods				Hot & cold water available; adequate pressure	1	Г		ľ	
	Food Temp	perature Control			Plumbing installed; proper backflow	1		ĺĺ		
	Proper cooling methods				devices		⊢			-
	adequate equipment for temperature control			52	Sewage & waste water properly disposed					
34	Plant food properly cool holding	ked for hot			Toilet features: properly constructed, supplied, & cleaned					
95	Approved thewing meth	ode used			Garbage & refuse property		F		ŀ	+
	Thermometers provided				disposed; facilities maintained					
		dentification		55	Physical facilities installed,	1		i i		
37	Food properly labeled; of				maintained, & clean		L			
3/	container	Food Contamination			Adequate ventilation & lighting; designated areas used					
38	Insects, rodents, & anim	als not			Additional Requirements listed in 10	5 CM	MR 5	90.01	11	-
30	present				Anti-choking procedures in food					
	Contamination prevented during				service establishment	+	+	\vdash	+	+
39	food preparation, storag display	e and		m2	Food allergy awareness Review of Retail Operations listed in 1	05.0		590	010	1
40	oispiay Personal cleanliness			M3	Caterer	I	- and		- 10	T
	Wiping cloths: properly	used &			Mobile Food Operation	+	+	\vdash	+	+
41	stored				Temporary Food Establishment	+	1	+	+	+
42	Washing fruits & vegeta	bles			Public Market; Farmers Market	t			+	
		se of Utensils			Residential Kitchen; Bed-and-					
43	In-use utensils properly				Breakfast Operation		1	\square		
44	Utensils, equipment & li properly stored, dried, &				Residential Kitchen: Cottage Food Operation					
	Single-use / single-servi				School Kitchen: USDA Nutrition	\mathbf{T}	1	+	+	+
45	properly stored & used				Program		1			
46	Gloves used properly				Leased Commercial Kitchen					
		pment and Vending		M11	Innovative Operation				1	T
	Food & non-food contac				Local Requirements		-			
47	cleanable, properly desi constructed & used	gnea,			Local law or regulation	-	-	\square	-	_
	portaducted & used			L2	Other					
T	ype of Operation(s):	Type of Inspection:	Other Info	ormatio	on:					
	Food Service Establishment	Routine								
	Retail Food Store Residential: Cottage Foods	Re-inspection Pre-operational								
Residential; Bed & Iliness investigation										
Breakfast General complaint HACCP										
Mobile/Pushcart HACCP Temporary Food Estab. Other										
	Other	<u> </u>								
	Signature of Person-In-Charg	•:			D	ate:				_
H	Signature of Incepedor: Date:									
Signature of Inspector: Date: MORI report tem - 10919 venion										

Hosts



Good Retail Practices & MA-Only Sections

The GRP's have been given less importance on the inspection form so you'll notice that with some exceptions only items out of compliance need to be marked. Not all these items need to be evaluated.

The goal is to make an overall assessment by looking at trends versus isolated incidents.







