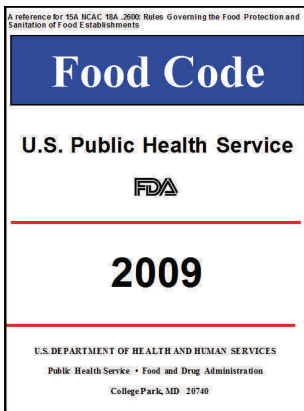


# Food Code Adoption in NC



The purpose of this handout is to inform food service establishment owners and managers of the upcoming changes to the current *Rules Governing the Sanitation of Food Service Establishments* 15A NCAC 18A .2600. These revisions and additions were derived from the 2009 FDA model food code to allow for more science-based regulatory inspections in NC. The following are just a few of the changes that will directly affect current food safety procedures and should be given top priority when training food service employees.



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## The Five Key Risk Factors repeatedly identified in food-borne illness outbreaks:

Improper holding temperatures

Inadequate cooking

Contaminated equipment

Food from unsafe sources

Poor personal hygiene

## MANAGER AND OPERATOR FOOD SAFETY KNOWLEDGE

The person in charge (PIC) must demonstrate to the regulatory authority his or her food safety knowledge by passing a test that is part of an accredited food safety training program to become a certified food protection manager;

- The current 12-hour course requirement will no longer be required.
- On-line course training will be accepted.
- Exams must be proctored and a passing score must be achieved to become certified.
- The two-point bonus will go away.
- Certification through an accredited program must be renewed every five years.
- No points will be deducted for non-compliance of this requirement until 1/1/14.

## COLD HOLDING

Cold holding units, including prep top units, will be required to maintain a temperature of 41°F or below. The 41°F or below requirement will be phased in over a six-year period (1/1/19).

## COOLING OF POTENTIALLY HAZARDOUS FOODS

Potentially hazardous foods must be cooled from 135°F to 41°F within a total of 6 hours as follows:

- From 135°F to 70°F within 2 hours,
- From 70°F to 41°F within 4 hours

## BARE HAND CONTACT WITH READY-TO-EAT FOODS (RTE)

Food handlers will not be allowed to touch RTE foods with their bare hands to prevent contamination of food that is not cooked or food that will not be cooked again before serving. The use of utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment will be required.

## REQUIREMENTS FOR DISHWASHING SINKS

- Hot soapy water in the wash basin must be at least 110 F.
- Sanitizer must be at the appropriate concentration and temperature required by the manufacturer

## CONSUMER ADVISORY

If an animal food such as beef, eggs, fish, lamb, pork, poultry or shellfish is served or sold raw, under-cooked, or without otherwise being processed to eliminate pathogens, the facility shall inform consumers of the significantly increased risk of consuming such foods by way of a disclosure and reminder, using brochures, deli case or menu advisories, label statements, table tents, placards or other effective means.

## EMPLOYEE HAND WASHING AND PERSONAL HYGIENE

- Food handlers must wash their hands and exposed portions of their arms in the following situations:
  - Immediately before food prep, working with clean equipment and utensils, and unwrapped single-service / single-use articles;
  - After using the toilet;
  - After coughing, sneezing or using a tissue;
  - After eating, drinking or using tobacco;
  - In between working with raw food and RTE food;
  - Before putting on gloves to prepare food;
  - After handling soiled equipment or utensils;
  - After caring for or handling service or aquatic animals;
  - As often as necessary to remove soil and contamination to prevent cross-contamination when changing tasks; or
  - After performing other activities that contaminate the hands or arms.
- Food handlers must not wear fingernail polish or artificial nails when working with exposed food unless single-use gloves are worn.
- Food handlers may not wear jewelry on their arms and hands except for a plain ring, such as a wedding band during food preparation.
- Food handlers must only eat, drink or use tobacco products in designated areas to prevent the contamination of exposed food, clean equipment, utensils and linens, and other items needing protection.

