

Important Rule Changes to the NC Food Service Sanitation Rules

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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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 three-year period.

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.

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.

CONSUMER ADVISORY

If an animal food such as beef, eggs, fish, lamb, milk, pork, poultry or shellfish is served or sold raw, under-cooked, or without otherwise being processed to eliminate pathogens, the permit holder 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.

DATE MARKING

All ready-to-eat (RTE), potentially hazardous foods prepared on-site and held in refrigeration for more than 24 hours must be marked with the date of preparation or with the date that indicates when the food shall be consumed, sold or discarded.

The Five Key Risk Factors repeatedly identified in foodborne illness outbreaks:

- Improper holding temperatures
- Inadequate cooking
- Contaminated equipment
- Food from unsafe sources
- Poor personal hygiene

Important Rule Changes to the NC Food Service Sanitation Rules

EMPLOYEES WITH ILLNESS

Food service employees must report to the manager or owner when they are sick with an illness that is transmitted through food.

- Food service employees must inform the PIC if they experience the following symptoms:
 - Vomiting
 - Diarrhea
 - Jaundice
 - Sore throat with fever
 - An infected lesion or infection on the hands, wrists, or exposed areas of the arm
- Food service employees must inform the PIC if they have been diagnosed by a health practitioner with any of the following illnesses:
 - *Norovirus*
 - *Hepatitis A*
 - *Shigella*
 - Shiga toxin-producing *E. coli*
 - *Salmonella typhi*
- Food service employees must inform the PIC if they have been exposed to, or is the suspected source of a confirmed outbreak of the following:
 - *Norovirus* within the past 48 hours of exposure
 - Shiga Toxin-Producing *E. coli* within the past 3 days
 - *Salmonella* within the past 14 days
 - *Hepatitis A* within the past 30 days
- The manager shall make sure that a food service employee who reports to work sick with any of the above symptoms or who has been exposed or diagnosed with any of the above illnesses shall be excluded or restricted from work.

Food Code Adoption in North Carolina

Date Marking



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

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

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)
- Cultured dairy (e.g. yogurt, sour cream)

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 |

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Employee Health Policy Agreement

Reporting: Symptoms of Illness

I agree to report to the manager when I have:

1. Diarrhea
2. Vomiting
3. Jaundice (yellowing of the skin and/or eyes)
4. Sore throat with fever
5. Infected cuts or wounds, or lesions containing pus on the hand, wrist, an exposed body part (such as boils and infected wounds, however small).

Reporting: Diagnosed Illnesses

I agree to report to the manager when I have:

1. Norovirus
2. Salmonella Typhi (typhoid fever)
3. Shigella spp. infection
4. E. coli infection (Escherichia coli O157:H7 or other EHEC/STEC infection)
5. Hepatitis A

Note: The manager must report to the Health Department when an employee has one of these illnesses.

Reporting: Exposure of Illness

I agree to report to the manager when I have been exposed to any of the illnesses listed above through:

1. An outbreak of Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or Hepatitis A.
2. A household member with Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or hepatitis A.
3. A household member attending or working in a setting with an outbreak of Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or Hepatitis A.

Exclusion and Restriction from Work

If you have any of the symptoms or illnesses listed above, you may be excluded* or restricted** from work.

*If you are excluded from work you are not allowed to come to work.

**If you are restricted from work you are allowed to come to work, but your duties may be limited.

Returning to Work

If you are excluded from work for having diarrhea and/or vomiting, you will not be able to return to work until more than 24 hours have passed since your last symptoms of diarrhea and/or vomiting.

If you are excluded from work for exhibiting symptoms of a sore throat with fever or for having jaundice (yellowing of the skin and/or eyes), Norovirus, Salmonella Typhii (typhoid fever), Shigella spp. infection, E. coli infection, and/or Hepatitis A, you will not be able to return to work until Health Department approval is granted.

Agreement

I understand that I must:

1. Report when I have or have been exposed to any of the symptoms or illnesses listed above; and
2. Comply with work restrictions and/or exclusions that are given to me.

I understand that if I do not comply with this agreement, it may put my job at risk.

