

# Summary of Changes In the FDA Food Code

This Summary provides a synopsis of the textual changes from the 2013 FDA Food Code and the Supplement to the 2013 Food Code Chapters and Annexes to the 2017 edition. The primary intent of this record is to capture the nature of the changes rather than to identify every word or editing change. ***This record should not be relied upon as an absolute comparison that identifies each and every change.***

## General:

- Numerous editing changes were made throughout the document for internal consistency, to correct some errors in the 2013 Code and for clarification.
- Updated the web links throughout the Code and Annexes.
- Converted several Tables, charts, and images throughout the Code to meet web accessibility requirements under Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d). Section 508 mandates that all federal agencies eliminate the barriers in accessing electronic and information technology.

## Preface

Amended Preface sections 5 and 7 to add updated information and revise dates to make current.

## Chapter 1 Purpose and Definitions

Added new term “**Intact Meat**”

Revised “**Vending Machine**” to be more inclusive of the diverse means of payment available.

## Chapter 2 Management and Personnel

Amended the Food Code and its Annexes, where applicable, to revise the descriptors of illness caused by *Salmonella* Typhi or nontyphoidal *Salmonella*. This change allows the use of plain language descriptors to simplify the restriction and exclusion criteria.

### **2-102.12**

Amended paragraph **2-102.12(A)** to state that the Person in Charge shall be the Certified Food Protection Manager.

### **2-102.20**

Amended paragraph **2-102.20(B)** to state that it is the Person in Charge who must be a Certified Food Protection Manager to comply with Section 2-102.12.

### **2-103.11**

Amended to add new paragraph (I) to address additional duty requirement for the Person in Charge to ensure employees are routinely monitoring food temperatures during hot and cold holding and re-designate paragraphs (I) - (O) as new paragraphs (J) - (P).

### **2-201.11**

Amended subparagraph **2-201.11(A)(2)(e)** to add the illness, Typhoid fever, to the descriptor for reportable diagnosis of illness diagnosed due to *Salmonella* Typhi so that it reads: "Typhoid fever (caused by *Salmonella* Typhi)".

Amended subparagraph **2-201.11(A)(2)(f)** to add the word, "*Salmonella*", to the descriptor for reportable diagnosis of illness diagnosed due to nontyphoidal *Salmonella* so that it reads: "*Salmonella* (nontyphoidal)".

Amended subparagraph **2-201.11(A)(3)** to replace the phrase, "Had a previous illness" with the phrase "Had Typhoid fever" and to delete the phrase "due to *Salmonella* Typhi".

Amended subparagraph **2-201.11(A)(4)(c)** to replace "*Salmonella* Typhi" with "Typhoid fever".

Amended subparagraph **2-201.11(A)(5)(c)** to add in descriptor text for the illness caused by *Salmonella* Typhi so that it reads: ". . . Typhoid fever (caused by *Salmonella* Typhi)."

Amended subparagraph **2-201.11(C)(2)** to correctly cross-reference paragraph 2-201.13(J).

### **2-201.12**

Amended subparagraph **2-201.12(A)(2)** to replace "nontyphoidal *Salmonella*" with "*Salmonella* (nontyphoidal)".

Amended the **margin tagline for subparagraph 2-201.12(C)** to replace "diagnosis or reported previous infection due to S. Typhi" with "diagnosis or reported previous illness with Typhoid fever".

Amended paragraph **2-201.12(C)** to replace “diagnosed with an infection from *Salmonella* Typhi” with “diagnosed with Typhoid fever, or reports having had Typhoid fever”.

Amended paragraph **2-201.12(G)** to replace “nontyphoidal *Salmonella*” with “*Salmonella* (nontyphoidal)”.

### **2-201.13**

Amended to:

- revise paragraph (A) to replace “*Salmonella* Typhi” with “Typhoid fever”
- revise subparagraph (A)(5) to replace “nontyphoidal *Salmonella*” with “*Salmonella* (nontyphoidal)”
- revise the margin tag line for paragraph (C) to replace “S. Typhi diagnosis – removing exclusions” with “Typhoid fever diagnosis – removing exclusions”
- revise subparagraph (C)(2) to replace “S. Typhi infection” with “Typhoid fever”
- revise subparagraph (G)(1) to replace “nontyphoidal *Salmonella* infection” with “*Salmonella* (nontyphoidal) infection”
- revise the margin tagline for subparagraph (J)(3) to replace “S. Typhi” with “Typhoid fever (S. Typhi)”
- revise subparagraph (J)(3) to replace “S. Typhi” with “Typhoid fever (caused by *Salmonella* Typhi)”

### **2-401.13**

Added new Section **2-401.13** Use of Bandages, Finger Cots or Finger Stalls

### **2-501.11**

Amended Section **2-501.11** to indicate that procedures for the clean-up of vomiting and diarrheal events for employees to follow shall be written.

