

**IMPORTANT NOTICE FOR ALL FOOD SERVICE  
AND RETAIL FOOD ESTABLISHMENT OPERATORS**

Effective January 1, 2013, numerous changes to *Chapter 3717-1 – Ohio Uniform Food Safety Code* of the Ohio Administrative Code (OAC) went into effect. These updates are based on the 2009 Food and Drug Administration (FDA) Model Food Code, inclusive of the 2011 Supplement.

There have been many changes made to the Food Code – many simply corrected typographical errors and added new definitions; other changes were more significant that will impact how you perform food handling and sanitation activities within your facility.

This notification is intended to *briefly* summarize many of the rule changes that have been made by the Ohio Department of Health and the Ohio Department of Agriculture and subsequently passed down to all of Ohio's local health jurisdictions. A full copy of the Ohio Uniform Food Safety Code – January 1, 2013 is available at [www.gcchd.org](http://www.gcchd.org). The file is free to you for downloading/printing, as you desire. Should you not have a computer or website access, you may contact the Environmental Health Division at (937) 374-5606 or 374-5607, Monday – Friday, 8:00 a.m. to 4:00 p.m. Please allow five business days for processing your request.

After you have had a chance to review the new regulations, should you have any questions, please feel free to contact your inspector. The Health District Sanitarian Staff will strive to be responsive to your issues and questions and will work hard to assist you in any reasonable way possible. Please remember that these changes affect our staff as well, and we will be working hard to be as consistent as possible in the interpretation and enforcement of these new regulations.

Thank you for your patience and understanding. A summary of some of the more significant Ohio Food Code changes for January 1, 2013 are as follows:

**3717-1-01 Definitions:**

Added the following new definitions:

**"Cut leafy greens"** means fresh leafy greens whose leaves have been cut, shredded, sliced, chopped, or torn. The term "leafy greens" includes iceberg lettuce, romaine lettuce, leaf lettuce, butter lettuce, baby leaf lettuce (i.e., immature lettuce or leafy greens), escarole, endive, spring mix, spinach, cabbage, kale, arugula and chard. The term "leafy greens" does not include herbs such as cilantro or parsley.

**"Mechanically tenderized"** means manipulating meat with deep penetration by processes which may be referred to as "blade tenderizing," "jaccarding," "pinning," "needling," or using blades, pins, needles or any mechanical device. Does not include processes by which solutions are injected into meat.

**"Micro market"** means a retail food establishment that offers the following in displays not more than two hundred and fifty linear feet:

Prepackaged non-time/temperature controlled for safety food;

Prepackaged refrigerated or frozen time/temperature controlled for safety food that is stored in equipment that complies with 3717-1-03.4 (H), 3717-1-04.1 (LL), and 3717-1-04.1 (MM) of the Administrative Code.

**"Non-continuous cooking"** means the cooking of food in a food service operation or retail food establishment using a process in which the initial heating of the food is intentionally halted so that it may be cooled and held for complete cooking at a later time prior to sale or service. Does not include cooking procedures that only involve temporarily interrupting or slowing an otherwise continuous cooking process.

## **Modified definition**

Added “cut leafy greens” to the definition of time temperature controlled for safety food (TCS) food.

### **3717-1-02.4 (A)**

Exempted micro markets from the requirement to have a person in charge present at the FSO or RFE during all hours of operation.

### **3717-1-03.2**

**(A)(3)** Added new language to clarify when a ready-to-eat food is added as an ingredient to a food, that is to be cooked to required temperatures, it may be handled with bare hands.

**(C)(1)** Added new language to exempt frozen, commercially processed and packaged raw foods from separate storage or display from ready-to-eat foods.

**(C)(3)** Added new paragraph to allow the storage of intact meats packaged in a manner that precludes cross-contamination over whole muscle intact cuts of meat.

### **3717-1-03.3**

**(D)** New language for non-continuous cooking of raw animal foods. Limited to raw animal food. Initial heating process no longer than 60 minutes in duration. Cooled properly after initial heating. After cooling held frozen or cold. Cooked to 165°F. Cooled, held hot, served immediately or held using time as a public health control. Written procedures: that have been approved by the licensor; need to be maintained on site and available to licensor; and must describe: how the requirements of this rule are to be monitored, documented, and corrective actions to be taken; how food, after the initial cook, are marked to indicate - heat all parts to 165°F; and how foods, prior to complete cooking, are to be stored away from ready to eat foods.

**(E)(2)(d)** New language added to exempt fish eggs, which have been removed from the skein and rinsed, from the requirement for freezing for parasite destruction.

### **3717-1-03.4 (H)(3)**

New language requiring refrigerated, ready-to-eat TCS food displayed at a micro market to be discarded if the automatic shutoff control is activated.

### **3717-1-04.1**

**(KK)(2)** Added language to require equipment that displays TCS food in a micro market to be approved by a recognized testing agency.

**(LL)** New language added to require micro market display units that offer TCS food to have automatic shutoffs.

**(MM)** New language added to require micro market display units that offer TCS food be equipped with a self-closing door.

### **3717-1-04.8 (J)**

New language added to allow the application of a post-sanitizing rinse restricted to a commercial warewashing machine and the circumstances under which it may be allowed.

### **3717-1-6.2 (C)(4)**

Added new language to allow the use of a high velocity blade of non-heated, pressurized air for hand drying.

### **3717-1-09 (F)**

New language added to require local health districts to retain in their files information required in this rule.