



WEST BOYLSTON BOARD OF HEALTH
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December 27, 2018

Partial Summary of Changes

Dear Food Establishment Owners,

On October 5, 2018 the Massachusetts Department of Public Health amended 105 CMR 590: State Sanitary Code Chapter X – Minimum Sanitation Standard for Food Establishments to include sections of the 2013 FDA Food Code with amendments made by FDA in 2015. Below is a partial summary and does not include every change from the previous version of 105 CMR 590.000. Please refer to the merged food code provided for exact code references and what applies to your establishment. Should you have any questions about these changes, please feel free to email us or ask us during your next inspection. As of January 1, 2019, we will be enforcing these new code requirements. We will work with you to adjust to these changes.

1-201 Applicability and Terms Defined

When previously writing up violations, we would often note it as a red (R), critical (C), or non-critical violation. These violations will now be referred to as a Priority (P), Priority Foundation (PF), and Core (C).

- A Priority item eliminates, prevents, or reduces risk to a safe level. Example: Food handlers are not washing their hands when required.
- A Priority Foundation item supports or facilitates a priority item. Example: There is no hand soap at the handwashing sink.
- A Core item refers to general sanitation and maintenance. Example: The hand sink is dirty.

1-201 Applicability and Terms Defined

Appendix A

Food formally referred to as a Potentially Hazardous Food (PHF) will now be referred to as Time and Temperature Control for Safety (TCS) foods.

- These foods are typically foods that require refrigeration.
- TCS food criteria are based on interactions between pH and Aw (water activity).

1-201 Applicability and Terms Defined

Appendix A

- Cut leafy greens, such as lettuce, spinach, cabbage, kale, arugulas, and chard, are now considered a TCS food.
- Cut tomatoes, melons, raw seed sprouts, and garlic-in-oil mixtures are considered TCS foods. All these foods require refrigeration once cut or mixed together.

2-102 Knowledge and 2-103 Duties

Appendix B

In addition to previous requirements, the person in charge (PIC) must also:

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- Be able to answer inspector questions as they pertain to PIC responsibilities.
 - Describe foods identified as major food allergens and the symptoms they cause.
 - Ensure hot and cold foods are at proper temperatures.
 - Inform employees of their responsibilities to report any illnesses as they relate to diseases that are transmissible through food. See code section 2-201.11(A) for details on these diseases.

2-501.11 Clean-up of Vomiting and Diarrheal Events.

Appendix C

- Establishments must now have a procedure in place for employees to follow when responding to vomiting or diarrheal events that involves discharge onto surfaces in the establishment.
- Plan must be written and personal protection equipment (PPE) must be available.
- Board of Health must be notified when these events occur.

3-302.11 Packaged and Unpackaged Food - Separation, Packaging, and Segregation.

- Frozen, commercially processed and packaged raw foods may be stored above commercially ready-to-eat (RTE) foods in a freezer only.
- Once in a refrigeration unit, food must be stored properly and in proper order.

3-304.14 Wiping Cloths, Use Limitation.

Appendix D

One wiping cloth may not be used to clean multiple different surfaces. Several may be needed:

- Cloths in-use for wiping food spills shall be maintained dry and used for no other purpose.
- Cloths in-use for wiping counters and equipment surfaces shall be stored in a labeled sanitizer bucket/solution in between use and used for no other purposes.
- Cloths in-use for wiping surfaces in contact with raw animal foods must be kept separate from all other wiping cloths and used for no other purpose. Separate bucket needed.

3-304.17 Refilling Returnables

Appendix E

- Customers may return containers that were provided by the food establishment to be refilled, provided that these containers originated from the establishment.
- See code reference and appendix for specific requirements.

3-401.14 Non-Continuous Cooking of Raw Animal Foods.

Appendix F

If raw animal foods are going to be pre-cooked not to required internal temperatures, then:

- Written procedures must be in place and approved by the Board of Health. See code reference for exact requirements for procedures
- Food may not be cooked for longer than 60 minutes. At that point in time, the food must be cooled properly.
- Food must be labeled and dated properly.

3-403.11 Reheating for Hot Holding.

- TCS foods that are cooked, cooled, and reheated for hot holding shall be reheated to 165°F in all parts of the food for 15 seconds.
- Ready to Eat (RTE) commercially processed TCS foods shall be reheated to 135°F in all parts of the food for 15 seconds.

3-404.11 Treating Juice.

Appendix K

- Juice made and packaged on site requires a HACCP plan if treated to reduce resistant microorganisms.
- If juice isn't treated to reduce these organisms, then the product must properly be labeled. See code for specific label warning.

3-501.13 Thawing.

- Reduced oxygen packaged (ROP) fish, or vacuum sealed fish that bears a label that says it must be kept frozen until time to use, must be removed from the packaging prior to thawing under refrigeration.
- ROP fish, if thawed under cold running water, must be removed from packaging either immediately before or after thawing under cold running water.

3-501.16 Time/Temperature Control for Safety Food, Hot and Cold Holding.

- The new temperature danger zone was revised to 41°F – 135°F.
- Once food is properly cooked, it may be hot held at 135°F now instead of 140°F.

3-501.17 Time/Temperature Control for Safety Food, Date Marking.

Appendix

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- RTE TCS foods that are prepared and held in an establishment for more than 24 hours shall be clearly marked with a use by date. The day it is prepared counts as day 1.
- This date may not exceed 7 days or manufacturer recommendations if less than 7 days.
- This does not include food that is frozen or non TCS foods.
- Food that meets this criterion and is past 7 days will have to be discarded.

3-501.18 Ready-to-Eat, Time/Temperature Control for Safety Food, Disposition.

Food shall be discarded if it:

- Exceeds the date marked on RTE TCS foods as stated above.
- If it is in a container or package that does not bear a date.
- If TCS food exceeds any time restrictions set forth in 3-501.17 (A).

3-501.19 Time as a Public Health Control. [590.003(D)]

Appendix

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- If time as a public health control is used to leave TCS food out, then you must have written procedures approved by the Board of Health and must be available at all times.
- Raw eggs are an exception and must always be under temperature control. (3-801.11)

3-502.11 Variance Requirement.

Appendix H

- A variance is now needed if you operate a molluscan shellfish life support system display tank
- A variance is now needed if you sprout your own seeds or beans.

3-502.12 Reduced Oxygen Packaging With-out a Variance, Criteria.

Appendix

J

Reduced oxygen packaged (ROP) TCS foods that don't require a variance but require a HACCP plan:

- ROP fish if frozen before, during, and after packaging. You may not ROP non-frozen fish under any circumstance.
- Packaging food using a cook-chill or sous vide process.
- Packaging ROP cheeses that are commercially manufactured.

A HACCP plan is not required if ROP TCS foods are labeled, cooled properly, and removed from packaging within 48 hours.

4-302.13 Temperature Measuring Devices, Manual Warewashing.

- An irreversible registering temperature indicator must be available at all times when high temperature (180°F) dish machines are used.

5-202.12 Handwashing Sink, Installation.

- Handwashing sinks must be able to provide water at 100°F or higher.

8-304.11 Responsibilities of the Permit Holder.

Appendix L

- You must now notify customers that a copy of the most recent establishment inspection report is available upon request by posting a sign or placard in public view.

For additional information visit these websites:

- <http://mhoa.com/training-handouts-for-inspectors-food-service-personnel/>
- <https://www.mass.gov/lists/massachusetts-retail-food-code>