



**FoodHandler®**

**SafeBites**  
from FoodHandler

# A FOODSERVICE OPERATORS' **GUIDE TO THE FOOD CODE**

Presented by: Sara Kingland – MS





# MEET OUR FOOD SAFETY EXPERT

Kevin Roberts, PhD







# OUR GUEST PRESENTER

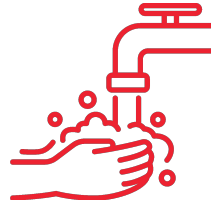
Sara Kingland, MS





# OBJECTIVES

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**At the conclusion of the webinar participants will be able to:**

- Explain where to find the current version of the food code for their jurisdiction.
- Utilize parts of the food code and public health reasoning to identify gaps in existing food safety beliefs and practices.
- Find the public health reasoning behind specific codes.
- Develop stronger food safety practices as a result of a greater understanding of the science behind the Food Code.





# KEY POINTS OF REGULATORY HISTORY

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- Regulations were put in place to minimize risk of public foodborne illness and address fraudulent situations.
- Consumers demanded protection.
  - 1906 Pure Food and Drug Act
- Food Safety History is as unique as it expanded along with industrialization.
- There have been 24 versions of the Food Code since 1934
- Food Safety best practices and regulation is based on scientific public health reasoning outlined in the Annex of the Food Code.



# WHY THE FOOD CODE WAS BORN: TO PROTECT PUBLIC HEALTH

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- 1** The FDA Model Food Code is a universal tool to provide basic food safety guidance and across all types of establishments.
- 2** This is one document to cover 1 million establishments and approximately 16 million members of the workforce.  
That's lots of behaviors, processes, processes, and potential problems!
- 3** It is a carefully organized robust reference document.
- 4** Local jurisdictions use it as a model and adopt it as code and may adapt it to local needs.  
We all eat. We all eat at the local level.



# LIMITATIONS TO DIGGING INTO THE FOOD CODE

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## **Time**

Restricted.

Poor  
communication.



## **Reactive**

Problems are already  
happening.

Behaviors are established.



## **Diverse Learners / Reading**

## **Training Barriers**



Not all food service establishments have a  
designated trainer.

Not all trainers are effective.

Training materials are not kept up to date.

Translation(s)

Verbal vs. Written vs. Demonstration with Practice



# STEP 1: KNOW YOUR REGULATORY AUTHORITY & CURRENT FOOD CODE VERSION

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Contact Information For Your Regulatory Authority: <http://dslo.afdo.org/>

Most food authorities have adopted a version of the FDA Model Food Code:  
This can vary by state:

- FDA Food Code Versions Can Be Found Here:  
<https://www.fda.gov/food/retail-food-protection/fda-food-code>
- Food Code Adoption by State:  
<https://www.fda.gov/food/fda-food-code/state-retail-and-food-service-codes-and-regulations-state>

Ways to stay current:

- Bookmark in a web browser.
- Download the PDF. Keyword search is a handy tool. Printed books are small – handheld devices are great tools to enlarge the text.
- Webinars like this.







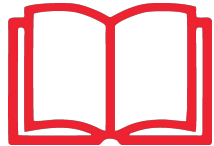
# STEP 2: HOW TO USE THE FOOD CODE TO UNDERSTAND INSPECTION VIOLATIONS AND TRAINING BARRIERS

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## Use the Basics of Reading a Book



### Table of Contents



### Chapters with parts and subparts

Chapter 1 – Purpose and Definitions



### Index

Learning the Food Code is the responsibility of the permit holder and the operator.

Inspectors can and should teach during inspections; however the responsibility and burden to carry out what is learned is on the permit holder to ensure public health is protected.