Food Employee Name (please print) _____

Signature of Employee _____ Date _____

Manager (Person-in-Charge) Name (please print) _____

Signature of Manager (Person-in-Charge) _____ Date _____

These are some of the Bacterium and Viruses spread from Food Handlers to Food

E. Coli

Overview: A bacterium that can produce a deadly toxin and causes an estimated 70,000 cases of foodborne illnesses each year in the U.S.

Sources: Meat, especially undercooked or raw hamburger, produce and raw milk.

Incubation period: 2-10 days

Symptoms: Severe diarrhea, cramping, dehydration

Prevention: Cook implicated food to 155F. wash hands properly and frequently, correctly wash rinse and sanitize food contact surfaces.

Shigella

Overview: Shigella is a bacterium that causes an estimated 450,000 cases of diarrhea illnesses each year. Poor hygiene causes Shigella to be easily passed from person to person.

Sources: Salad, milk, and dairy products, and unclean water.

Incubation period: 1-7 days

Symptoms: Diarrhea, stomach cramps, fever, chills and dehydration

Prevention: Wash hands properly and frequently, especially after using the restroom, wash vegetables thoroughly

Salmonella

Overview: Salmonella is a bacterium responsible for millions of cases of foodborne illnesses a year. Elderly, infants and individuals with impaired immune systems are at risk to severe illness and death can occur if the person is not treated promptly with antibiotics.

Sources: raw and undercooked eggs, undercooked poultry and meat, dairy products, seafood, fruits and vegetables

Incubation period: 5-72 hours (up to 16 days has been documented for low doses)

Symptoms: Nausea, vomiting, cramps, and fever

Prevention: Cook all food to proper temperatures, chill food rapidly, and eliminate sources of cross contamination (i.e. proper meat storage, proper wash, rinse, and sanitize procedure)

Hepatitis A

Overview: Hepatitis A is a liver disease caused by the Hepatitis A virus. Hepatitis A can affect anyone. In the United States, Hepatitis A can occur in situations ranging from isolated cases of disease to widespread epidemics.

Incubation period: 15-50 days

Symptoms: Jaundice, nausea, diarrhea, fever, fatigue, loss of appetite, cramps

Prevention: Wash hands properly and frequently, especially after using the restroom.

Norovirus

Overview: This virus is the leading cause of diarrhea in the United States. Any food can be contaminated with norovirus if handled by someone who is infected with the virus. This virus is highly infectious.

Incubation period: 6-48 hours

Symptoms: Nausea, vomiting, diarrhea, and cramps

Prevention: Wash hands properly and frequently, especially after using the restroom; obtain food from a reputable food source; and wash vegetables thoroughly.

Staph (Staphylococcus aureus)

Overview: Staph food poisoning is a gastrointestinal illness. It is caused by eating foods contaminated with toxins produced by Staphylococcus aureus. Staph can be found on the skin, in the mouth, throat, and nose of many employees. The hands of employees can be contaminated by touching their nose, infected cuts or other body parts. Staph produces toxins that are extremely heat stable and are not inactivated by normal reheating temperatures. It is important that food contamination be minimized.

Incubation period: Staph toxins are fast acting, sometimes causing illness in as little as 30 minutes after eating contaminated foods, but symptoms usually develop within one to six hours.

Sources: Ready-to-eat foods touched by bare hands. Foods at highest risk of producing toxins are those that are made by hand and require no cooking.

Symptoms: Patients typically experience several of the following: nausea, vomiting, stomach cramps, and diarrhea. The illness lasts one day to three days. In a small minority of patients the illness may be more severe.

Prevention: No bare hand contact with ready-to-eat foods. Wash hands properly. Do not prepare food if you have a nose or eye infection. Do not prepare or serve food for others if you have wounds or skin infections on your hands or wrists. If food is to be stored longer than two hours, keep hot foods hot (over 135°F) and cold foods cold (41°F or under). Properly cool all foods.