stablishment:	Date: Page 2 of					
GOOD RETAIL PRACTICES AN	ID MASSACHUSETTS-ONLY SECTIONS					
N - In compliance OUT- out of compliance N/O - not observed N/A	A = not applicable CO3 = corrected on-site during inspection R = repeat violation					
Compliance Status IN OUT NA NO DOG	Compliance Status IN OUT NA NO COS R					
Safe Food and Water	Warewashing facilities: installed					
Pastourized energy used where	48 maintained, & used; test strips					
required	49 Non-food contact surfaces clean					
11 Water & ice from approved source	Physical Facilities					
Variance obtained for specialized	50 Hot & cold water available;					
processing methods	adequate pressure					
Food Temperature Control Proper cooling methods used;	51 Plumbing installed; proper backflow devices					
3 adequate equipment for	Sowage & waste water property					
temperature control	52 disposed					
Plant food properly cooked for hot	53 Toilet features: properly					
noiding	constructed, supplied, & cleaned					
5 Approved thawing methods used	54 Garbage & refuse property disposed; facilities maintained					
6 Thermometers provided & accurate Food Identification	Physical facilities installed					
Energi property labeled: original	55 maintained, & clean					
ontainer	cc Adequate ventilation & lighting;					
Prevention of Food Contamination	designated areas used					
Insects, rodents, & animals not	Additional Requirements listed in 105 CMR 590.011					
present	Anti-choking procedures in food service establishment					
Contamination prevented during food preparation, storage and	M2 Food allergy awareness					
display	Review of Retail Operations listed in 105 CMR 590.010					
0 Personal cleanliness	M3 Caterer					
Wiping cloths: properly used &	M4 Mobile Food Operation					
stored	M5 Temporary Food Establishment					
2 Washing fruits & vegetables	M6 Public Market; Farmers Market					
Proper Use of Utensils I3 In-use utensils properly stored	M7 Residential Kitchen; Bed-and- Breakfast Operation					
I theneile againment & linene:	Residential Kitchen: Cottage Food					
properly stored, dried, & handled	M8 Operation					
Single-use / single-service articles:	M9 School Kitchen; USDA Nutrition					
properly stored & used	Program					
16 Gloves used property	M10 Leased Commercial Kitchen					
Utensils, Equipment and Vending Food & non-food contact surfaces	V11 Innovative Operation					
17 cleanable, properly designed,	Local Requirements L1 Local law or regulation					
constructed & used	L1 L0cal law of regulation					
Type of Operation(s): Type of Inspection: Other	r Information:					
Retail Food Store Re-Inspection						
Residential: Cottage Foods Pre-operational						
Residential; Bed & Illness investigation Breakfast General complaint						
Mobile/Pushcart Deneral complaint HACCP						
Temporary Food Estab. Other						
Other						
Signature of Person-In-Charge: Date:						
Signature of inspector: Date:						

Hosts



Good Retail Practices & MA-Only Sections

Exceptions:

All others items have very similar marking instructions as those under Foodborne Illness Risk Factors and Public Health Interventions.

- Items #30 #35
- Items M1 M11 from 590.000
- Items L1 and L2 from any local requirements







stablishment:			Date:	Pag	Page of	
Item / Location	Temp (%F)	Temperature Ob: Item / Location		Item / Location	Tomp (SE	
Item / Location	Temp (°F)	item / Location	Temp (°F)	Item / Location	Temp (°F	
-						
		servations and/or Co				
				ection 8-405.11 of the Food O		
umber Section of Cod	e	Description	of Violation		Date to Correct I	
	1					
	-					
	-					
Signature of Person-In-	Charge:			Date:		
Signature of inspector:			Date:			

Temperature Observations

Temperature observations are documented in this section.

Observations and/or Corrective Actions

Each violation of the code should be documented in the "Observations and Corrective Actions" section.

The item numbers, section of the Code, and Description of the Violation should be legible and any "Date to Correct By" dates should be be scheduled according the required time frames as per 590.008; FC 8-405.11 & FC 8-406.11 - Timely Correction as previously discussed.









Renumbering:

- 590.009 now 590.011
- 590.009: Special Requirements replaces the former 105 CMR 590.010: Code Applicability federal 1999 Food Code Chapter 8-1.
- 590.010: Guidance for Retail Operations replaces the former 105 CMR 590.009: Special Requirements maintaining but revising sections for Caterers, Mobile Food Operations, Temporary Food Establishments, and Residential Kitchens (B&B and Retail Sale) and adds sections for Public Markets and Farmers Markets, Schools and USDA Nutrition Programs, Leased Commercial Kitchens (Shared Kitchen or Incubator), and Innovative Operations.
- 590.011: Statutory Requirements moves some of the sections from the former 105 CMR 590.009: Special Requirements and lists them as additional requirements that include Anti-choking Procedures in Food Service Establishments, Tobacco Products: Notice and Sale, and Food Allergy Awareness Requirements.
- 590.012: Examination and Embargo of Food replaces the former 105 CMR 590.016.
- 590.013: Vending Machines replaces the former 105 CMR 590.018.
- 590.014: Permits: Suspension and Revocation remains the same section.
- 590.015: Service of Orders/Hearings remains the same section.
- 590.016: Criminal Penalties replaces the former 105 CMR 590.019.
- 590.017: Advisory Committee replaces the former 105 CMR 590.020.
- 590.018: Severability replaces the former 105 CMR 590.021.









