

PENNSYLVANIA FOOD CODE

CHAPTER 46

Chapter 46, the Pennsylvania Food Code, has been revised. The new regulations became effective May 12, 2014. Chapter 46 can be viewed at <http://www.pacode.com/secure/data/007/chapter46/chap46toc.html>

IMPORTANT CHANGES:

FDA FOOD CODE

Chapter 46, Section 46.4

- This section of the regulations adopts the current edition of the Food and Drug Administration (FDA) Food Code as the regulations in Pennsylvania.
- The 2013 edition is the current FDA Food Code and can be found at <http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374275.htm>

TERMINOLOGY

2013 FDA Food Code, Section 1-201

- The term Potentially Hazardous Food (PHF) is being replaced with the term **Time/Temperature Control for Safety Food (TCS)**.
- TCS foods include raw seed sprouts, cut melons, cut leafy greens, cut tomatoes, garlic-in-oil mixtures, plant food that is heat-treated, and animal food that is raw or heat-treated and can support pathogenic microorganism growth or toxin formation.

REPORTABLE ILLNESSES

2013 FDA Food Code, Section 2-201.11

- Food employees with the following symptoms must inform the person in charge: vomiting, diarrhea, sore throat with fever, certain lesions on hands or arms.
- Food employees diagnosed with the following must inform the person in charge; AND the person in charge shall notify the Health Department when a food employee is diagnosed with the following: jaundice, Norovirus, Hepatitis A, Shigella, Shiga toxin-producing Escherichia coli (E. coli), Salmonella

MAJOR FOOD ALLERGENS

2013 FDA Food Code

- 2-101.11(9) The person-in-charge must know the major food allergens and the symptoms they can cause in a sensitive individual who has an allergic reaction.
- Section 2-103.11(M) The person-in-charge must ensure that employees are properly trained in food allergy awareness.
- Sections 1-201.10 The term **Major Food Allergen is defined** as milk, egg, fish (such as bass, flounder, cod, and including crustacean shellfish such as crab, lobster, or shrimp), tree nuts (such as almonds, pecans, or walnuts), wheat, peanuts, and soybeans.
- Section 4-602.11(A)(1) Food contact surfaces and utensils used with fish must be cleaned before using with other foods.

RESPONDING TO CONTAMINATION EVENTS

2013 FDA Food Code, Section 2-501.11

- Establishments must have written procedures for employees to follow when responding to vomiting or diarrheal events that contaminate surfaces in the food establishment.
- Procedures shall include specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces to vomitus or fecal matter.

COLD HOLDING

2013 FDA Food Code, Section 3-501.16

- All Time/Temperature Control for Safety Food (TCS) shall be maintained in cold holding at 41°F or less.
- Exemption: eggs may be stored at 45°F or less.

DATE MARKING

2013 FDA Food Code, Section 3-501.17

- Refrigerated, ready-to-eat, Time/Temperature Control for Safety Food (TCS) prepared and held in the food establishment for more than 24 hours shall be marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded.
- Food can be held at 41°F or less for a maximum of 7 days. The day of preparation shall be counted as day 1.
- TCS food prepared and packaged by a processing plant shall be marked, at the time the original container is opened in the food establishment and if the food is held more than 24 hours, to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded. Food may not exceed the manufacturer's use-by date.
- See Code for exemptions.

LABELING

2013 FDA Food Code, Section 3-602.11

- Packaged food for customer self-service must provide the following on labels:
 - Common name of the food
 - A list of ingredients and sub-ingredients in descending order of predominance by weight
 - The net quantity of contents
 - Name and place of business of manufacturer, packer, or distributor
 - Name of the food source for each major food allergen contained in the food
 - Nutrition labeling, when required
 - See Code for further details
- Bulk foods available for consumer self-service must be properly labeled
See Code for details.

WAREWASHING

2013 FDA Food Code, Section 4-302.13 (B)

- If using a hot water mechanical warewashing machine, an irreversible registering temperature indicator shall be provided, accessible, and used for measuring the utensil surface temperature.
- Options include temperature registering tapes or holding thermometers.
- Utensil surface temperature must reach 160°F (Section 4-703.11(B)).

INSPECTION REPORT

2013 FDA Food Code, Section 8-304.11(K)

- Facility must post a copy of the most recent inspection report OR
- Post a sign that the inspection report is available upon request.
- Either must be posted in a location conspicuous to customers.

VARIANCES & HACCP PLANS

- Variances and/or HACCP plans (Hazard Analysis Critical Control Plan) may be required at establishments performing special processes including: reduced oxygen packaging, sprouting, curing/smoking for food preservation, fermentation, and adding components to render foods shelf stable. Contact the Department for details.