# Contents

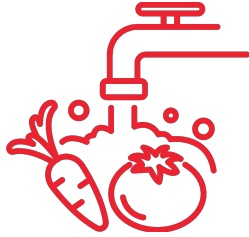
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# FOUR KEY SECTIONS FOR SUCCESS

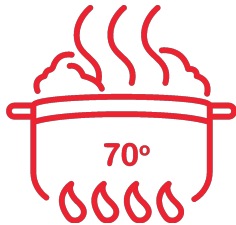
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## **Food Code Preface**



## **Annex 5 Risk Based Inspections**



## **Annex 7 Model Forms, Guides and Other Aids**



## **Annex 3 Public Health Reasons / Administrative Guidelines**



# FOOD CODE PREFACE

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## **Section 8 – Information to assist the user on how to read the food code and it's parts.**

- FDA's interactive course educates stakeholders on the foundational policy principles of the Food Code.
- Decoding the Food Code: Information to Assist the User training module  
<https://www.fda.gov/food/cfsan-constituent-updates/fda-releases-decoding-food-code-information-assist-user-online-based-training-mod>
- This game-like module will help the learner understand the structure, nomenclature, and conventions of the Food Code.
- Geared toward training regulators to use the code and understand the sections.
  - Reading and understanding the food code takes practice -this is one tool.



## 2. ANNEX 5 – RISK BASED INSPECTIONS

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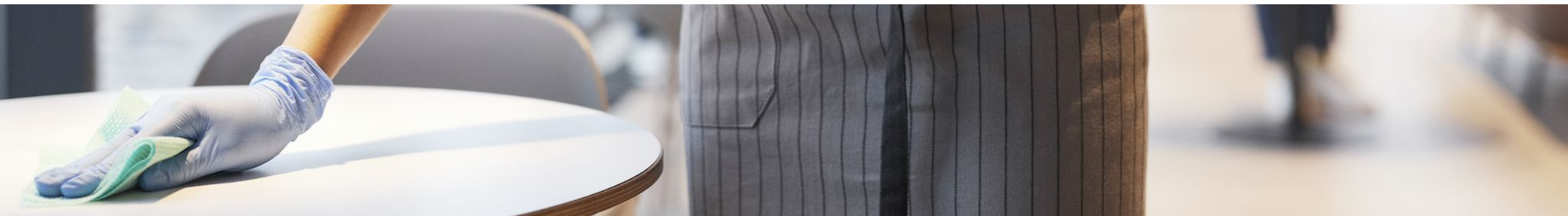
- Outlines the expectations for conducting a Risk Based inspection.
  - The “how to” guide to being an effective health inspector.
    - i. Key information for a Food Service Operator who has limited experience with inspections.
    - ii. Provides insight to what the inspector will be looking for.
    - iii. There has been a noticeable shift to Risk Based Inspections from the windows, walls, floors, doors type inspections of the past.
- Inspectors ask questions about who, what, where, when, why and how instead of only observing what is happening at the time of inspection.
  - Focus is placed on assessing 5 key public health interventions necessary to protect public health:
    - Demonstration of Knowledge
    - Employee Health controls
    - Controlling hands as a vehicle of contamination
    - Time and Temperature Assessment
    - Consumer Advisory



# 3. ANNEX 7 – MODEL FORMS, GUIDES AND OTHER AIDS

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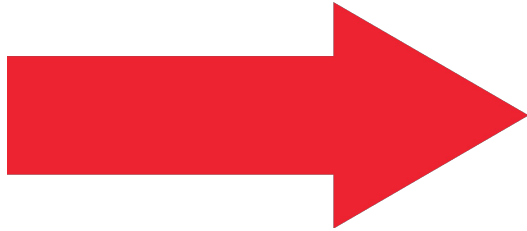
1. Form 3A Inspection Report
  - Violations will include the code that was in debited.
1. Guide 3B Instructions for Marking the Report
  - Use this to work backwards to find more information about items marked on the report.
  - The report will reference the debited Food Code section and Annex 3 will provide the “why” a violation happened.