# Food Code Adoption in North Carolina

## Date Marking



Ready-to-eat, potentially hazardous foods prepared in the establishment or purchased in commercial containers and held under refrigeration for more than 24 hours shall be date marked as follows:

- With the preparation date; OR
- With the date the food will be consumed on the premises, sold, or discarded.

A "**Potentially hazardous food (time/temperature control for safety food)**" is defined as FOOD that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

The following chart is provided to help determine product date marking. **Day #1 shall be counted as the preparation date, the date a commercial container of PHF\*\* was opened or the day and time the previously prepared PHF\*\* food was thawed. Freezing the food stops time.**

IF	THEN
RTE*, PHF** is prepared in the establishment and held under refrigeration more than 24 hours	<ol style="list-style-type: none"> <li>1. Mark the product to show the preparation date; OR the date the food shall be consumed on premises, sold or discarded. <b>The product shall be marked with the date of the earliest prepared potentially hazardous ingredient.</b></li> <li>2. Consume / sell / discard product by day 7 if refrigeration unit maintains internal temperature of product at 41°F or less; <b>OR</b> Consume / sell / discard product by day 4 if refrigeration unit maintains internal temperature of product between 41°F - 45°F.</li> </ol>
An unopened, commercial container of RTE*, PHF** is held under refrigeration more than 24 hours	<ol style="list-style-type: none"> <li>1. Mark the product to show the manufacturer's date. If the product remains unopened, it must be discarded on this date.</li> </ol>
A commercial container of RTE*, PHF** is opened and held under refrigeration more than 24 hours	<ol style="list-style-type: none"> <li>1. Mark the product to show the date the container was opened.</li> <li>2. Consume / sell / discard product by day 7 if refrigeration unit maintains internal temperature of product at 41°F or less; <b>OR</b> Consume / sell / discard product by day 4 if refrigeration unit maintains internal temperature of product between 41°F - 45°F.</li> </ol>
RTE*, PHF** (prepared on-site or commercially prepared) is frozen in the establishment and removed from freezer to thaw  (See Chart)	<ol style="list-style-type: none"> <li>1. Consume / sell / discard product by day 7 if refrigeration unit maintains internal temperature of product at 41°F or less; <b>OR</b> Consume / sell / discard product by day 4 if refrigeration unit maintains internal temperature of product between 41°F - 45°F.</li> </ol>

\* RTE – ready-to-eat      \*\*PHF – potentially hazardous food

Example: The morning of Oct. 1, a chicken was cooked, then cooled, refrigerated for two days at 41 F and then frozen. If the chicken is thawed Oct. 10, the food must be consumed or discarded no later than midnight of Oct. 14.

Date	Shelf Life Day	Action
Oct. 1	1	cook/cool
Oct. 2	2	cold hold at 41 °F
Oct. 3		freeze
Oct. 10	3	thaw to 41°F
Oct. 11	4	cold hold at 41 °F
Oct. 12	5	cold hold at 41 °F
Oct. 13	6	cold hold at 41 °F
Oct. 14	7	consume or discard

### Date marking exemptions:

- Some deli salads, preserved fish, salt-cured products, sausage (pg. 87 2009 FDA Food Code)
- Some cheese (pg. 417 2009 FDA Food Code annex)(see right)
- Cultured dairy (e.g. yogurt, sour cream)

### EXAMPLES OF HARD CHEESES CONTAINING NOT MORE THAN 39% MOISTURE (21 CFR 133.150)

Asiago medium, Asiago old, Cheddar, Gruyere, Parmesan and Reggiano, Romano, Sap sago.

### EXAMPLES OF SEMISOFT CHEESES CONTAINING MORE THAN 39%, BUT NOT MORE THAN 50% MOISTURE (21 CFR 133.187)

Asiago (fresh and soft), Blue, BrickCaciocavallo Siciliano, Colby (not more than 40% moisture), Edam, Gorgonzola, Gouda, Limburger, Monterey, Monterey Jack, Muenster, Pasteurized processed cheese, Provolone, Roquefort (sheep's milk blue-mold), Swiss, and Emmentaler.