

STATE OF COLORADO

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Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

PROGRAM:	RETAIL FOOD
EFFECTIVE REGULATION:	<i>Colorado Retail Food Establishment Rules and Regulations, July 1, 2013</i>
INTERPRETIVE MEMO NO.:	14-08
DATE:	January 1, 2014
SUBJECT:	Determining "Approved Source" for Raw, Uncut Fruits and Vegetables

Requirements and ambiguities within the *Colorado Retail Food Establishment Rules and Regulations*, the *Food Protection Act*, and the *Colorado Cottage Food Act* often lead to questions regarding approved sources of produce for retail food establishments. Questions often arise regarding locally grown produce, organic produce and cottage foods. Specifically:

1) What constitutes an approved source for produce?

Raw, uncut produce is exempt from the requirements of the *Food Protection Act*, C.R.S. 25-4-1602(14)(j), and the *Colorado Cottage Food Act*, C.R.S. 25-4-1614. Retail food establishments may use whole or uncut fruits and vegetables, with minimal post-harvest processing to remove dirt, debris, or dead leaves, from various sources including private gardens or farmer's markets. While such grower's are not licensed, the department strongly recommends they follow the USDA's Good Agricultural Practices to safely grow and handle produce. Retail food establishments must wash these fruits and vegetables in accordance with section 3-408 of the *Colorado Retail Food Establishment Rules and Regulations*.

2) Can a retail food establishment sell and/or use locally grown produce?

Yes. Retail food establishments may use whole or uncut fruits and vegetables from locally produced sources, including private gardens or farmer's markets.

3) Can a retail food establishment sell produce from a producer who is also a registered cottage food operator?

Yes. Cottage food producers that also provide raw, uncut fruits and vegetables may supply raw, uncut produce to retail food establishments; however, cottage food producers may not sell any other foods produced under the *Colorado Cottage Food Act* to retail food establishments per C.R.S. 25-4-1614(2)(d)(I).

In addition to this Interpretive Memo, guidance related to the safe growing and pre- and post-harvesting practices of produce is available at www.colorado.gov/CDPHE/DEHS in the document titled "Safe Handling Guidelines – Farm fresh fruits and vegetables."

All previous interpretive memoranda issued pertaining to this subject are hereby superseded as of the effective date above.

A handwritten signature in cursive script, appearing to read "Jeff Lawrence".

Jeff Lawrence, Director
Division of Environmental Health and Sustainability

Six Steps to Safer Fruits and Vegetables

Check

- Check to be sure fruits and vegetables are free of bruising or damage.
- Ensure refrigeration of packaged salads and precut melons.

Clean

- Wash hands with warm water and soap for at least 20 seconds before and after handling produce.
- Clean all contact surfaces and utensils with hot water and soap.
- Rinse fresh produce under running tap water.

Separate

- When shopping, be sure produce is separated from household chemicals and raw foods.
- Keep produce separate from raw foods or seafood in your refrigerator.
- Use a clean produce brush on thick-skinned produce.

Cook

- Cook or throw away fruits or vegetables that have touched raw meat, poultry, seafood or their juices.

Chill

- Refrigerate all cut, peeled, or cooked produce within 2 hours.

Throw Away

- Throw away fresh produce that has not been refrigerated within 2 hours of cutting, peeling or cooking.
- Remove and throw away bruised or damaged portions when preparing to cook or eating raw.
- If in doubt, throw it out!



Additional Resources

Colorado Retail Food Rules and Regulations

colorado.gov/cdphe/coretailfoodregulations

On this page, you'll find information relating to:

- Colorado Cottage Foods Act
- Retail food establishment rules and regulations
- FAQ's for consumers and retail food operators

Colorado Wholesale Food Program

colorado.gov/cdphe/cofoodmanufacturing

On this page, you'll find information relating to:

- Wholesale food regulations
- Product labeling requirements

Colorado Department of Agriculture Food Safety

colorado.gov/cs/satellite/ag_Main/CBON/1251634013356

The Department of Agriculture provides information related to farm fresh food safety.

USDA Food Safety

http://www.usda.gov/wps/portal/usda/usda-home?navid=FOOD_SAFETY

The United States Department of Agriculture provides information for citizens on a variety of topics, including those covered in this brochure.