Food Establishment Inspection Report										Page ____ of ____		
As Governed by State Code Section XXX.XXX				No. of Risk Factor/Intervention Violations				Date				
Do Good County				No. of Repeat Risk Factor/Intervention Violations				Time In				
12344 Any Street, Our Town, State 11111				Score (optional)				Time Out				
Establishment		Address		City/State		Zip Code		Telephone				
License/Permit #		Permit Holder		Purpose of Inspection		Est. Type		Risk Category				
FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS												
Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item. Mark "X" in appropriate box for COS and/or R. IN=in compliance    OUT=not in compliance    N/O=not observed    N/A=not applicable    COS=corrected on-site during inspection    R=repeat violation												
Compliance Status						Compliance Status						
Supervision						Time/Temperature Control for Safety						
1	IN	OUT	Person in charge present, demonstrates knowledge, and performs duties			17	IN	OUT	Proper disposition of returned, previously served, reconditioned & unsafe food			
2	IN	OUT	N/A	Certified Food Protection Manager		18	IN	OUT	N/A	N/O	Proper cooking time & temperatures	
Employee Health						Food/Color Additives and Toxic Substances						
3	IN	OUT	Management, food employee and conditional employee; knowledge, responsibilities and reporting			19	IN	OUT	N/A	N/O	Proper reheating procedures for hot holding	
4	IN	OUT	Proper use of restriction and exclusion			20	IN	OUT	N/A	N/O	Proper cooling time and temperature	
5	IN	OUT	Procedures for responding to vomiting and diarrheal events			21	IN	OUT	N/A	N/O	Proper hot holding temperatures	
Good Hygienic Practices						Conformance with Approved Procedures						
6	IN	OUT	N/O	Proper eating, tasting, drinking, or tobacco use			22	IN	OUT	N/A	N/O	Proper cold holding temperatures
7	IN	OUT	N/O	No discharge from eyes, nose, and mouth			23	IN	OUT	N/A	N/O	Proper date marking and disposition
Preventing Contamination by Hands						Consumer Advisory						
8	IN	OUT	N/O	Hands clean & properly washed			24	IN	OUT	N/A	N/O	Time as a Public Health Control, procedures & records
9	IN	OUT	N/A	N/O	No bare hand contact with RTE food or a pre-approved alternative procedure properly allowed		25	IN	OUT	N/A	Consumer advisory provided for raw/undercooked food	
10	IN	OUT	Adequate handwashing sinks properly supplied and accessible			26	IN	OUT	N/A	Pasteurized foods used; prohibited foods not offered		
Approved Source						Highly Susceptible Populations						
11	IN	OUT	Food obtained from approved source			27	IN	OUT	N/A	Food additives: approved & properly used		
12	IN	OUT	N/A	N/O	Food received at proper temperature		28	IN	OUT	N/A	Toxic substances properly identified, stored, & used	
13	IN	OUT	Food in good condition, safe, & unadulterated			29	IN	OUT	N/A	Compliance with variance/specialized process/HACCP		
14	IN	OUT	N/A	N/O	Required records available: shellstock tags, parasite destruction		Risk factors are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public health interventions are control measures to prevent foodborne illness or injury.					
Protection from Contamination												
15	IN	OUT	N/A	N/O	Food separated and protected							
16	IN	OUT	N/A	Food-contact surfaces: cleaned & sanitized								
GOOD RETAIL PRACTICES												
Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods. Mark "X" in box if numbered item is not in compliance. Mark "X" in appropriate box for COS and/or R. COS=corrected on-site during inspection. R=repeat violation.												
Safe Food and Water						Proper Use of Utensils						
30	Pasteurized eggs used where required					43	In-use utensils: properly stored					
31	Water & ice from approved source					44	Utensils, equipment & linens: properly stored, dried, & handled					
32	Variance obtained for specialized processing methods					45	Single-use/single-service articles: properly stored & used					
Food Temperature Control						Utensils, Equipment and Vending						
33	Proper cooling methods used; adequate equipment for temperature control					46	Gloves used properly					
34	Plant food properly cooked for hot holding					47	Food & non-food contact surfaces cleanable, properly designed, constructed, & used					
35	Approved thawing methods used					48	Warewashing facilities: installed, maintained, & used; test strips					
36	Thermometers provided & accurate					49	Non-food contact surfaces clean					
Food Identification						Physical Facilities						
37	Food properly labeled: original container					50	Hot & cold water available; adequate pressure					
Prevention of Food Contamination						51	Plumbing installed: proper backflow devices					
38	Insects, rodents, & animals not present					52	Sewage & waste water properly disposed					
39	Contamination prevented during food preparation, storage & display					53	Toilet facilities: properly constructed, supplied, & cleaned					
40	Personal cleanliness					54	Garbage & refuse properly disposed; facilities maintained					
41	Wiping cloths: properly used & stored					55	Physical facilities installed, maintained, & clean					
42	Washing fruits & vegetables					56	Adequate ventilation & lighting; designated areas used					
Person in Charge (Signature)						Date:						
Inspector (Signature)						Follow-up: YES NO (Circle one) Follow-up Date:						





**Guide 3-B Instructions for Marking the Food Establishment Inspection Report, Including Food Code References for Risk Factors/Interventions and Good Retail Practices**

Guide 3-B is intended to be used during inspections to ensure that observations of the provisions of the Code are not overlooked during the inspection and accurately recorded on the Food Code Establishment Inspection Report form.

