



Alexandria Health Department



Environmental Health Division Food Safety Program

Proposed Food Code Amendments



INTRODUCTION



What are we proposing to amend?

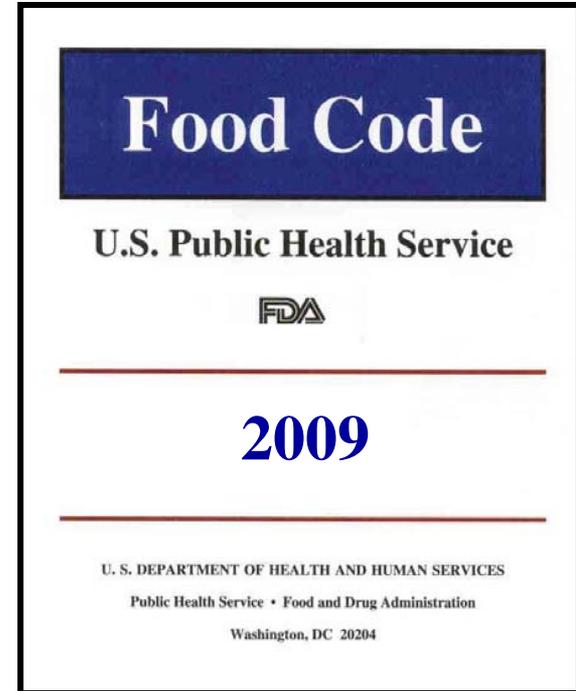
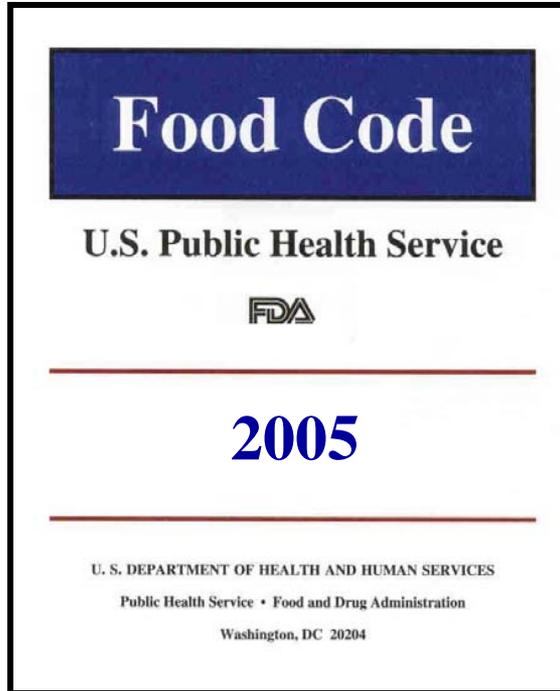
- Title 11 (Health, Environmental and Sanitary Conditions, Chapter 2 (Food and Food Establishments) of The Code of the City of Alexandria

Why are we proposing amendments to the current code?

- Assessment of food safety knowledge of Certified Food Managers is a necessary part of the regulatory evaluation process.
- The FDA recently promulgated its 2009 Model Food Code, which incorporates nationally recognized health & sanitation standards to provide the greatest protection from and prevention of foodborne disease.