Safe Handling Guidelines

Farm fresh fruits & vegetables



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How to Minimize Fresh Produce Contamination

BEFORE PLANTING

Consider previous site usage, topography, and wind patterns

- Review land history for prior use or storage of chemicals.
- Be aware of the presence of animal feed lots, pastures, poultry or dairy operations on neighboring property.
- Know upstream uses of surface water used for irrigation.
- If run-off or flooding is likely, construct physical or non-food vegetation to mitigate effects.

Manure and biosolids can contain harmful microorganisms and should be treated before application

- Store manure as far away as practical from production and handling facilities.
- Where possible, install physical barriers to prevent runoff and wind drift of manure.
- If raw manure is applied to fields, it should be mixed with the soil at least 120 days before harvesting, preferably when the soil is warm and non-saturated.
- For applications closer to harvest, use aerobic composting that raises core temperatures to above 130°F for at least 5 days.

PRODUCTION

Keep animals and manure away from growing areas

- Domestic animals and pets should be fenced and separated from the produce fields, production facilities, and surface water used for irrigation.
- Be aware of wild animals and prevent entry using fencing, noise-makers, or other practical means.
- Make sure manure lagoons don't leak or overflow during heavy precipitation.

Do not side-dress with manure, manure "tea" or mulches containing fresh manure

- If side-dressing is required, make sure to use a well-composted or well-aged (greater than one year) manure.
- Manure applied to nearby fields should be covered while stored, and applied in a manner that doesn't interfere with growing schedules.

Consider the safety of water used.

- Surface water has the highest food safety risks.
 - Avoid using surface water for overhead irrigation or sprays close to harvest.
 - Use drop or furrow irrigation methods if possible.
- Private well water is a safer alternative, if you're sure of its quality.
 - Locate wells away from flood zones and animal holding areas.
 - Test well water before each season.
 - Inspect wells annually
- Municipal drinking water is the safest source and can be applied at any time using any method.

HARVEST

Provide employees with adequate, readily accessible and sanitary toilet facilities.

- Toilet facilities should be adequate for the number of workers, easily accessible and private.
- Keep clean, well maintained, and supplied with toilet paper.
- Each toilet facility should have a hand washing station with running water, soap, disposable paper towels and hand-washing signs.

Promote good hygiene practices for produce harvesters and handlers.

- Do not allow workers who show signs of diarrhea, vomiting, fever, sudden yellowing of the skin, or infected wounds to handle produce.
- Prohibit eating, chewing gum or using tobacco in growing areas.

Use field sanitation practices.

- Keep all harvest tools and equipment clean and in good working order.
- Verify equipment isn't leaking fluids.
- Clean containers before each use and discard broken or damaged containers.
- Remove as much dirt as practical before packaging.
- Removed harvested produce quickly and protect from sources of contamination.

POST-HARVEST

Protect harvest produce from contamination

- Keep harvest containers covered.
- Handle produce carefully during unloading.
- Do not allow boxes of washed produce to contact the floors.
- Cool produce quickly to minimize microbial growth.
- Do not overload coolers.

Use only potable water for transporting, washing, waxing or cooling harvested produce.

- Change water in tanks regularly.
- Add a sanitizer and monitor pH levels.
- Install proper backflow prevention on tanks.
- Keep water temperature 10°F warmer to prevent microbial uptake in produce.

Keep areas inside and outside packing houses clean and free of pests.

- Regularly remove trash and litter.
- Keep grass short and remove weeds.
- Clean loading, staging, packing areas and sanitize food contact surfaces each work day.
- Keep doors and loading docks closed when not in use.
- Place rodent traps at entrances and eliminate bird perching sites.

Make sure toilet, handwashing and personal practices rules are followed.

- Enforce health and hygiene practices.
- Make sure restrooms are well ventilated, cleaned each day, and do not open directly into packing areas.
- Confine eating and drinking to break areas.

Minimize opportunities for contamination and microbial growth during shipping

- Inspect trucks for cleanliness and pre-cool refrigerated vehicles before loading.
- Load carefully to avoid damaging produce.
- Lock or seal the truck door to keep secure
- Keep records of where each product was grown and when it was packed and shipped.