The major headings from the Food Establishment Inspection Report form are condensed in Guide 3-B into key word phrases to assist the person conducting inspections in locating the Food Code citation that corresponds to a given violation and recording inspectional observations. The risk designations (Priority <sup>(P)</sup>, Priority Foundation <sup>(Pf)</sup> and Core <sup>(C)</sup>) have been added to each applicable code section for reference when recording observations in the inspection report.

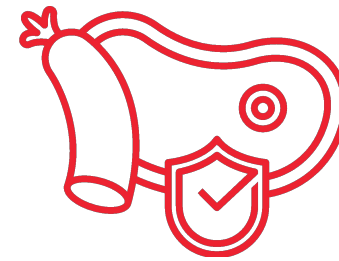


# 4. ANNEX 3 – PUBLIC HEALTH REASONS / ADMINISTRATIVE GUIDELINES

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**The Food Code is rooted  
in many science research**



**Justification for how the science  
supports that regulation will  
prevent, eliminate, or reduce to  
an acceptable level the risk to the  
public.**



# HOW THESE SECTIONS FIT TOGETHER

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**It's easier to show how to use these sections together through the following examples:**



Hair restraints



Bare Hand  
Contact



Approved  
Supplier



# EXAMPLE 1 – HAIR RESTRAINTS

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- 1** Look up the key word in the index to find the applicable code. Page 54 2-402  
Lookup definitions of words in CAPITAL LETTERS.
- 2** Find the public health reasoning in Annex 3  
(Annex 2 has scientific references)
- 3** Use Marking instructions to find where it will be marked on inspection report.  
Note Superscript – PF, C and P is correction time frame.  
Outlined in 8-405.11 Timely Correction and should be indicated on the inspection report for each violation.
- 4** Item 40 on inspection report– a good manufacturing practice not a risk factor violation.



# EXAMPLE 1 – HAIR RESTRAINTS

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**Food Code says:**

## *Hair Restraints*

### **2-402.11 Effectiveness.**

(A) Except as provided in ¶ (B) of this section, FOOD EMPLOYEES shall wear hair restraints such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

*(B) This section does not apply to FOOD EMPLOYEES such as counter staff who only serve BEVERAGES and wrapped or PACKAGED FOODS, hostesses, and wait staff if they present a minimal RISK of contaminating exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.*



# EXAMPLE 1 – HAIR RESTRAINTS

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## Annex 3 Public Health Reason:

### ***Hair Restraints***

**2-402.11**

### **Effectiveness.**

Consumers are particularly sensitive to food contaminated by hair. Hair can be both a direct and indirect vehicle of contamination. Food employees may contaminate their hands when they touch their hair. A hair restraint keeps dislodged hair from ending up in the food and may deter employees from touching their hair.



# EXAMPLE 1 – HAIR RESTRAINTS

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## Marking Instructions:

### **40. Personal cleanliness**

Observation of facility personnel for clean outer clothing, effective hair restraints, prohibited jewelry and the condition or protection of fingernails must be made. This includes the use of single-use gloves over an impermeable bandage, finger cot or finger stall.

#### **Applicable Code Sections:**

2-302.11	Maintenance-Fingernails (Pf)
2-303.11	Prohibition-Jewelry (C)
2-304.11	Clean Condition-Outer Clothing (C)
2-401.13	Use of Bandages, Finger Cots, or Finger Stalls (C)
2-402.11	Effectiveness-Hair Restraints (C)



