

OHIO UNIFORM FOOD SAFETY CODE

updates/changes*

[Ohio Administrative Code (OAC) Chapter 3717-1]

SUMMARY OF CHANGES EFFECTIVE MARCH 1, 2016

OAC 3717-1-01: "PACKAGED" DEFINITION:

Means bottled, canned, cartoned, bagged, or wrapped, whether packaged in a food service operation (FSO), retail food establishment (RFE) or a food processing plant. Packaged does <u>not</u> include wrapped or placed in a carry-out container to protect the food during service or delivery to the consumer, by a food employee, upon consumer request.

<u>WHAT DOES THIS MEAN</u>: Each food that is packaged and displayed "self-serve" to the customer shall be completely and properly labeled to include:

- 1. Common or usual name of the product.
- 2. If made from two or more ingredients, a list of ingredients and subingredients in the order of their predominance by weight, including a declaration of artificial colors, artificial flavors and chemical preservatives, if contained in the food.
- 3. Name and place of business (address) of the manufacturer, packer or distributor.
- 4. Accurate declaration of the quantity of contents (i.e. Net Weight).
- 5. Name of the food source for each major food allergen (i.e. Contains: Milk).

NOTE: Packaged and displayed "self-serve" food to the customer now also includes but is not limited to any cafeteria and/or school breakfast/lunch lines and grab-n-go foods in food service operations and retail food establishments.

EXAMPLES OF PACKAGED FOOD:



Bakery Bag



Clam Shell



Wrapped Sandwiches



Deli Container

OAC 3717-1-02.4 (A): LEVEL TWO CERTIFICATION IN FOOD PROTECTION:

Each Risk Level 3 and 4 food service operation (FSO) and retail food establishment (RFE) shall have at least one (1) employee that "has supervisory and management responsibility and the authority to direct and control food preparation and service" obtain Level Two Certification in Food Protection according to rule 3701-21-25 on or before March 1, 2017.

NOTES:

- 1. Level Two Certification in Food Protection shall be obtained through an approved Ohio Department of Health (ODH) training provider. To meet this requirement, the local health department can <u>only</u> recognize certificates that have been issued by ODH. Currently the ODH certificate is a $5 \frac{1}{2} \times 8 \frac{1}{2}$ inch paper certificate. In the past, ODH certificates issued were either cards or full size paper certificates.
- 2. ODH database <u>only</u> includes certification information for individuals that have taken Level Two Certification in Food Protection courses (i.e. ServSafe) within the past five (5) years.
- 3. Level Two Certification in Food Protection requirement is <u>in addition</u> to the mandated Level One Certification in Food Protection training for any person in charge working <u>per shift</u> of a new Risk Level 1, 2, 3, 4 food service operation or retail food establishment licensed after March 1, 2010.

OAC 3717-1-02.4(C): FOOD DELIVERIES DURING NON-OPERATING HOURS:

The person in charge (PIC) shall ensure that employees are verifying that food delivered to an FSO or RFE during non-operating hours are from approved sources and are placed into appropriate storage locations at the required temperatures, protected from contamination, unadulterated and accurately presented.

<u>WHAT DOES THIS MEAN:</u> Even though this requirement may discourage "key drop" food deliveries, it does <u>not</u> prohibit it. Direction shall be provided to the purveyor employee that space is made available for proper storage of food deliveries (i.e. refrigeration and freezer units, dry storage, etc.). The facility employee (can be a <u>non-food</u> employee such as a custodian) checks for food integrity and approved source.

OAC 3717-1-02.4(C): FOOD EMPLOYEE HEALTH REPORTING:

The person in charge (PIC) shall ensure that food employees and conditional employees are informed <u>in a verifiable manner</u> of their responsibility to report to the PIC information about their health as it relates to diseases that are transmissible through food.

EXAMPLES OF VERIFIABLE MANNER:

- 1. PIC conducts employee health reporting training (i.e. videos, webinars, etc.) and presents evidence such as curriculum and attendance rosters documenting that each employee has completed a training program.
- 2. Provide a written and signed Foodborne Disease Reporting Agreement which is kept on file for current and conditional food employees. See sample "Foodborne Disease Reporting Agreement".

OAC 3717-1-02.4(C): CLEAN-UP OF VOMITING OR DIARRHEAL EVENTS (CONCERN MAINLY DUE TO NOROVIRUS):

The PIC shall ensure that the FSO or RFE has written procedures for employees to follow when responding to vomiting or diarrheal events that involve discharge onto surfaces in the FSO or RFE. The 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.

