

**SUBJECT: ADOPTION OF 2017 FDA FOOD CODE**

Bulletin 2019-02

November 14, 2019

Effective November 1, 2019, the Division of Hotels and Restaurants has adopted the 2017 Food and Drug Administration (FDA) Food Code, which establishes practical, science-based guidance and enforceable provisions for reducing risk factors known to cause or contribute to foodborne illness.

There are some major changes food service operators licensed by the Division should carefully review to ensure they are in compliance. These changes include:

- Additional duties assigned to the person in charge:
  - Ensuring food deliveries made during non-operating hours are from approved sources and stored properly.
  - Ensuring employees are monitoring time/temperature control for safety (TCS) foods during hot and cold holding to ensure proper temperatures are maintained.
  - Informing food employees in a verifiable manner of their responsibility to report information about their health and activities as they relate to foodborne illness.
  - Maintaining and implementing written procedures required by the Food Code.
- Salmonella (nontyphoidal) was added as one of the reportable diagnoses along with guidelines for restrictions, exclusions and reinstatement of affected employees.
- Written procedures will be required for the clean-up of vomiting and diarrheal events.
- Establishments must obtain approval from the division before offering for sale or service mushrooms picked in the wild.
- New guidelines for refilling food containers returned by customers to the establishment:
  - The container must be designed and constructed for reuse.
  - The container must be provided to the consumer by the establishment for the purpose of being returned for reuse.
  - The returned container must be visually inspected by a food employee to ensure it is in good condition.
  - The container must be cleaned and sanitized in the establishment before it is reused.
- Cooking parameter changed from 155°F for 15 seconds to 155°F for **17** seconds for ratites, mechanically tenderized and injected meats; comminuted fish, meat, game animals commercially raised for human consumption and raw eggs that are not broken and prepared in response to a consumer's order.
- Cooking parameter changed from 165°F or above for 15 seconds to 165°F or above for less than 1 second (instantaneous) for poultry, baluts, wild game animals, stuffed fish, stuffed meat, stuffed pasta, stuffed ratites, and stuffing containing fish, meat, poultry, or ratites.
- Whole meat roasts can be cooked in equipment other than an oven.
- Reduced oxygen packaged fish with a label indicating that it is to be kept frozen until time of use must be removed from the reduced oxygen environment prior to thawing under refrigeration or; prior to or immediately after thawing if the thawing is done submerged under cold (70°F or below) running water.
- An irreversible registering temperature indicator must be readily accessible for measuring the utensil surface temperature when using a hot water sanitizing ware washing machine.
- Food contact surfaces exposed to fish must be cleaned before contacting raw meat and poultry.

Additional information on adoption of the Food Code is available on the Division's website at <http://www.myfloridalicense.com/DBPR/hotels-restaurants/>. Operators may also call the Call Center at 850.487.1395 or visit the local District Office. Locate your District Office at <http://www.myfloridalicense.com/DBPR/hotels-restaurants/division-offices/>.

## FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Ron DeSantis, Governor

Division of Hotels and Restaurants

Halsey Beshears, Secretary