# EXAMPLE 2: BARE HAND CONTACT

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1. **Look up the key word in the index to find the applicable code. Page 69 3-301.11**
  - a. Wording may be difficult to search. Look again.
  - b. Lookup definitions of words in CAPITAL LETTERS.
2. **Find the public health reasoning in Annex 3**
  - a. Annex 3- Public Health explains layering interventions to prevent foodborne illness and protect the public
    - i. Exclusion of ill food workers with foodborne illness symptoms
    - ii. Proper handwashing
    - iii. Preventing no bare hand contact with ready to eat food
3. **Use Marking instructions to find where it will be marked on inspection report.**
  - a. Note Superscript – PF, C and P is correction time frame.
    - i. Outlined in 8-405.11 Timely Correction and should be indicated on the inspection report for each violation.
4. **Item 9 on inspection report- risk factor violation.**



# EXAMPLE 2: BARE HAND CONTACT

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## Index keywords:

Code refers to other sections to provide a full scope of the issue.

Hands, employees  
    alternative procedure to No Bare Hand  
        Contact, 69-71; see *Annex 3*,  
        346, 417 - 418; *Annex 7*,  
        Form 1-D  
    no bare hand contact with RTE food, 69-71



# EXAMPLE 2: BARE HAND CONTACT

## Food Code Says:

- The food code does not say “shall only wear gloves.”
  - Often food service workers believe this is the case and learn gloves are the only solution.
  - Other utensils or barriers are an option.

Note: Other Food Handler Webinars have addressed best practices on how to train employees to properly wash hands and wear gloves.



### *Preventing Contamination by Employees*

#### **3-301.11 Preventing Contamination from Hands.**

(A) FOOD EMPLOYEES shall wash their hands as specified under § 2-301.12.

(B) *Except when washing fruits and vegetables as specified under §3-302.15 or as specified in ¶¶ (D) and (E) of this section, FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT.*<sup>P</sup>

(C) FOOD EMPLOYEES shall minimize bare hand and arm contact with exposed FOOD that is not in a READY-TO-EAT form.<sup>Pf</sup>

(D) *Paragraph (B) of this section does not apply to a FOOD EMPLOYEE that contacts exposed, READY-TO-EAT FOOD with bare hands at the time the READY-TO-EAT FOOD is being added as an ingredient to a FOOD that:*

*(1) contains a raw animal FOOD and is to be cooked in the FOOD ESTABLISHMENT to heat all parts of the FOOD to the minimum temperatures specified in ¶¶3-401.11(A)-(B) or §3-401.12; or*

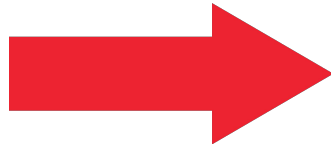
*(2) does not contain a raw animal FOOD but is to be cooked in the FOOD ESTABLISHMENT to heat all parts of the FOOD to a temperature of at least 63°C (145°F).*



# EXAMPLE 2: BARE HAND CONTACT

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## Annex 3 Public Health Reason:



### *Preventing Contamination by Employees*

#### **3-301.11 Preventing Contamination from Hands.**

In November 1999, the National Advisory Committee on Microbiological Criteria for Foods (NACMCF) concluded that bare hand contact with ready-to-eat foods can contribute to the transmission of foodborne illness and agreed that the transmission could be interrupted. The NACMCF recommended exclusion/restriction of ill food workers as the first preventative strategy and recognized that this intervention has limitations, such as trying to identify and manage asymptomatic food workers.

The three interdependent critical factors in reducing foodborne illness transmitted through the fecal-oral route, identified by the NACMCF, include exclusion/restriction of ill food workers; proper handwashing; and no bare hand contact with ready-to-eat foods. Each of these factors is inadequate when utilized independently and may not be effective. However, when all three factors are combined and utilized properly, the transmission of fecal-oral pathogens can be controlled. Depending on the microbial contamination level on the hands, handwashing with plain soap and water, as specified in the Food Code, may not be an adequate intervention to prevent the transmission of pathogenic microbes to ready-to-eat foods via hand contact with ready-to-eat foods. Handwashing as specified in the Food Code will reduce microbial contamination of the hands by 2-3 logs.