## **Chapter 3 Food**

### **3-302.11**

Added new subparagraph **3-302.11(A)(1)(c)** to indicate separating raw animal foods during storage, preparation, holding and display from fruits and vegetables before they are washed and re-designated existing subparagraph 3-302.11(A)(1)(c) as new subparagraph 3-302.11(A)(1)(d).

### **3-401.11**

Amended subparagraph **3-401.11(A)(1)(b)** to include the term intact meat.

Amended subparagraph **3-401.11(A)(2)** 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.

Amended subparagraph **3-401.11(A)(3)** 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).

Amended paragraph **3-401.11(B)** by reversing the order of subparagraphs (B)(1) and (B)(2), where subparagraph (B)(2) is now subparagraph (B)(1).

### **3-401.13**

Amended Section **3-401.13** to delete the phrase “fruits and vegetables” and replace it with the term “plant foods”.

### **3-402.11**

Amended subparagraph **3-402.11(B)(5)** by italicizing the text to correctly indicate it as an exception.

### **3-402.12**

Amended paragraph **3-402.12(C)** to correctly cross reference subparagraph 3-402.11(B)(4).

### **3-404.11**

Amended paragraph **3-404.11(A)** to replace cross reference to paragraphs 8-201.14(B)-(E) with a cross reference to §8-201.14.

### **3-501.18**

Amended subparagraph **3-501.18(A)(3)** by deleting the term “appropriately” and replacing it with “inappropriately”.

### **3-501.19**

Amended subparagraph **3-501.19(A)(1)(a)** to add a missing cross reference to subparagraph 3-501.19(B)(4) in order to correctly reference subparagraphs 3-501.19(B)(1)-(4).

### **3-502.12**

Amended paragraph **3-502.12(B)** and subparagraphs **(B)(6)(c)**, **(D)(1)**, and **(E)(2)** to replace cross reference to paragraphs 8-201.14 (B) and (D) with a cross reference to paragraphs 8-201.14 (C) and (D).

Amended paragraph **3-502.12(C)** 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.

### **3-801.11**

Amended subparagraph **3-801.11(A)(3)** to replace cross reference to paragraphs 8-201.14 (B)-(E) with a cross reference to paragraphs 8-201.14 (C)-(E).

## **Chapter 4 Equipment, Utensils, and Linens**

### **Part 4-3 Numbers and Capacities**

Amended to add **new Subpart 4-303**, Cleaning Agents and Sanitizers.

Amended to add **new Section 4-303.11** Cleaning Agents and Sanitizers, Availability, to require that equipment and utensil cleaning agents and sanitizers be provided and readily accessible for use.

## **Chapter 5 Water, Plumbing, and Waste**

**No Changes.**

## **Chapter 6 Physical Facilities**

**No Changes.**

## **Chapter 7 Poisonous or Toxic Materials**

### **7-204.12**

Amended paragraph **7-204.12(A)** to re-designate it as the lead in paragraph for this section.

Amended subparagraphs **7-204.12(A)(1)-(4)** by re-designating them as paragraphs 7-204.12(A)-(D) in order to be inclusive of all washing chemicals and antimicrobial agents that may be used in the washing and treatment of produce as specified in 21 CFR 173.

Deleted existing paragraph **7-204.12(B)**.

## **Chapter 8 Compliance and Enforcement**

### **8-103.12**

Amended paragraph **8-103.12(B)** to replace existing cross reference to paragraphs 8-201.14 (D) and (E) with a cross reference to paragraph 8.201.14 (D) and subparagraph (E)(3).

### **8-201.14**

Amended to:

- add new paragraph (A) to add a new specification for the permit holder or permit applicant to include general information with the HACCP plan submission;
- add a new paragraph (F) that is not a new requirement within §8-201.14, but rather clarifies what was already required under the previous paragraph (E). This new paragraph (F) requires the permit holder to include any other application or submission information required by the regulatory authority;

- delete paragraph (C) and move the food employee and supervisory training plan provision to new paragraph (E);
- redesignate existing paragraph (A) as new paragraph (B) where the intent of paragraph (B) remains the same, although the paragraph was revised to remove the list of examples;
- redesignate existing paragraph (B) (flow diagram) as new paragraph (C) which keeps its original intent, and includes a more descriptive list of what the flow diagram should include;
- revise subparagraph (D)(3) to clarify that a food employee or person in charge may monitor critical control points;
- revise subparagraph (D)(5) to clarify that a person in charge, or a food employee, may be responsible for taking corrective action when a critical limit is not met; and
- revise paragraph (E) to incorporate the food employee and supervisory training plan from deleted paragraph (C) and included a new requirement for the permit holder's or permit applicant's HACCP plan submission to incorporate copies of blank records forms necessary for implementation of the HACCP Plan.