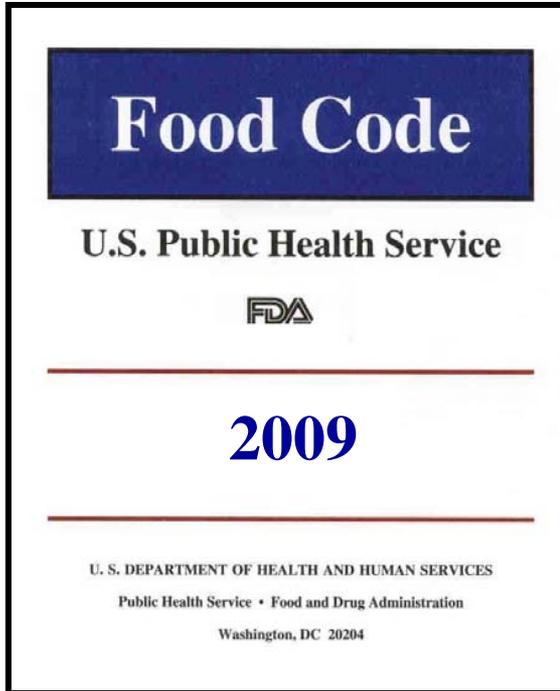
FDA Food Code Updates



Locally, our goal is to adopt the FDA model Food Code every 4 years.



FDA Food Code Updates



FDA Food Code Contents

- Chapter 1: Definitions
- Chapter 2: Management & Personnel
- Chapter 3: Food
- Chapter 4: Equipment, Utensils, & Linens
- Chapter 5: Water, Plumbing, & Waste
- Chapter 6: Physical Facilities
- Chapter 7: Poisonous or Toxic Materials
- Chapter 8: Compliance & Enforcement

Annexes 1 - 7



FDA Food Code Updates



Chapter 1 Changes: Definitions

Cut Leafy Greens

means fresh leafy 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 (i.e., immature lettuce or leafy greens), escarole, endive, spring mix, spinach, cabbage, kale, arugula and chard. The term "leafy greens" does not include herbs such as cilantro or parsley.



Cut Leafy Greens will be considered a potentially hazardous food and need to be maintained at a temperature of $\leq 41^{\circ}\text{F}$.



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Chapter 1 Changes: Definitions

Injected

means manipulating meat to which a solution has been introduced into its interior by processes that are referred to as "injecting," "pump marinating," or "stitch pumping".

Mechanically Tenderized

"**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.

"**Mechanically tenderized**" does not include processes by which solutions are INJECTED into meat.

Injected and mechanically tenderized meats shall be cooked to 155°F for 15 seconds



FDA Food Code Updates



Chapter 1 Changes: Definitions

Noncontinuous Cooking

1. "Noncontinuous cooking" means the cooking of food in a food establishment using a process in which the heating of the food is intentionally halted so that it may be cooled and held for complete cooking at a later time prior to sale or service.
2. "Noncontinuous cooking" does not include cooking procedures that only involve temporarily interrupting or slowing an otherwise continuous cooking process.

Associated with new provision in Chapter 3.



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Chapter 1 Changes: Definitions

New Risk Designations for Code Provisions

Priority Item

1. "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 FBI or injury and there is no other provision that more directly controls the hazard.
2. "Priority item" includes items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, and handwashing; and
3. "Priority item" is an item that is denoted in this Code with a superscript P – ^P.



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Chapter 1 Changes: Definitions New Risk Designations for Code Provisions

Priority Foundation Item

1. "Priority foundation item" means a provision in this Code whose application supports, facilitates or enables one or more Priority Items.
2. "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 FBI or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling; and
3. "Priority foundation item" is an item that is denoted in this Code with a superscript Pf – ^{Pf}.



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Chapter 1 Changes: Definitions

New Risk Designations for Code Provisions

Core Item

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

"Core items" have no designations in the Food Code.



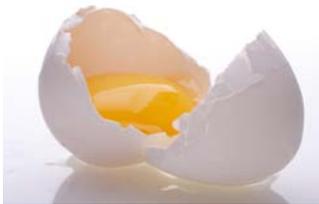
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Chapter 2 Changes: Management & Personnel

2-103.11(L) Duties – Person in Charge

The person in charge shall ensure that employees are properly trained in food safety, including food allergy awareness, as it relates to their assigned duties. ^{Pf}





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Chapter 3 Changes: Food

3-302.11(A)(1) Separation of Packaged & Unpackaged Food

Food shall be protected from cross contamination by separating raw animal foods during storage, preparation, holding and display from