REFERENCES RELATED TO THIS REQUIREMENT:

https://vimeo.com/89134675

http://www.nfsmi.org/documentlibraryfiles/pdf/20130701014447.pdf

http://www.publichealthmdc.com/environmental/food/documents/

EnvironmentalCleaning.pdf

http://www.health.wyo.gov/Media.aspx?mediaId=14028

http://epi.publichealth.nc.gov/cd/norovirus/food_service.html

http://www.epa.gov/sites/production/files/2015-10/documents/list

 $g_norovirus.pdf$

http://www.cdc.gov/norovirus/preventing-infection.html

OAC 3717-1-03.2(C): PROTECTION FROM CONTAMINATION AFTER RECEIVING:

Raw comminuted or otherwise non-intact meats (i.e. ground beef, sausage, etc.) are now allowed to be stored or displayed above raw whole-muscle intact

cuts of meat (i.e. steaks, pork loin, etc.). The reason for this Code change is the "pathogens of concern" are the same for both types of these raw meats.

OAC 3717-1-03.2(J): LINENS AND NAPKINS – USE LIMITATION:

Linens, such as cloth napkins, may line a container for the service of foods and the linens are to be replaced each time of the container is refilled for a new consumer.

OAC 3717-1-03.3(D): NON-CONTINUOUS COOKING OF RAW ANIMAL PRODUCTS:

Prior to sale or service, raw animal foods cooked using a non-continuous cooking process (i.e. grill marking of steaks), shall be cooked to the initial required cooking temperature and for a specified time (i.e. steaks to 145°F. for 15 seconds) <u>instead</u> of the previous required cooking temperature of 165°F. for 15 seconds. Non-continuous cooking does <u>not</u> apply to the serving of undercooked or raw animal foods upon the consumer request.

OAC 3717-1-04.2(H): TEMPERATURE MEASURING DEVICES – MANUAL AND MECHANICAL WAREWASHING:

In manual warewashing operations (i.e. three compartment sinks), a reading thermometer has already been required to check the washing and sanitizing compartment water temperatures. Added to the Code is the requirement in hot water mechanical warewashing operations, an irreversible registering temperature indicator shall be provided and be readily accessible for measuring the utensil surface temperature (160°F.).

EXAMPLES OF IRREVERSIBLE REGISTERING TEMPERATURE INDICATORS (CCHD is not endorsing any specific brand):



OAC 3717-1-04.5(B)(2): EQUIPMENT FOOD-CONTACT SURFACES AND UTENSILS – CLEANING FREQUENCY:

Food contact surfaces (i.e. cutting boards, meat saws, etc.) do not require cleaning in between different types of raw animal foods if the food-contact surface or utensil is in contact with a succession of different types of raw meat and poultry each requiring a higher cooking temperature (i.e. beef – pork – chicken). This change in cleaning frequency does <u>not</u> apply to food contact surfaces contacting raw fish.

OAC 3717-1-09: CRITERIA FOR REVIEWING FACILITY LAYOUT AND EQUIPMENT SPECIFICATIONS:

Code change clarifies that a site plan shall include the location of business in a building such as a shopping mall or stadium, interior and exterior seating areas and location of building on site, including alleys, streets and location of any outside support infrastructure such as dumpsters, potable water source and sewage treatment system.

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OAC 3717-1-03.1(S): JUICE:

Language added to allow juice which has <u>not</u> undergone a five log reduction to be processed in one FSO or RFE and transported to another FSO or RFE as long as the processing facility is inspected by Ohio Department of Agriculture and both facilities are licensed under the same name.

OAC 3717-1-03.4(C): THAWING OF REDUCED OXYGEN PACKAGING (ROP) FROZEN FISH:

Language added to specify that frozen fish packaged using an ROP method shall be removed from the ROP environment either prior to initiating thawing procedures under refrigeration or immediately upon completion of thawing completely submerged under running water.

OAC 3717-1-03.4(G): EXEMPTION FROM DATE MARKING OF SHELF-STABLE DRY FERMENTED SAUSAGES:

Language added to clarify the exemption from date marking for shelf-stable dry fermented sausages (i.e. pepperoni, Genoa salami, etc.) produced in

USDA-regulated facilities is <u>not</u> dependent on the product retaining the original casing.

OAC 3717-1-03.4(G): EXEMPTION FROM DATE MARKING OF SHELF-STABLE SALT- CURED MEATS:

Language added stating that shelf-stable salt-cured meats (i.e. prosciutto, country cured ham, Parma ham, etc.) are exempt from date marking, regardless of whether the label states "Keep Refrigerated".

OAC 3717-1-03.4(K): REDUCED OXYGEN PACKAGING WITHOUT A VARIANCE CRITERIA:

Language added, modified, amended throughout this section of Code and new language added to specify when a FSO or RFE does <u>not</u> need a HACCP plan when using ROP. New language added to Code to specify the contents of a HACCP plan when needed with ROP.

The intent of this summary is to address the most pertinent changes that will affect the majority of food service operations and retail food establishments. This summary does not represent all of the updates/changes made to the Ohio Uniform Food Safety Code this year. To view the Ohio Uniform Food Safety Code, go to: http://codes.ohio.gov/oac/3717-1. Changes that may be applicable to specific facilities will be addressed during the next standard inspection.