#### **8-402.10**

Amended existing paragraph to re-designate into new paragraph **8-402.10(A)**.

Amended by adding a new paragraph **8-402.10(B)** to address the requirement for the Regulatory Authority to ensure that authorized representatives who inspect food establishments or conduct plan reviews for compliance with this Code have access to training and continuing education as needed to properly identify violations and apply the Code.

#### **8-404.11**

Amended by adding subparagraphs **8-404.11(C)(1)-(3)** as new exception criteria indicating that the regulatory authority may agree to continuing operations during an extended water or electrical outage if written operational plans have been approved by the regulatory authority.

### **Annex 1 Compliance and Enforcement**

**No Changes.**

## Annex 2      References

### 2-102.12

Amended to update web link and date for reference (#11- Pathogens Transmitted by Food Contaminated by Infected Persons Who Handle Food, and Modes of Transmission of Such Pathogens).

### 3. SUPPORTING DOCUMENTS

Amended to add new section, **U. Sanitation Practices Standard Operating Procedures and Good Retail Practices to Minimize Contamination and Growth of *Listeria monocytogenes* within Food Establishments, 2<sup>nd</sup> Edition.**

Amended to add new section **V. Bad Bug Book 2<sup>nd</sup> Edition, Foodborne Pathogens Microorganisms and Natural Toxins Handbook.**

### 4. FOOD DEFENSE GUIDANCE FROM FARM TO TABLE

#### **Guidance on Responding to Food Emergencies:**

Amended the References for 4. Food Defense Guidance From Farm To Table under the section on Guidance on Responding to Food Emergencies, to add one new reference (#4), **Conference for Food Protection (CFP) Emergency Action Plan for Retail Food Establishments, 2<sup>nd</sup> Edition**, and make an editorial correction and a web URL update to the existing bulleted list.

## Annex 3      Public Health Reasons/Administrative Guidelines

### 2-103.11

Amended Public Health Reasons for §2-103.11 Person in Charge (Duties) to add a new paragraph 5 that describes why paragraphs (G), (H) and the new (I) are important to the safe operation of a food establishment and to update the paragraphs referencing (M) and (N) to reflect the updated designations for paragraphs that follow the new (I).

### 2-201.11

Amended Public Health Reason for §2-201.11, Title I of the Americans with Disabilities Act of 1990 (ADA) in paragraph 3 to replace the term “*Salmonella Typhi*” with “Typhoid fever (caused by *Salmonella Typhi*)”.

Amended Public Health Reason for §2-201.11, Title I of the Americans with Disabilities Act of 1990 (ADA), in paragraph 4 (Example 1) to replace the phrase “a disease caused by *Salmonella Typhi*” with the phrase “Typhoid fever (caused by *Salmonella Typhi*)”.

Amended Public Health Reason for §2-201.11, Title I of the Americans with Disabilities Act of 1990 (ADA), in paragraph 9 to update the CDC weblink

Amended Public Health Reason for §2-201.11, Pathogens Transmitted by Food Contaminated by Infected Persons Who Handle Food, and Mode of Transmission of Such Pathogens, in paragraph 1 to add the word “disposable” before the word gloves.

**2-201.12**

Amended Section 2-201.12 Table 4: History of Exposure and Absent Symptoms or Diagnosis in the section addressing Hepatitis A virus to replace current term HAC with correct term HAV.

**2-401.13**

Amended to add new Public Health Reason for §2-401.13 Use of Bandages, Finger Cots, or Finger Stalls

**2-501.11**

Amended paragraph 8 to address the inclusion of written plans for the clean-up of vomiting and diarrheal events.

Amended paragraph 9 to indicate the availability of EPA registered disinfection products that are sufficient to inactivate norovirus.

**3-302.11**

Amended paragraph 1 to include unwashed fruits and vegetables as foods to keep separated from raw animal foods during storage, prep, holding and display.

**3-401.11**

Amended paragraph 10 to address dwell times during cooking.

Amended paragraphs 17 and 21 to reflect time/temperature parameter harmonization with USDA/FSIS guidance.

**3-602.11**

Amended paragraphs 4 through 8 to add reference of 21 CFR 101.11.

**4-303.11**

Amended Public Health Reason for Chapter 4 Equipment, Utensils, & Linens, to add public health reasons for new §4-303.11 to address accessibility of cleaning agents and sanitizers for use.

**5-202.12**

Amended title by replacing the term “facility” with “sink” to correctly reflect the title in the codified text of the Food Code.