References

105 CMR 590.000: STATE SANITARY CODE CHAPTER X - MINIMUM SANITATION STANDARDS FOR FOOD ESTABLISHMENTS

https://www.mass.gov/files/documents/2018/10/09/105cmr590.pdf

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Public Health Service • Food and Drug Administration 2013 Food Code

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

Supplement to the 2013 Food Code U.S. Public Health Service FDA U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES College Park, MD: 20740https://www.fda.gov/downloads/ Food/GuidanceRegulation/RetailFoodProtection/FoodCode/UCM451981.pdf

Summary of Changes In the FDA Food Code <u>2013https://www.fda.gov/Food/</u> <u>GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374759.htm</u>









References Continued

MA Department of Public Health – Food Protection Program

305 South St., Jamaica Plain, MA 02130 Phone: (617) 983-6712 Fax: (617) 983-6770

Merged Food Code (2013 FDA Food Code, with 2015 Supplemental Regulations, and 105 CMR 590.000).

https://www.mass.gov/lists/retail-food#dph-regulation-and-fda-code-

Food Illness Investigation and Control Reference Manual <u>https://www.mass.gov/lists/foodborne-illness-investigation-and-control-manual</u>

FDA Marking Instructions for DPH Inspection Report <u>https://www.mass.gov/files/documents/2019/01/04/FDA-marking-instructions-for-DPH-Inspection-Report.pdf</u>









References Continued

State House Bookstore

State House, Room 116 Boston, MA 02133

http://www.sec.state.ma.us/spr/sprcat/agencies/105.htm

	Federal Food Code 2013. \$19.25			
105 CMR 590.000 - 595.000 Sanitary Code Article X - Minimum Sanitation	Federal Food Code Annex. \$32.40			
Standards for Food Establishments. \$3.15	Federal Food Code Supplement 2013. \$2.45			

105 CMR 300.000 - 399.000

Reportable Diseases and Isolation and Quarantine Requirements; Cancer Registry Regulations; Confidential Birth Information; Safe Driving; Cremation of Bodies Received from Outside Massachusetts; The Vaccination of Dogs and Cats against Rabies; Treatment of Persons Exposed to Rabies; Tuberculosis Treatment Unit Standards for Admission, Treatment, and Discharge; Standards for Management of Tuberculosis Outside Hospitals; Approval of Bacteriological and Serological Laboratories. **\$6.15**









References Continued

Electronic Code of Federal Regulations 21 CFR **PART 133—CHEESES AND RELATED CHEESE PRODUCTS**

<u>https://www.ecfr.gov/cgi-bin/text-idx?</u> <u>SID=6d7d166d6fd99f57c8f19c77a49776b4&mc=true&node=pt21.2.133&rgn=</u> <u>div5#sp21.2.133.b</u>

Massachusetts Health Officers Association (MHOA) http://mhoa.com/

Massachusetts Environmental Health Association (MEHA) https://maeha.org/









Handouts

- Agenda
- Procedure for Cleaning after a Vomit or Diarrheal Event
- Norovirus Incident CDC Poster
- Time/Temperature Control for Safety Food Date Marking and Cheese Exemption Chart from 2013 FDA Food Code - Annex 3
- Non-continuous Cooking
- Refillables
- Reduced Oxygen Packaging without a Variance
- DPH Prototype Inspection Report Form (all 3 pages)
- FDA Marking Instructions for Data Collection









Questions





