
FDA Food Code Changes

2013 VS. 2017



McHenry County Department of Health
Division of Environmental Health

Chapters 1 through 7

- Chapter 1 Purpose and Definitions
- Chapter 2 Management and Personnel
- Chapter 3 Food
- Chapter 4 Equipment, Utensils, and Linens
- Chapter 5 Water, Plumbing, and Waste
- Chapter 6 Physical Facilities
- Chapter 7 Poisonous or Toxic Materials

Chapter 1 Purpose and Definition

- Added the term “intact meat”
 - Means a cut of whole muscle(s) meat that has not undergone comminution, injection, mechanical tenderization, or reconstruction.
- Revised “vending machine” to be more inclusive of the diverse means of payment available
 - Means a self-service device that, upon insertion of a coin, paper currency, token, card, or key, or by electronic transaction or optional manual operation, dispenses unit servings of food in bulk or in packages without the necessity of replenishing the device between each vending operation.

Chapter 2 Management and Personnel

- The Person-in-Charge shall be the Certified Food Protection Manager
 - paragraph 2-102.12(A)
 - (B) This section does not apply to certain types of FOOD ESTABLISHMENTS deemed by the REGULATORY AUTHORITY to pose minimal risk of causing, or contributing to, foodborne illness based on the nature of the operation and extent of FOOD preparation.
 - <https://www.mchenrycountyil.gov/county-government/departments-a-i/health-department/environmental-health/food-protection-program/food-service-manager-certification-class-sites>
- Category risk 1 “restaurant” facilities CFPM must have additional allergen training
 - Restaurant – defined as any business that is primarily engaged in the sale of ready-to-eat food for immediate consumption.
 - Non-restaurants are exempt.
 - Examples: grocery stores, convenience stores, daycares, schools, assisted living, or long-term care facilities.

Chapter 2 Management and Personnel

- Person-in-Charge to ensure employees are routinely monitoring food temperatures during hot and cold holding
 - paragraph 2-103-11
 - <https://www.mchenrycountyil.gov/county-government/departments-a-i/health-department/environmental-health/food-protection-program/educational-materials>
- Amended 2-201.11, 2-201.12, & 2-201.13
 - verbiage replacements, revisions (Salmonella...)
- Employee Health Section 2-201
 - more user friendly (header titles, difference between symptoms, exclusion vs. restriction, etc.)

Chapter 2 Management and Personnel

- Use of bandages, finger cots, or finger stalls located on wrist, hand or finger of food employee working with exposed food shall be covered with a single-use glove
 - paragraph 2-401.13
- Procedures for clean-up of vomiting and diarrheal events for employees to follow shall be written and readily available
 - paragraph 2-501.11
 - <https://www.mchenrycountyil.gov/home/showdocument?id=83969> (English)
 - <https://www.mchenrycountyil.gov/home/showdocument?id=91269> (Spanish)

Chapter 3 Food

- Separate raw animal foods during storage, preparation, holding, and display from fruits and vegetables before they are washed
 - subparagraph 3-302.11 (A)(1)(c): re-designated existing subparagraph
- New cooking time for ratites, mechanically tenderized and injected meats, comminuted fish, comminuted meat, comminuted game animals commercially raised for food or under voluntary inspection, and raw eggs that are not prepared to a consumer's order
 - from 15 seconds, now 17 seconds
 - subparagraph 3-401.11(A)(2)

Chapter 3 Food

- New cooking time for poultry, baluts, wild game animals, stuffed foods or stuffing containing fish, meat, poultry or ratites
 - from 15 seconds < 1 second (instantaneous)
 - subparagraph 3-401.11 (A)(3)
- ROP (reduced oxygen packaging) without a variance criteria except for fish that is frozen before, during, and after packaging and bears a label indicated that it is to be kept frozen until time of use, a food establishment many not package fish using a reduced oxygen packaging method.
 - subparagraph 3-801.11 (A)(3)

Chapter 4 Equipment, Utensils, and Linens

- New Subpart 4-303, Cleaning Agents and Sanitizers
 - Cleaning agents and sanitizers are to be provided and available for use during all hours of operation.
 - New section 4-303.11

Chapter 5 and Chapter 6

- No Changes were made to these sections

Chapter 7 Poisonous or Toxic Materials

- Re-designation of paragraphs and subparagraphs, content the same

Helpful Information

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THINGS TO CONSIDER OF EXISTING REQUIREMENTS

Notify the Department...

