

Erie County Department of Health

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PENNSYLVANIA FOOD CODE

On February 12, 2018 the U.S. Food and Drug Administration (FDA) announced the release of the 2017 edition of the FDA Food Code. Under 7 Pa. Code, Chapter 46, Pennsylvania adopts the current and subsequent versions of the FDA Food Code as its regulations.

Changes to the 2017 Food Code include the following:

Section 1-201.10

Added a new term, "Intact Meat." Intact Meat means a cut of whole muscle(s) meat that has not undergone comminution, injection, mechanical tenderization, or reconstruction.

Section 2-102.12(A) and 2-102.20(B)

Revised requirement for the Person in Charge (PIC) to be a Certified Food Protection Manager (CFPM). This means a Certified Food Protection Manager must be on site at all times.

As required by the Food Employee Certification Act, the Department of Agriculture will begin the process of promulgating regulations to reflect the FDA Food Code changes with respect to Food Protection Manager Certification requirements. In considering this regulatory process, it is anticipated that the new requirement to certify the Person in Charge as a Certified Food Protection Manager will become fully effective sometime in 2020.

Section 2-103.11(I)

Added new paragraph to address additional duty requirement for the Person in Charge to ensure employees are routinely monitoring food temperatures during hot and cold holding. This Department strongly recommends all facilities maintain temperature logs to be in compliance with this requirement.

Section 2-401.13

Added new section that addresses the use of bandages, finger cots or finger stalls to clarify they must be covered with a single-use glove.

Section 2-501.11

Amended section to indicate procedures for the clean-up of vomiting and diarrheal events for employees to follow shall be written.

Section 3-302.11 (A)(1)(c)

Added new subparagraph to indicate separating raw animal foods during storage, preparation, holding and display from fruits and vegetables before they are washed.

Section 3-401.11(A)(1)(b)

Amended subparagraph to include the term intact meat as fully cooked at 145°F or above for 15 seconds.

Section 3-401.11(A)(2)

Amended subparagraph to reflect new cooking time in seconds for ratites, mechanically tenderized and injected meats, comminuted fish, comminuted meat, comminuted game animals commercially raised for food or under voluntary inspection, and raw eggs that are not prepared to a consumer's order from 15 seconds to 17 seconds.

Section 3-401.11(A)(3)

Amended subparagraph to reflect new cooking time for poultry, baluts, wild game animals, stuffed foods or stuffing containing fish, meat, poultry, or ratites from 15 seconds to < 1 second (instantaneous).

Section 3-502.12(C)

Amended paragraph to add in additional exception criteria for fish that is reduced oxygen packaged at retail to bear a label indicating that it is to be kept frozen until time of use.

Section 8-404.11(C)(1)-(3)

Added subparagraphs for new exception criteria indicating the regulatory authority may agree to continue operations during an extended water or electrical outage if a written emergency operation plan has been pre-approved by the Regulatory Authority, immediate corrective action is taken and the Regulatory Authority has been notified upon implementation of the plan.

Annex 2 – References

Added new reference under #4 Food Defense Guidance from Farm to Table under the section on Guidance on Responding to Food Emergencies to include Conference for Food Protection (CFP) Emergency Action Plan for Retail Food Establishments, 2nd Edition.