2017 NC Food Code Adoption-Summary of Changes

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 2017 FDA model Food Code to allow for the most current science-based regulation for food service facilities in North Carolina. The following are just a few of the changes that will directly affect current food safety procedures.

DEMONSTRATION OF KNOWLEDGE FOR THE PERSON IN CHARGE (PIC)

A PIC can demonstrate food safety knowledge using ***one*** of the ***three*** following options:

- No violation of **PRIORITY** items during the current inspection
- Being a certified food protection manager
- Correctly respond to questions asked by the inspector

ADDITIONAL PIC DUTIES

The PIC has the following additional duties:

- Verify that foods delivered during non-operational times (key drop deliveries) are from approved sources, and stored to maintain temperature requirements and prevent contamination
- Verify that employees are maintaining and routinely monitoring food temperatures

CLEAN-UP OF VOMITING & DIARRHEAL EVENTS

All facilities are required to have ***written procedures*** to follow when responding to a vomiting or diarrheal event in the establishment. This plan should include:

- List of supplies in the clean-up kit
- Staff responsible for clean-up
- Procedures for cleaning specific surfaces
- Actions to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomit or fecal matter

"BIG 6" REPORTABLE ILLNESSES

- *Salmonella* Typhi (Typhoid fever)
- ***Salmonella*** **(nontyphoidal)**
- *E. coli* (Shiga-toxin producing/STEC)
- *Shigella*
- Hepatitis A
- Norovirus

TIMELY CORRECTION OF VIOLATIONS

Timely correction of violations that cannot be corrected during the inspection:

- **PRIORITY** items must be corrected within 72 hours
- **PRIORITY FOUNDATION** items must be corrected within 10 calendar days

DATE MARKING EXEMPTIONS

The following items are no longer required to be date marked:

- Raw in-shell molluscan shellfish
- Shelf-stable dry fermented sausages produced in USDA-regulated facilities

CHANGES TO FINAL COOK TIMES

The following changes were made to the time that a food must maintain the appropriate final cook temperature:

- 165°F **instantaneous** (foods such as poultry, baluts, stuffed meats & pasta)
- 155°F **at least 17 seconds** (foods such as meats that have been ground or injected/mechanically tenderized, raw eggs that will be hot held)

TESTING METHOD FOR HIGH-TEMPERATURE WAREWASHING

Facilities that use a high-temperature dishmachine as the method of sanitizing food contact surfaces must provide an irreversible registering temperature indicator for measuring the utensil surface temperature. This testing method should ensure that the surface of the utensil reaches at least 160°F. Recommended testing methods include Temperature labels or maximum registering thermometer/plate. Contact the dishmachine service provider for available testing options.

EMERGENCY OPERATING PLANS

Depending on the potential hazard involved and the complexity of the corrective action needed, a facility may continue operations in the event of an extended interruption of electrical or water service if:

- A written emergency operating plan has been pre-approved by the Regulatory Authority
- Immediate corrective action is taken to eliminate, prevent, or control any food safety risk and imminent health hazard associated with the electrical or water service interruption
- The Regulatory Authority is informed when the written emergency operating plan is implemented

NON-CONTINUOUS COOKING

The final cook temperature and time requirement depends on the type of food being cooked.

Example: If raw ground beef is being cooked using non-continuous cooking procedures, the final cook temperature would be at least 155°F for 17 seconds, instead of 165°F.

****Existing procedures may need to be updated to reflect this change.***

TIME AS A PUBLIC HEALTH CONTROL (TPHC)

TPHC can begin at 70°F and last for up to four hours for the following items:

- Canned TCS foods, **once opened**
- Ready to eat TCS produce, **once cut or chopped**

****These items no longer have to be cooled to 41°F prior to beginning TPHC procedures.***

THAWING OF REDUCED OXYGEN PACKAGED (ROP) RAW FISH

Prior to thawing, frozen raw fish that bears a label indicating that it is to be kept frozen until time of use must be removed from the reduced oxygen environment.

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PARASITE DESTRUCTION EXEMPTION

Parasite destruction requirements no longer apply to a scallop product consisting of only the shucked adductor muscle.

RETURNING REFILLABLES

Facilities are allowed to refill containers with TCS foods if the containers are:

- Cleanable, in good repair, and inspected by an employee before reuse
- Washed, rinsed, and sanitized prior to refilling
- Initially provided by the food establishment to the customer

CONFORMANCE WITH HACCP PROCEDURES

The PIC must maintain the variance approval at the food establishment for the inspector to review.

ROP WITHOUT A VARIANCE

If a facility wishes to use ROP without a variance, the permit applicant or holder must:

- Submit a properly prepared HACCP plan to the local Regulatory Authority for prior approval
  - ***Cook-chill & sous vide:***
    - The products must be cooled to **41ºF** or below and held for a maximum of **seven days**
  - ***For raw fish:***
    - The fish must be frozen before, during and after packaging, and labeled that it must remain frozen until time of use
- ***HACCP plans are not required for ROP products that are:***
  - Labeled with the **production date & time**,
  - Held at **41ºF** or below, and
  - Removed from the packaging within **48 hours**.