DIFFERENCES BETWEEN THE **2009 FOOD CODE** AND THE **1999 FOOD CODE**

The 2009 Food Code is available at:
http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2009/

The following items were **non-critical violations in the 1999 Food Code** and are now **critical violations in the 2009 Food Code**:

2-103.11 Person In Charge
2-201.13 Removal, Adjustment, or Retention of Exclusions and Restrictions
2-301.15 Where to Wash
2-301.16 Hand Antiseptics
2-302.11 Maintenance
3-202.17 Shucked Shellfish, Packaging and Identification
3-202.110 Juice, Treated
3-303.11 Ice Used as Exterior Coolant, Prohibited as Ingredient
3-304.15 Gloves, Use Limitation
3-306.11 Food Display
3-306.13 Consumer Self Service Operations
3-401.13 Plant Food Cooking for Hot Holding
3-401.14 Non-Continuous Cooking of Raw Animal Foods
3-402.12 Records, Creation and Retention - Fish
3-404.11 Treating Juice
3-501.15 Cooling Methods
3-602.11(B)(5) Food Labels - Allergens
4-101.13 Lead, Use Limitation
4-202.12(A)(1) Clean In Place Equipment
4-203.11 Temperature Measuring Devices, Food
4-203.12 Temperature Measuring Devices, Ambient Air and Water
4-204.13 Dispensing Equipment, Protection of Equipment and Food
4-204.110 Molluscan Shellfish Tanks
4-204.112(E) Temperature Measuring Devices: warewashing machines, readable
4-204.115 Warewashing Machines Temperature Measuring Devices
4-204.116 Manual Warewashing Equipment, Heaters and Baskets
4-204.117 Warewashing Machines, Automatic Dispensing of Detergents and Sanitizers
4-301.11 Cooling, Heating and Hot Holding Capacities
4-301.12 Manual Warewashing, Sink Compartment Requirements
4-302.11 Utensils, Consumer Self Service
4-302.12 Food Temperature Measuring Devices
4-302.14 Sanitizing Solutions, Testing Devices
4-501.17 Warewashing Equipment, Cleaning Agents
4-501.19 Manual Warewashing Equipment, Wash Solution Temperature
4-501.110 Mechanical Warewashing Equipment, Wash Solution Temperature
4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperature
4-501.116 Warewashing Equipment, Determining Chemical Sanitizer Concentration
4-502.11(B) Good Repair and Calibration - thermometers
5-102.13 Sampling, water
5-103.12 Pressure, water
5-104.11 System, water
5-104.12 Alternative Water Supply
5-202.12(A) Handwashing Sink - 100F
5-202.14 Backflow Prevention Device, Design Standard
5-205.11 Using a Handwashing Sink
5-205.13 Scheduling Inspection and Service for a Water System Device
5-301.11(A) Approved: mobile unit water tank
5-302.16(A) Hose, Construction and Identification
5-303.11 Filter, Compressed Air
5-304.14 Tank, Pump, and Hoses, Dedication
5-402.11(A) Backflow Prevention
5-402.14 Removing Mobile Food Establishment Wastes
6-301.11 Handwashing Cleanser, Availability
6-301.12 Hand Drying Provision
6-302.11 Toilet Tissue, Availability
6-404.11 Segregation and Location
8-201.11 When Plans Are Required
8-201.14 Contents of a HACCP Plan
8-301.11 Prerequisite for Operation
8-404.11 Ceasing Operations and Reporting
8-405.11 Timely Correction

The following items were **critical violations in the 1999 Food Code** and are now **non-critical violations in the 2009 Food Code**:

2-401.11 Eating, Drinking or Using Tobacco
2-401.12 Discharges from the Eyes, Nose and Mouth
3-401.12 Microwave Cooking
5-203.12 Toilets and Urinals
6-501.111(A)(B)(D) Controlling Pests

Based on a study of 2012 food code violations, the most commonly-cited **non-critical violations** that will become **critical violations** once the 2009 Food Code is adopted include:

2-103.11 Person in Charge
2-301.15 Where to Wash
3-303.11 Ice Used as Exterior Coolant, Prohibited as Ingredient
3-306.11 Food Display
3-501.15 Cooling Methods
4-202.12 Clean in Place Equipment
4-203.11 Temperature Measuring Device, Food
4-204.112 Temperature Measuring Devices: warewashing machines, readable
4-301.11 Cooling, Heating and Hot Holding Capacities
4-301.12 Manual Warewashing Sink Compartment Requirements
4-302.14 Sanitizing Solutions, Testing Devices
4-501.17 Warewashing Equipment, Cleaning Agents
4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperature
5-202.12 Handwashing Sink
5-205.11 Using a Handwashing Sink
6-301.11 Handwashing Cleanser, Availability
6-301.12 Hand Drying Provision
8-201.11 When Plans are Required

Public Health
Prevent. Promote. Protect.
Columbia/Boone County
Public Health & Human Services

Information compiled by:
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In November 2012, the Columbia City Council approved an ordinance requiring anyone who serves or sells alcohol in the City of Columbia to have a server certificate.