Ways of Prevention



1. Handwashing is the MOST CRITICAL control step in prevention of disease

Invest 20 seconds to follow these 6 simple steps:

1. Wet your hands and arms with warm running water.
2. Apply soap and bring to a good lather.
3. Scrub hands and arms vigorously for 10 to 15 seconds (clean under nails and between fingers).
4. Rinse hands and arms thoroughly under running water.
5. Dry hands and arms with a single-use paper towel or warm-air hand dryer.
6. Use the towel to turn off faucets and open door handles so you don't re-contaminate your hands

2. Don't go to work when you are sick

3. No bare hand contact with ready-to-eat foods.

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Highly Susceptible Population Regulations

Establishments that serve food to highly susceptible populations have additional restrictions and requirements that are necessary in preventing the spread of infectious pathogens and viruses to this vulnerable group of people.



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A **highly susceptible population (HSP)** is defined as *persons who are more likely than others in the general population to experience foodborne illness because they are:*

- Immunocompromised
- Very young
- Very old
- Obtaining food at a facility that solely provides the following services:
 - Custodial care
 - Health care
 - Assisted living (child care center, adult day care center)
 - Kidney dialysis center
 - Hospital
 - Nursing home
 - Nutrition sites

Prohibited Practices

- Bare hand contact with ready-to-eat foods is **not** allowed.
- Food served to patients shall not be re-served.
- The following foods shall not be served or offered for sale in ready-to-eat form:
 - Raw animal foods such as raw fish, raw marinated fish, raw molluscan shellfish, and steak tartare;
 - Partially cooked foods such as lightly cooked fish, rare meat, soft-cooked eggs and meringue made from unpasteurized eggs; and/or
 - Raw seed sprouts.

Eggs

Pasteurized eggs or egg products shall be used as a substitute for raw eggs when preparing the following foods:

- Caesar salad
- Hollandaise or Béarnaise sauce
- Mayonnaise
- Meringue
- Eggnog
- Ice cream
- Egg-fortified beverages

Shelled eggs combined and cooked to 145°F or above for 15 seconds for immediate service as a single meal may be served.

Time holding, in place of temperature control, may not be used for raw eggs.

Juices

HSP and children age 9 and younger that receive food in a school, child care center, or similar facility shall not be served juice that has a warning label on it or be offered for sale in such a facility.

Unpackaged juice that is prepared on site and served or sold in ready-to-eat form shall be processed under a HACCP plan that contains the information as specified in the 2009 FDA Food Code and 21 CFR 120.

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New Requirements for Establishments Serving Sushi / Sashimi



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Parasite Destruction Requirements

Fish that will be served raw, marinated, partially cooked or marinated partially cooked are required to be:

- Frozen and stored at a temperature of -4 °F (20°C) or below for a minimum of 168 hours (7 days) in a freezer;
- Frozen at -31°F (-35°C) or below until sold and stored at -31 °F (-35°C) or below for a minimum of 15 hours; OR
- Frozen at -31°F (-35°C) or below until sold and stored at -4°F (-20°C) or below for a minimum of 24 hours.

Documentation of Parasite Destruction

Documentation is required to verify parasite destruction of each type of fish to be served raw, raw marinated, partially cooked or marinated partially cooked. Documentation must include the following:

- If the establishment purchases fish frozen by the supplier, a written agreement or statement from the supplier is required stating the fish are frozen to a temperature and time frame specified in the section above.
- If farm-raised, aqua-cultured fish, such as salmon, are served or sold in ready-to-eat form, a written agreement or statement from the supplier or aqua-culturist stating the fish were farm-raised and pellet fed shall be obtained and retained for 90 days from the time of sale or service.

Parasite destruction and documentation of records is not required for the following:

- *Yellowfin tuna*
- *Bigeye tuna*
- *Northern bluefin tuna*
- *Southern bluefin*
- *Farm-raised, aqua-cultured fish (verification letter / statement from supplier is required)*

Sushi Rice Requirements

Pathogen growth in sushi rice must be controlled by using one of the following methods:

- Cold holding (41°F or below)
- Hot holding (135°F or above)
- Adding vinegar to maintain a pH level below 4.2
 - A variance from the regulatory authority is required when vinegar is used to render the rice non-potentially hazardous (written recipe required).
 - The person in charge must demonstrate knowledge of how to properly calibrate the pH meter and test the pH of the rice after preparation.
- Using time in place of temperature control

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