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Summary of the Key Changes Introduced by the 2013 FDA Food Code

The 2013 Food Codes marks the 20th anniversary of the introduction of the FDA Food Code. The most recent changes to the code are based on recommendations from the Conference for Food Protection which represents industry, regulatory officials, and food scientists nationwide. The Food Code provides uniformity between jurisdictions and is based on the most recent food science. It is anticipated that the 2013 Food Code will be adopted by the State of Virginia later this year. The changes will:

Definitions

- Clarify the definition of packaging so it focuses less on the nature of the packaging
- Remove the term "potentially hazardous food" from the code, and replace it with the term, "Time/Temperature Control for Safety food" (TCS food)

Management and Personnel

- Add non-typhoidal Salmonella to the list of reportable illnesses and require exclusion or restriction of infected employees
- Clarify when hand washing is required when changing gloves. The requirement to wash hands before donning gloves is specific to beginning a new task involving food and not glove changes during the task
- Add hand antiseptics (hand sanitizers) as food additives that are now considered "generally recognized as safe" (GRAS)
- Require food establishments to have a procedure in place for cleaning up after incidents of vomiting or diarrhea (Alexandria will provide restaurants with a model policy)
- Require a Food Protection Manager (FPM) at each food establishment (Alexandria code already requires this)

Equipment, Utensils and Linens

- Clarify that a dry single-use towel may be used in conjunction with a spray bottle containing cleaner or sanitizer. However, proper cleaning must include wash, rinse and sanitize steps.
- Require that any equipment or utensils that come into contact with a major food allergen be cleaned and sanitized before being used with any other food item

- Require facilities with heat sanitizing dish machines to have irreversible temperature registering indicators to ensure that the dish machine is sanitizing properly (ThermoLabels meet this requirement)

Food

- Update the code regarding the sale of wild mushrooms
- Clarify that food may contact the surface of clean linens including cloth napkins
- Allow use of returnable multi-use food containers under some circumstances
- Alter the minimum cooking temperatures for non-continuously cooked foods to match the temperature requirements required when continuously cooking the same foods
- Add cut leafy greens, tomatoes and melons to the list of TCS foods that require time/temperature control for safety. (Alexandria implemented this in 2010)
- Exempt raw, in-shell molluscan shellfish from date marking requirements
- Exempt shelf-stable dry fermented sausages produced in USDA-regulated facilities from date marking requirements
- Allow bare hand contact with foods that do not contain raw animal products IF all parts of the food are subsequently cooked to at least 145°F
- Clarify that parasite destruction is not required for raw shucked scallops
- Require that frozen fish packaged in reduced oxygen packaging (ROP) be opened prior to thawing under refrigeration, or immediately after thawing if thawed under running water
- Clarify that the requirement for a variance to do reduced oxygen packaging (ROP) only applies to TCS foods that do not control for the growth of and toxin formation by ***Clostridium botulinum*** and the growth of ***Listeria monocytogenes***.
- Remove the requirement for a HACCP plan when using reduced oxygen packaging (ROP) methods IF the package is held at 41°F or below for no more than 48 hours

Other

- Require food establishments to post a notice in a conspicuous place stating that their most recent food safety inspection report is available to the public (Alexandria HD plans to provide restaurants with stickers that will make this requirement easy)
- Require correction of priority violations within 3 days and correction of priority foundation violations or HACCP plan deviations within 10 days (Alexandria HD already does this)

If you have questions about the proposed changes, please email Environmental Health Manager Bob Custard at Bob.Custard@vdh.virginia.gov.