- Raw ready-to-eat food including other raw animal food such as fish for sushi or molluscan shellfish, or other raw ready-to-eat food such as fruits and vegetables, ^P and
- Cooked ready-to-eat food. ^P
- *Frozen, commercially processed and packaged raw animal food may be stored or displayed with or above frozen commercially processed and packaged, ready-to-eat food.*



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Chapter 3 Changes: Food

3-401.11(D)(2) Cooking

Comminuted meat served or offered from a children's menu cannot be offered undercooked.^{Pf}





FDA Food Code Updates



Chapter 3 Changes: Food

3-401.14 Non-Continuous Cooking

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

- Subject to an initial heating process that is no longer than sixty minutes in duration; ^P
- Immediately after initial heating, cooled from 135°F to ≤ 70°F within 2 hours and from 135°F to ≤ 41°F within a total of 6 hours; ^P
- After cooling, held frozen or cold at ≤ 41°F; ^P



FDA Food Code Updates



Chapter 3 Changes: Food

3-401.14 Non-Continuous Cooking

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

- Prior to sale or service, cooked using a process that heats all parts of the food to a temperature of at least 165°F for 15 seconds; ^P
- Cooled from 135°F to $\leq 70^\circ\text{F}$ within 2 hours and from 135°F to $\leq 41^\circ\text{F}$ within a total of 6 hours if not either hot held at $\geq 135^\circ\text{F}$, served immediately, or held using time as a public health control after complete cooking; ^P and



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Chapter 3 Changes: Food

3-401.14 Non-Continuous Cooking

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

- Prepared and stored according to written procedures that:
 1. Have obtained prior approval from the Health Department; ^{Pf}
 2. Are maintained in the food establishment and are available to the Health Department upon request; ^{Pf}
 3. Describe how the requirements specified above are to be monitored and documented by the permit holder and the corrective actions to be taken if the requirements are not met; ^{Pf}



FDA Food Code Updates



Chapter 3 Changes: Food

3-401.14 Non-Continuous Cooking

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

- Prepared and stored according to written procedures that:
 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 to at least 165°F for 15 seconds prior to being offered for sale or service; ^{Pf} and
 5. Describe how the foods, after initial heating but prior to cooking to at least 165°F for 15 seconds, are to be separated from ready-to-eat foods to prevent potential cross contamination. ^{Pf}



FDA Food Code Updates



Chapter 4 Changes: Equipment, Utensils & Linens

4-501.114 & 4-703.11 (Chemical Sanitization)

The 2009 Food Code changed the term "exposure time" to "**contact time**" with regard to utensil contact time with chemical sanitizers.

The 2009 Food Code changed the term "manufacturer's label use instruction or directions" to "**EPA-registered label use**" with regard to how sanitizers shall be used to harmonize with EPA terminology.





FDA Food Code Updates



Chapter 4 Changes: Equipment, Utensils & Linens

4-904.13 Preset Tableware

Tableware that is preset shall be protected from contamination by being wrapped, covered, or inverted.

Preset tableware may be exposed if:

1. Unused settings are removed when a consumer is seated, or
2. Settings not removed when a consumer is seated are cleaned and sanitized before further use.





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Chapter 5 Changes: Water, Plumbing & Waste

5-203.13 Service Sinks

At least one service sink equipped with a floor drain shall be provided and conveniently located for the cleaning of mops 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.



FDA Food Code Updates



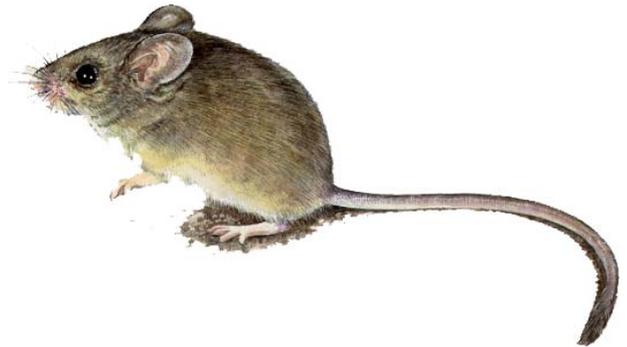
Chapter 6 Changes: Physical Facilities

6-501.111 Controlling Pests



The premises shall be maintained free of insects rodents and other pests. The presence of insects, rodents and other pests shall be controlled to eliminate their presence on the premises by:

- Routine inspection of incoming shipments,
- Routine inspection of the premises,
- Using control methods such as trapping, ^{Pf} and
- Eliminating harborage conditions.





