NEW Retail Food Regulations

Colorado Department
of Public Health
and Environment

Retail Food Establishments (RFE)

- Includes restaurants, grocery stores, school kitchens and other institutional food service operations
- There are ~25,000 RFEs throughout Colorado
- In Colorado, there are over **200 inspectors** from 34 LPH agencies and DEHS that conduct retail food inspections
- 30,000+ inspections/year

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Chapter VII,
Standards for Hospitals & Health Facilities

1.109 (2) Food Service Sanitation

- 1.109(2)(a) Facilities with Less than 20 Beds
  - (i) Food shall be prepared, handled and stored in a sanitary manner, so that it is free from spoilage, filth, or other contamination, and shall be safe for human consumption.
  - (ii) Hazardous materials shall not be stored with food supplies.
- 109(2)(b) Facilities with 20 Beds or More. Facilities licensed for 20 beds or more shall comply with the Department's March 1, 2013 regulations on Colorado Retail Food Establishments at 6 CCR 1010-2.

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Definitions

Added

- Asterisk
- A_w
- Balut
- Catering Operation
- Cross-Connection
- Egg
- Egg Product
- Exclude
- Fish
- Food Employee
- Food Preparation
- Game Animal
- Injected
- Juice
- Mechanically Tenderized
- Non-Critical Item
- Ratite
- Refuse
- Reminder
- Re-Service
- Restrict
- Risk
- Sewage

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Definitions

Added or Clarified

- Asymptomatic
- Certified Food Protection Manager
- Confirmed Disease Outbreak
- Contamination
- Cross-Contamination
- Cut Leafy Greens
- Drinking Water
- Major Food Allergen
- Non-Continuous Cooking
- Potentially Hazardous Food (TCS)
- Reduced Oxygen Packaging
- Slacking
- Service Animal

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Potentially Hazardous Food

- **"Potentially hazardous food (time/temperature control for safety food)"** means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

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Potentially Hazardous Food

- Includes:
  - a food of animal origin that is raw or heat-treated;
  - a food of plant origin that is:
    - heat-treated,
    - consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes or,
    - garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation; and

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Cut Leafy Greens

- fresh leafy greens whose leaves have been cut, shredded, sliced, chopped, or torn.
- includes: lettuce, escarole, endive, spring mix, spinach, cabbage, kale, arugula and chard.
- The term "leafy greens" does NOT include herbs such as cilantro or parsley.

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Jewelry

"Except for a plain ring such as a wedding band, while preparing food, food employees may not wear jewelry, watches, or medical information bracelets on their wrists and hands or any other area of the arm that may interfere with proper handwashing or result in contamination of food."

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Foodborne Illness

- 48 Million people get sick from food annually in the US
- Or 1 in 6 Americans each year

CDC's 5 Foodborne Risk Factors

1. Poor Personal Hygiene
2. Improper Holding/Time-Temperature
3. Contaminated Equipment
4. Inadequate Cooking
5. Food from Unsafe Sources

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Ill Food Handlers

- Incorporated FDA Food Code language
  - Details symptoms, diseases, and previous illness to be reported to the PIC
  - Defines when the PIC notifies the Department and institutes exclusion or restriction
  - Defines conditions under which an exclusion or restriction can be removed, adjusted, or retained

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Glove use

- *If used, single-use gloves shall be used for only one task

- Slash-resistant gloves - only with food that is subsequently cooked such as frozen food or a primal cut of meat

- Cloth gloves - only if the food is subsequently cooked such as frozen food or a primal cut of meat

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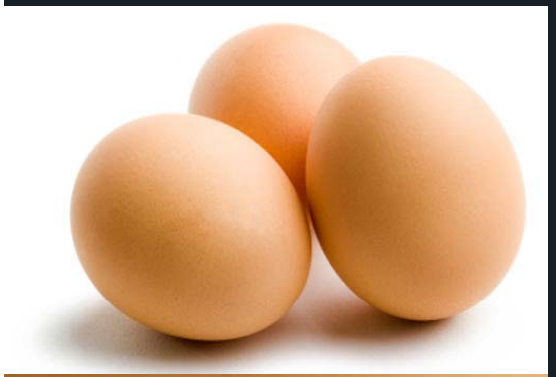
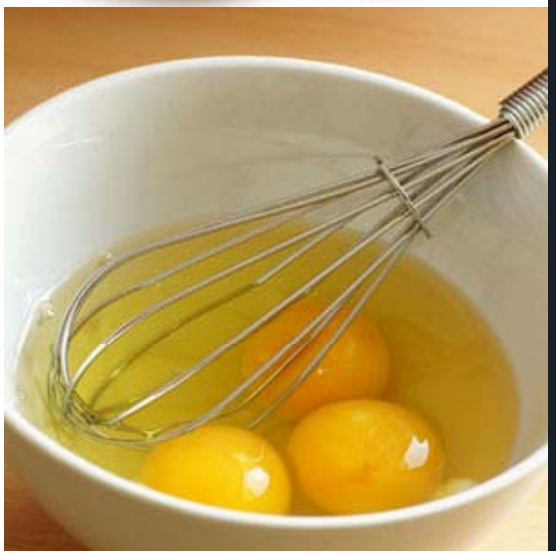
Eggs

- The egg carton must be new, clean and properly labeled to include the supplier's name and address, egg grade, size and pack date. *FDA Safe Handling Instructions* on the carton are required.