# EXAMPLE 2: BARE HAND CONTACT

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## 1. **Annex 3– Public Health Reasoning**

- a. Explains the concept of “layering” interventions to prevent foodborne illness and protect the public.
  - i. Exclusion of ill food workers with foodborne illness symptoms
    - Report Item 4
  - ii. Proper handwashing
    - Report Item 8
  - iii. Preventing no bare hand contact with ready to eat food
    - Report Item 9

## 2. **Annex 2 – References for all of these provide scientific research evidence supporting these actions reduce foodborne illness transmission.**

## 3. **Refer to the public health reasons for all three report items – there is more to learn.**



# EXAMPLE 3: APPROVED SOURCE

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**This takes a little more effort to understand:**

First we need to answer these questions about the food:

- What type of food? fish, meat, milk, eggs etc.
- Where is it produced?
- Is it whole, fresh, frozen, raw, packaged etc.?
- Where will it be sold?

**Next Understand Definitions of Significance:**

"Approved" means acceptable to the REGULATORY AUTHORITY based on a determination of conformity with principles, practices, and generally recognized standards that protect public health.

"Regulatory authority" means the local, state, or federal enforcement body or authorized representative having jurisdiction over the FOOD ESTABLISHMENT.

**Third – Refer to the Annex 3 for Chapter 3– Food Source under 3-201.11**

- Public Health Reasoning for this code section is extensive and references many Code of Federal Regulations
- Discuss your specific situation with the local authority.



Certificates will be emailed out within **5-7 business days**, after submitting a certificate request.