For more information, talk to your manager or call Public Health and Human Services at 573-874-7346.

Public Health
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if you...

SERVE alcohol at a bar or restaurant, or

SELL alcohol at a cash register

you need to get a **SERVER CERTIFICATE** from Columbia/Boone County Public Health and Human Services before **JANUARY 1, 2014**.

HOW TO GET YOUR CERTIFICATE:

You must complete a responsible beverage server training program that's approved by the City. The free, online State of Missouri Alcohol Responsibility Training (SMART) is approved and found at **http://wellness.missouri.edu/SMART**

If your employer requires a certain type of training, make sure to ask if it is approved.

After you've completed an approved training, bring proof of completion to Public Health and Human Services at 1005 West Worley to fill out an application and pay the server certificate fee. The fee is $5 for each new or renewed server certificate and $5 for each duplicate server certificate. If you get the server certificate at the same time as your food handler permit, the server certificate is free. Food handler permits are $15.

Server certificates are good for three years. You must apply for your server certificate within 12 months after you complete the training.

PROGRAM GOALS:

Reduced liability for servers and businesses

Decreased underage drinking and binge drinking

Fewer alcohol related accidents, including nighttime DWI crashes

Less crime, including property damage, assault and sexual assault

Columbia/Boone County Public Health and Human Services Division of Environmental Health

2009 FDA Food Code Information Session

The Food Code is a model code and reference document for state, city, county and tribal agencies that regulate restaurants, retail food stores, vending operations and foodservice operations in institutions such as schools, hospitals, nursing homes and child care centers.

The Food Code establishes practical, science-based guidelines and enforceable provisions for mitigating risk factors known to cause foodborne illness.

As of January 2009, 49 of 50 states report having retail codes patterned after prior editions of the Food Code.

Uniform and enforceable standards of food safety in retail and foodservice establishments is an important part of strengthening our nation's food protection system.

Chapter 1 - Definitions

- added "cut leafy greens"
- added "Major food allergen"
- added "Non-continuous cooking"
- amended "Potentially hazardous food" to introduce new term "time/temperature control for safety (TCS)" and interaction tables
- added "cut tomatoes or mixtures of cut tomatoes..." and "cut leafy greens" to definition of potentially hazardous/TCS foods

Chapter 2- Management and Personnel

2-102.11(C)(9) - added in management having a knowledge of foods that are Major Food Allergens and the symptoms they can cause in an allergic reaction

2-103.11(M) - added in employees being responsible for reporting their health and any activity that relates to food borne illnesses

2-201.11(A)(3) - added in Norovirus to reportable illnesses

Chapter 2- Management and Personnel

2-201.12 (C,D,E,F,G)(1,2) -
Exclude employees who serve a highly susceptible population

Restrict employees who do not serve a highly susceptible population

Chapter 3 - Food

3-304.14 (C) - in-use wiping cloths used for surfaces that contact raw animal foods must be kept separate from other wiping cloths

3-401.11(A)(2) - mechanically tenderized meats must be cooked to an internal temperature of 155° F

3-401.14 - adds criteria for using a non-continuous cooking process

Chapter 3 - Food (cont.)

3-402.11 - adds third option for freezing fish to serve raw or undercooked and adds exemption for certain aquacultured fish species

3-501.16(A)(1) - lowers hot holding temperature to 135° F

3-501.17(A) - removes exemption for older refrigeration units that allowed a higher cold holding temperature of 45° F - must be 41° F

Chapter 3 - Food (cont.)

3-501.17 - amended date marking provisions to exempt certain manufactured deli salads, cheeses and meat products

3-501.19 - adds longer time out of temperature control for using time as a public health control when cold food is removed from cold holding at 41° F

3-602.11(B) - added major food allergens to food labeling requirements

Items previously non-critical, now critical - Chapter 3 - Food

3-304.15 - using damaged or soiled gloves during food preparation

3-306.11 - food out for customer self-service not under sneeze guard or protected

3-402.12 - records retention to show safety of fish served raw or undercooked

3-501.15 - improper cooling methods

Items previously non-critical, now critical - Chapter 3 - Food (cont.)