- If you are changing risk category
 - Risk category 1, 2, or 3
 - **Category 1** facility means a food establishment that presents a high relative risk of causing foodborne illness, based on the **large number** of food handling operations typically implicated in foodborne outbreaks and/or the type of population served by the facility.
 - **Category 2** facility means a food establishment that presents a medium relative risk of causing foodborne illness, based upon **few** food handling operations typically implicated in foodborne illness outbreaks.
 - **Category 3** facility means a food establishment that presents a low relative risk of causing foodborne illness, based upon a **few or no** food handling operations typically implicated in foodborne illness outbreaks.
- Inform the Department of your menu for us to determine your risk.
 - Order of Process: Category analysis, Director approval, system change, letter notifying facility of risk change

Notify the Department...

- If you are remodeling
 - Depending on the scope of work, the Department will determine if a plan review is needed
 - <https://www.mchenrycountyil.gov/county-government/departments-a-i/health-department/environmental-health/applications-forms>
 - <https://www.mchenrycountyil.gov/county-government/departments-a-i/health-department/environmental-health/food-protection-program/pre-construction-plan-review>
 - Plan reviews are processed in the order with which they are received
 - Application process:
 - Order of Process: Application, supporting documents, fee; Department review; Department response; Department approval; facility can remodel

Notify the Department...

- If you are closing or changing ownership of your facility
 - Contact Department; Department review; change of ownership will require a new application, fees attached, and inspections conducted;
 - Basically: if any changes occur within your facility, **NOTIFY THE DEPARTMENT** to take appropriate, necessary actions

Notify the Department...

- Any emergency event
 - <https://www.mchenrycountyil.gov/home/showdocument?id=2333>
 - <https://www.mchenrycountyil.gov/home/showdocument?id=10849>
 - Boil order
 - Bad water sample and/or water main break etc.; Department and/or City contact; follow boil order procedure; Department and/or City contact provides boil order lift
 - <https://www.mchenrycountyil.gov/home/showdocument?id=70260>
 - Sewage, power loss, fire, flood, water service disruption
 - Contact Department; Department review of situation; inspections conducted
- Main objective: keep food safe from contamination

Notify the Department...

- HACCP plans
 - Link to the website brochure
 - HACCP Plan means a written document that delineates the formal procedures for following the Hazard Analysis and Critical Control Point principles developed by the National Advisory Committee on Microbiological Criteria for Foods.
 - Contact the Department for the review of the HACCP plan
 - Keep the HACCP plans available on-site for the Department and employees
 - Any revisions to the HACCP plan notify the Department
- Note that certain plans/procedures for HACCP require a variance (i.e. ROP, pH adjustment, etc.)
 - Order of Process: obtain variance form from Department, return with supporting documentation and fee, Department review, Department response, Department approval, on-site for review during inspections

Person-in-Charge Demonstration of Knowledge

- **17 question topics:**

- Foodborne aspects / Critical Control Points / HACCP
- Cooking / Food Safety / HACCP
- Allergens
- Cleaning and Sanitizing
- Water source
- Toxic Materials
- Food Employee Responsibilities

- <https://www.mchenrycountyil.gov/home/showdocument?id=89721>

Reminders...

- Fogging Device maintenance
 - <https://www.mchenrycountyil.gov/home/showdocument?id=91227>
- Provide the following materials to the Practitioner onsite during inspection:
 - Employee Illness Policy, Agreement, Log
 - Cleanup Procedure
 - HACCP Principles
 - Certificates: Food Protection Manager (Allergen Awareness), Food Handler
- Health Permit visible to the public

Questions, Comments, Concerns

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Environmental Health Department

- Email: Health@McHenryCountyIL.gov
- All staff contact information located at:
 - <https://www.mchenrycountyil.gov/county-government/departments-a-i/health-department/environmental-health>