- Eggs can be offered for sale loose or in a basket
  - must have an accompanying card or sign that contains the required labeling information including the wash and process date versus a pack date as indicated on a carton.
- Pooling of raw shell eggs is allowed only if the eggs are 41°F or below when they are cracked and maintained at 41°F or below until cooked.

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Pasteurized Eggs, Substitute for Shell Eggs for Certain Recipes

- Pasteurized eggs or egg products shall be substituted for raw eggs in the preparation of foods such as:
  - Caesar salad,
  - Hollandaise or Béarnaise sauce,
  - Mayonnaise,
  - Meringue,
  - Eggnog,
  - Ice cream, &
  - Egg-fortified beverages that are not Cooked

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Reduced Oxygen Packaging

- Vacuum packaging
- Modified atmosphere packaging
- Controlled atmosphere packaging
- Cook chill packaging
- Sous vide packaging

Does not include:

Placing product in a bag & sealing it immediately prior to or after, cooking, cooling, or reheating the product as long as the product is:

- Labeled with the time & date the product is placed in the bag; &
- Removed from the bag within 48 hours of the time the product is placed in the bag.

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Reduced Oxygen Packaging in facilities that serve HSPs

- Must have a HACCP plan pre-approved by the Department

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Washing Fruits & Vegetables

Except for whole, raw fruits & vegetables that are intended for washing by the consumer before consumption:

1) Thoroughly washed in running drinking water to remove soil & other contaminants before being cut.

2) Commercially, prewashed raw fruits & vegetables do not require further washing prior to use.

3) Fruits & vegetables from which rinds, peels, husks, or shells are not removed before preparation require washing.

21 CFR 173.315, "Chemicals used in washing or to assist in the peeling of fruits & vegetables".

Ozone as an antimicrobial agent shall meet 21 CFR 173.368 Ozone.

Application of Sulfiting agents to fresh fruits (except grapes) is prohibited

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Handwashing Lavatory, Water Temperature, and Flow

*Handsink water temperatures each handsink shall be provided with water at least 100°F (38°C) by means of a mixing valve or combination faucet.

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Emergency Alternative Water Supply

1. A supply of commercially bottled drinking water;
2. One or more closed portable water containers;
3. An enclosed vehicular drinking water tank;
4. An on-premises drinking water storage tank; or
5. Piping, tubing, or hoses connected to an adjacent approved source

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Prohibiting of Animals

- Except as specified in this section, live animals may not be allowed on the premises of a food establishment.
- Except , the following situations:
  - Edible fish or decorative fish in aquariums, shellfish or crustacea on ice or under refrigeration, & shellfish & crustacea in display tank systems;
  - Patrol dogs accompanying police or security officers in offices & dining, sales, & storage areas, & sentry dogs running loose in outside fenced areas;
  - In areas that are not used for food preparation & that are usually open for customers, such as dining & sales areas, service animals that are controlled by the disabled employee or person. This does not apply to incidental food contact surfaces including -dining tables, grocery carts & baskets.
  - Pets in the common dining areas of institutional care facilities such as nursing homes, assisted living facilities, group homes, or residential care facilities at times other than during meals .

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Service Animal

- Any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
- Other species of animals, whether wild or domestic, trained or untrained, are not service animals.
- The work or tasks performed by a service animal must be directly related to the handler's disability.
- The crime deterrent effects of an animal's presence & the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

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Highly Susceptible Population

- persons who are more likely than other people in the general population to experience foodborne disease:
  - immunocompromised
  - preschool age children
  - older adults
- and they obtain food at a facility that provides services such as custodial care, health care, or assisted living, such as a child or adult day care center, kidney dialysis center, hospital or nursing home, or nutritional or socialization services such as a senior center.

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Date Marking

- To control for Listeria monocytogenes
- Highly susceptible populations
- Ready to Eat Potentially Hazardous Foods
- 7 days from prep
- Exceptions: commercially prepared deli salads, cheese, dairy, preserved fish, shelf stable sausages.

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May not serve to HSPs in ready-to-eat form:

- Raw animal foods (i.e. raw fish, raw shellfish, steak tartare)
- Partially cooked animal food (i.e. poached fish, soft boiled eggs, rare meat)
- Raw seed sprouts
- Juice that is not pasteurized under a HACCP plan

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Food may not be re-served to or from HSPs as follows:

- Any food served in medical isolation or quarantine may not be re-served to others outside
- Food from any patients, clients, or other consumers should not be re-served to persons in protective environment isolation

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Comprehensive online training on the changes

- http://colorado.statefoodsafety.com
- $2.50 per person.

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Thank You!

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