**8-201.12/8-203.10**

Amended Public Health Reason in paragraph 10 (the last paragraph) to update the cross reference to paragraph 2-103.11(L) to now cross reference the paragraph as renumbered, paragraph 2-103.11(N).



#### **8-403.50**

Amended Public Health Reason for Chapter 8 Compliance and Enforcement to add public health reasons for §8-403.50 Public Information to encourage the use of websites to disseminate regulatory documents that describe the compliance status of a regulated food establishment.

#### **8-404.11**

Amended to add new Public Health Rationale that supports the addition of new exception criteria indicating that the regulatory authority may agree to continuing operations during an extended water or electrical outage if written operational plans have been approved by the regulatory authority.

### **Annex 4 Management of Food Practices-Achieving Active Managerial Control of Foodborne Illness Risk Factors**

Amended **Table 2a Naturally Occurring Chemical Hazards at Retail, Along with Their Associated Foods and Control Measures** to correct the spelling of the term “Tetrodoxin” to “Tetrodotoxin” located in the third row.

Amended **Section 3. HACCP Principles, (C) Principle #3 Establish Critical Limits - (2) What are examples of critical limits and (E) Principle #5 Establish Corrective Actions- (1) What are corrective actions** to reflect updated time/temperature cooking parameters in Section 3-401.11.

Amended **Section 4. The Process Approach – A Practical Application of HACCP at Retail to Achieve Active Managerial Control** to revise **Table 4: Examples of Hazards and Control Measure for Same Day Service Items** to reflect updated time/temperature cooking parameters in Section 3-401.11.

### **Annex 5 Conducting Risk-Based Inspection**

**No Changes.**

### **Annex 6 Food Processing Criteria**

Amended **Section 2. Reduced Oxygen Packaging, Section (I), Hazard Analysis and Critical Control Point (HACCP) Operation** to revise the introductory paragraph to replace the existing cross reference to paragraph 8-201.14(D) with a cross reference to Section 8-201.14.

## Annex 7      Models Forms, Guides, and Other Aids

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

Amended the Instructions for Marking the Food Establishment Report in Sections C (Risk Factors) and D (Good Retail Practices) to capture new or updated cross references based on changes made in this Supplement as follows:

Revised Section C, Supervision, **Item #1**, Applicable Code Section, to revise reference to paragraphs 2-103.11 (A)-(O) to be a reference to paragraphs 2-103.11 (A)-(P).

Revised Section C, Supervision, **Item #2**, Certified Food Protection Manager to reflect new change in paragraph 2-102.12(A) that requires the Person in Charge to be a Certified Food Protection Manager.

Revised Section C, Employee Health/Responding to Contamination Events, **Item #3**, under #1, to update existing cross reference to paragraph 2-103.11(M) Person-in-Charge Duties (*Pf*), and replace it with a cross reference to paragraph 2-103.11(O) and under Applicable Code Section, to replace reference to paragraph 2-103.11(M) with reference to paragraph 2-103.11(O).

Revised Section C, Employee Health/Responding to Contamination Events, **Item #5** Clean-up of Vomiting and Diarrheal Events to indicate that procedures for the clean up of vomiting and diarrheal events for employees to follow shall be written and available.

Revised Section C, Time Temperature Control for Safety Food (TCS Food), **Item #18** Proper Cooking Time and Temperature to reflect updated time/temperature cooking parameters in Section 3-401.11.

Revised Section D, Prevention of Food Contamination, **Item #40**, Personal Cleanliness to add Section 2-401.13 to the list of Applicable Code Sections.

Revised Section D, Prevention of Food Contamination, **Item #40**, Personal Cleanliness to add guidance that addresses the use of single-use gloves over impermeable bandages, finger cots and finger stalls.

Revised Section D, Prevention of Food Contamination, **Item #44**, Utensils, Equipment and Linens; Properly Stored, Dried, Handled to add Section 4-904.14 to the list of Applicable Code Sections.

Revised Section D, Utensils, Equipment, and Vending, **Item #48**, to reflect compliance instructions for new §4-303.11 and add new §4-303.11 into the list of Applicable Code Sections.

Revised **Chart 4-A** Summary Chart for Minimum Cooking Food Temperatures and Holding Times Required by Chapter 3 to reflect updated time/temperature cooking parameters in Section 3-401.11.

Revised **Chart 4-B** Summary Chart for Minimum Food Temperatures and Holding Times Required by Chapter 3 for Reheating Foods for Hot Holding to reflect updated time/temperature cooking parameters in Section 3-401.11.

Revised **Chart 4-B** Summary Chart for Minimum Food Temperatures and Holding Times Required by Chapter 3 for Reheating Foods for Hot Holding to revise the current cross reference of paragraph 3-401.11(B) to correctly cross reference paragraph 3-403.11(A) under Roasts: Option B.