FDA Food Code Updates



Chapter 6 Changes: Physical Facilities

6-301.12 Hand Drying Provisions

Hand sinks or groups of adjacent hand sinks shall be provided with:

- Individual, disposable towels (paper towels), ^{Pf}
- A continuous towel system that supplies a clean towel, ^{Pf}
- A heated-air hand drying device, ^{Pf} or
- A hand drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures. ^{Pf}





FDA Food Code Updates



Chapter 7 Changes: Poisonous or Toxic Materials

7-204.12 Chemicals used on Fruits & Vegetables

Ozone as an antimicrobial agent used in the treatment, storage and processing of fruits and vegetables in a food establishment shall meet the requirements in the Code of Federal Regulations.

As of March, 2010, ozone had not been approved as a hard surface sanitizer.



Alexandria's Local Ordinance



Is the ordinance proposing to adopt the 2009 FDA Model Food Code in its entirety?

The short answer is yes!

The local ordinance does propose to modify some sections and not adopt others. These proposals are meant to address needs specific to our jurisdiction.



Alexandria's Local Ordinance



The Local Ordinance Will Not Adopt:

Section 2-102.11(B) Demonstration of Knowledge (CFM Requirement)

Based on the risks inherent to the food operation, during inspections and upon request the person in charge shall demonstrate to the regulatory authority knowledge of foodborne disease prevention, application of the Hazard Analysis and Critical Control Point principles, and the requirements of this Code. The person in charge shall demonstrate this knowledge by:

- (A) Complying with this Code by having no violations of priority items during the current inspection; ^{Pf}
- (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; ^{Pf} or
- (C) Responding correctly to the inspector's questions as they relate to the specific food operation. ^{Pf}



Alexandria's Local Ordinance



2009 Baseline Survey for Foodborne Illness Risk Factors

Demonstration of Knowledge

Being a CFM did not constitute compliance with this item. The PIC was required to respond correctly to questions regarding foodborne disease prevention, application of HACCP principles, and requirements of the Food Code specific to the food operation.

Baseline	# Out	# In	Total #	% Out
Fast Food Restaurant*	45	27	72	63%
Full Service Restaurant*	48	19	67	72%
Hospitals	0	1	1	0%
Nursing Homes*	4	3	7	57%
Elementary Schools*	10	5	15	67%

**Demonstration of Knowledge was ranked among the top out of compliance violations at these facilities.*



Alexandria's Local Ordinance



The Local Ordinance Will Modify:

Section 8-902.10(A) Gaining Access to Premises and Records

The regulatory authority may order access for one or more of the following purposes, subject to law for gaining access:

If gaining admission to the premises of a food establishment is denied or other circumstances exist that would justify an inspection order under law, to make an inspection **including taking photographs.**

If gaining admission to the premises of a food establishment is denied or other circumstances exist that would justify an inspection order under law, to make an inspection **that includes the recordation of information by any means of audio-visual recordation including (but not limited to) photography, tape-recording and videotaping.**



Alexandria's Local Ordinance



Other Changes to the Local Ordinance:

Section 11-2-4 Definitions

Limited Food Establishment

“Limited food establishment” means a food establishment that serves only hotdogs or frankfurter type foods, prepackaged foods or foods that are not potentially hazardous.

“Limited food establishment” means a food establishment that serves foods that are not potentially hazardous, require no preparation, or utilize a preparation process that presents limited food safety risk as determined by the director.



Additional Information



Visit our website at

www.alexandriava.gov/environmentalhealth



Call us at
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