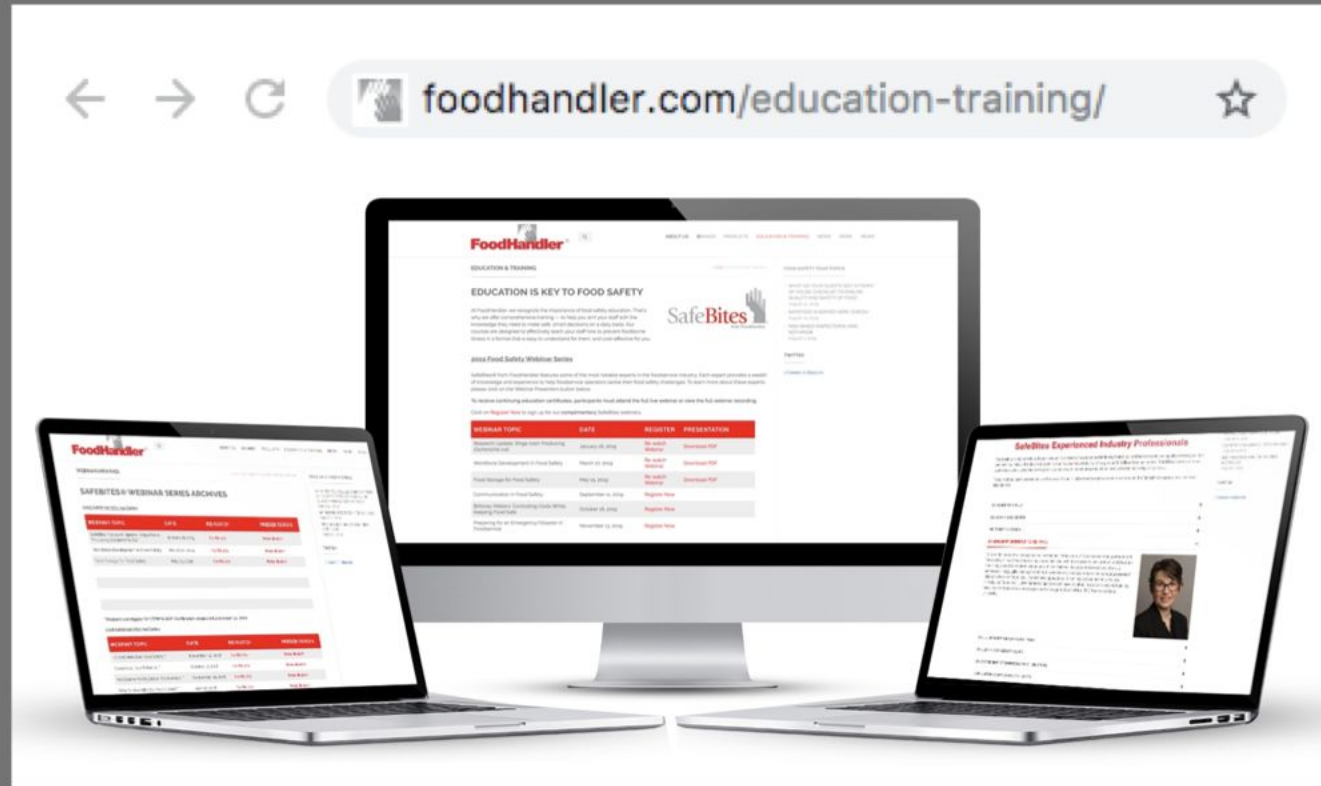


*Request a certificate at [foodhandler.com/safebite-certificate-request/](https://foodhandler.com/safebite-certificate-request/)*

# CERTIFICATES



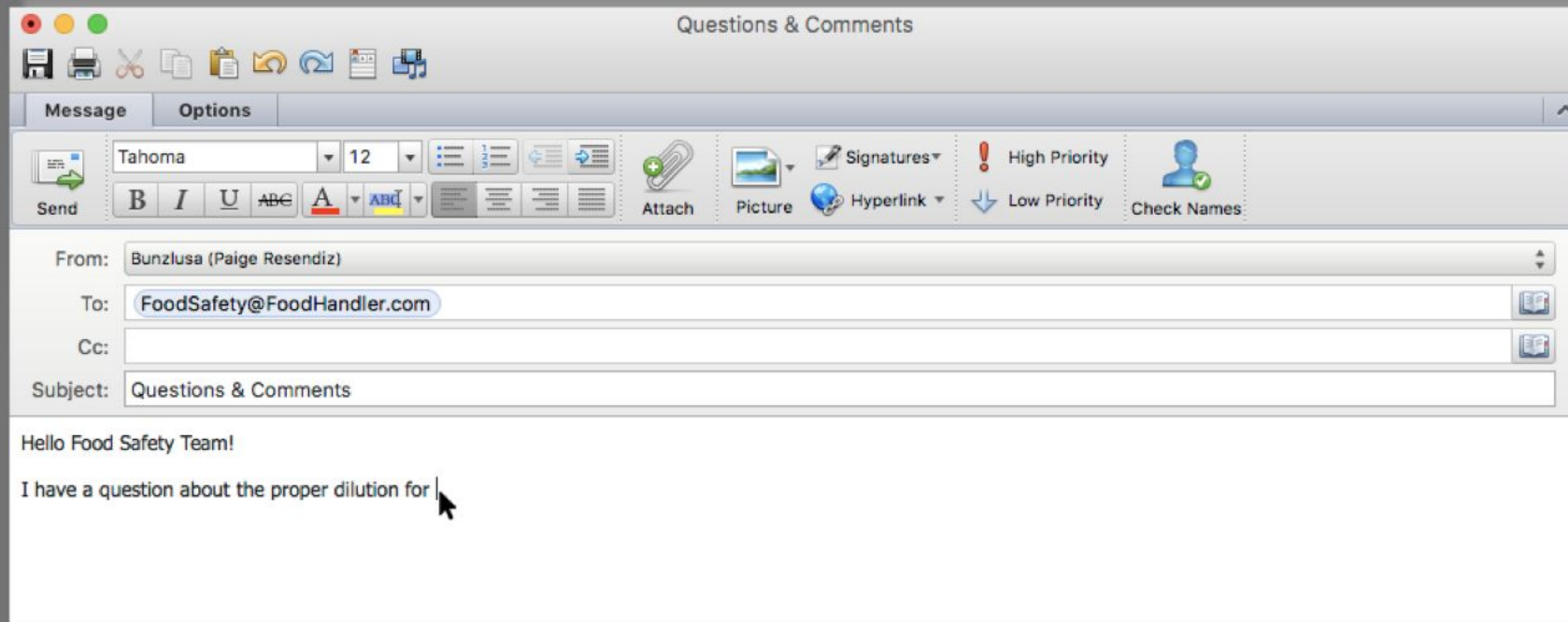
# For more information about our webinars and registration:



## WEBINAR RESOURCE



Please send us your questions or comments at:  
[FoodSafety@foodhandler.com](mailto:FoodSafety@foodhandler.com)



**FOODHANDLER FOOD SAFETY RESOURCES**



# THANK YOU