3-602.11 - food labeling section requiring major food allergens

Chapter 4 - Equipment, Utensils and Linens

4-501.114(B)(1) - changes the minimum temperature requirement for iodine sanitizing solutions from 75° F to 68° F

4-904.13 - revision to the text regarding when preset tableware may be exposed and not protected from contamination by wrapping, covering, or inverting

Chapter 4 - Equipment, Utensils and Linens (cont.)

4-904.14 - added to allow a post-sanitizing rinse to commercial dish machines and the conditions under which it is allowed

Chapter 5 - Water, Plumbing and Waste

5-203.13(B) - added to state that toilets and urinals may not be used for the disposal of mop water and similar liquid waste

Chapter 6 - Physical Facilities

6-501.111 - paragraph amended to say premises shall be maintained free of insects, rodents and other pests

Chapter 7 - Poisonous or Toxic Materials

No major revisions

Chapter 8: Compliance and Enforcement

8-305.10
Suspension of operating permit based on public health priority of food establishment: high, medium, low

	HIGH	MEDIUM	LOW
Criticals	10	8	6
Non Criticals	20	16	12
Combination	25	20	15

Current food code: 10 criticals, 25 non criticals, or combination of 30 total violations

NEW!!!!!

- Any employee serving alcohol by the drink or package alcohol must have a server certificate!
- Server training can be done online for FREE!
- To obtain a server certificate, employees must bring their id, a copy of completion of an approved serving training completed in the last 12 months
- Server cards are FREE if obtained in conjunction with a food handler card, sold individually for $5.00

Questions?

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Potentially Hazardous Food (Time/Temperature Control for Safety Food).

(1) **"Potentially hazardous food (time/temperature control for safety food)"** means a FOOD that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.

(2) **"Potentially hazardous food (time/temperature control for safety food)"** includes:

(a) An animal FOOD that is raw or heat-treated; a plant FOOD that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation, or garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation; and

(b) Except as specified in Subparagraph (3)(d) of this definition, a FOOD that because of the interaction of its A_W and pH values is designated as Product Assessment Required (PA) in Table A or B of this definition:

Table A. Interaction of pH and A_W for control of spores in FOOD heat-treated to destroy vegetative cells and subsequently PACKAGED

A_W values	pH values		
	4.6 or less	> 4.6 - 5.6	> 5.6
≤0.92	non-PHF*/non-TCS FOOD**	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD
> 0.92 - .95	non-PHF/non-TCS FOOD	non-PHF/non-TCS FOOD	PA***
> 0.95	non-PHF/non-TCS FOOD	PA	PA

* PHF means POTENTIALLY HAZARDOUS FOOD
** TCS FOOD means TIME/TEMPERATURE CONTROL FOR SAFETY FOOD
*** PA means Product Assessment required

Table B. Interaction of pH and A_W for control of vegetative cells and spores in FOOD not heat-treated or heat-treated but not PACKAGED				
A_W values	pH values			
	< 4.2	4.2 - 4.6	> 4.6 - 5.0	> 5.0
< 0.88	non-PHF*/ non-TCS food**	non-PHF/ non-TCS food	non-PHF/ non-TCS food	non-PHF/ non-TCS food
0.88 – 0.90	non-PHF/ non-TCS food	non-PHF/ non-TCS food	non-PHF/ non-TCS food	PA***
> 0.90 – 0.92	non-PHF/ non-TCS food	non-PHF/ non-TCS food	PA	PA
> 0.92	non-PHF/ non-TCS food	PA	PA	PA

* PHF means POTENTIALLY HAZARDOUS FOOD
** TCS FOOD means TIME/TEMPERATURE CONTROL FOR SAFETY FOOD
*** PA means Product Assessment required

(3) ***"Potentially hazardous food (time/temperature control for safety food)"*** *does not include:*

(a) *An air-cooled hard-boiled* EGG *with shell intact, or an* EGG *with shell intact that is not hard-boiled, but has been pasteurized to destroy all viable* ***salmonellae;***

(b) *A* FOOD *in an unopened* HERMETICALLY SEALED CONTAINER *that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution;*

(c) *A* FOOD *that because of its* pH *or* A_W *value, or interaction of* A_W *and* pH *values, is designated as a non-PHF/non-TCS* FOOD *in Table A or B of this definition;*

(d) *A* FOOD *that is designated as Product Assessment Required (PA) in Table A or B of this definition and has undergone a Product Assessment showing that the growth or toxin formation of pathogenic microorganisms that are reasonably likely to occur in that* FOOD *is precluded due to:*