



Maricopa County

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Standards Committee Meeting - August 18, 2015

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Date: August 18, 2015

ENVIRONMENTAL HEALTH DIVISION STANDARDS COMMITTEE MEETING

Time: 10:00 am - 12:00 pm



Where:

1001 North Central Avenue
3rd Floor Conference Room
Phoenix, AZ 85004

Agenda Items

Topic

Facilitator

Welcome

David Morales

Cooling vs. Cold Holding - Clarification

All

Date Marking

All

Live Seafood Tanks

All

Vomit/Fecal Accident Guidelines

All

Bare Hand Contact – Clarification

All

MEETING MINUTES:

The mission of the Environmental Services Department (Department) Standards Committee is to provide a time for standards to come together and discuss food code and to help our staff members provide consistent documentation of violations, and ensuring that our stakeholders understand the reasoning behind the decisions.

The vision is that all field inspectors and supervisors have a place to go with their questions and know that each item will be discussed with the division as a whole, that feedback (both discussion and code references) will be brought back to each office and inspectors will be consistently giving the same message to operators.

The Department currently has two (2) staff members that have been standardized by the FDA. Those staff members then standardize supervisors in each office who then will standardize their staff.

The procedure is that each Environmental Health Specialist (EHS) field staff notifies their supervisor of any code questions or interpretations that they may have. If supervisors are unable to give an answer or want more clarification, they will then send that information to the training officers and training supervisor. Once received, the question is sent to everyone on the committee so that they can start researching it and discussing it in their office. The question is also added to the agenda for the next Standards Committee meeting.

The members will then meet and use codes, Department policies, and any supporting documentation to come up with a decision collaboratively and by consensus as to how the issue will be addressed by the Division. If the issue cannot be resolved, the committee may seek guidance from the FDA, USDA, ADA, Management team and/or Director if needed.

Topics discussed at this meeting:

Cooling vs. Cold Holding - Clarification

Question:

Cooling (Item 18A 3-501.14, P) vs Cooling Methods (Item 31A 3-501.15, Pf) vs Cold holding (Item 20) A 3-501.16(A)(1), P) When food is prepared and then is taken directly to the prep table for use (because it's needed), if the inspector comes in and finds it above 41°F is this a violation or not? If it is, which of the 3 violations above is it? The two scenarios are: 1.) TCS foods going from room temp to cold holding (addressed in code- 4hrs to get to 41°F), and 2.) TCS food coming out of the walk-in at 41°F, prepped and taken to the make table on the cook line, because it is needed.

Hazard/Concern: *Clostridium perfringens, Bacillus cereus*

Response:

When an inspector is at the establishment and observes an employee taking TCS food out of the walk-in refrigerator, prepping the food, and then taking the food to the front line cooler, questions must be asked. Why is the food going directly to the prep table? If the product has gone out of temperature during the prepping, and it is immediately needed, no violation. If they make excess product (more than what is needed at the line) have the excess product put back into the walk-in refrigerator to cool down.

If the product is not needed on the line, but it is taken there for cooling and holding, the inspector would write Item 31A: 3-501.15 B.

Inspectors need to be asking questions to determine if the establishment is demonstrating Active Managerial Control:

- Is the food for immediate service? Is it an emergency?
- How much is being prepared? How much will be used? Is it covered? Shallow pans? Metal pans instead of plastic?

Reach in coolers on the cook line are not designed to be used for cooling. However, if the reach in cooler (except for glass door soft drink reach ins) is located away from the cook line and there is adequate airflow, it would be acceptable to be used for cooling, if the establishment is using shallow pans, keeping the pans uncovered, and not stacking the pans. This is going to require that the establishment has a system in place that can be explained to the inspector and that system needs to work. The MCESD Plan Review Construction guide (<http://www.maricopa.gov/EnvSvc/EnvHealth/pdf/Construction%20Guide.pdf>) has information posted on the different refrigeration units and how they should be used (page 24).

Note: When writing a cooling violation, the inspectors should be documenting two (2) time and temperatures on the inspection report to show that cooling is not happening correctly. (Questions need to be asked to ensure that cooling is occurring during the 6 hours.) If an inspector takes the internal temperature of a product made more than 6-8 hours ago, the two time and temperatures would not be needed. (i.e. Product was made yesterday with an internal temperature of 53°F. This is an obvious cooling violation. Document in the report when the product was made and the temperature).

Violation:

3-501.14 for cooling

3-501.15 A for cooling methods (that are still in the 6 hour cooling window)

3-501.15 B for taking prepping product that is not needed immediately to a prep table for cooling

Date Marking

Question/Issue:

LAR's have been submitted for date marking violations written for RTE TCS foods with no date-marking. Upon questioning from the inspector, it is determined that the food has been held over 24 hours, but less than 7 days. Some inspectors are allowing operators to date mark the food as the corrective action. The 2013 FDA Food Code states food should be discarded if held over 24 hours without date marking. (The day of preparation counts as Day 1 for date-marking).

Hazard/Concern: *Listeria monocytogenes*

Response:

This really comes down to the operator having Active Managerial Control and the inspector asking questions. If, upon questioning, the operator knows when an item was prepared (such as cooling or prep logs), the inspector will document the violation and allow them to put the correct date on the product. The inspector should be accurately describing in the violation why the product was not embargoed.

If the inspector determines that the operator doesn't know when the product was prepared (and does not demonstrate Active Managerial Control), the violation must be documented with the corrective action of embargoing the food product.

Note: Whenever a violation is documented, whether the food was "voluntarily discarded" or embargoed, the embargo form should be filled out.

Violation:

Item 21: 3-501.17

Live Seafood Tanks

Question/Issue:

For live molluscan shellfish tanks and live fin fish tanks, where do we document water that is extremely dirty? Bio-filters?

Response:

If an establishment has a variance for the molluscan shellfish and fin fish tanks, this violation would be

documented under the variance violation, which states that water must be clean, the types of bio-filters that are approved, etc.

Recognizing the need for additional training on fin fish, live molluscan shellfish, and crustacean tanks, the training team and permitting services are working together to provide future training. In the meantime, if additional information is needed, please contact Permitting Services.

Current guidelines created by Plan Review can be found at:



Guideline - Wet
Storage of Seafood 9

Additional guidance can also be found at:

<http://www.fda.gov/downloads/Food/GuidanceRegulation/FederalStateFoodPrograms/UCM350004.pdf>

Violation:

Item 27: 8-103.12

Vomit/Fecal accident Guidelines

Question:

Open discussion for those establishments who cannot have chlorine in their establishment. How do they address this and stay in compliance?

Hazard/Concern: Norovirus

Response:

Any EPA approved sanitizing product that is effective against Norovirus is acceptable; it doesn't have to be chlorine, as long as it's followed up by an approved food-contact surface sanitizer (wash, rinse, sanitize food contact surfaces after cleaning up vomit and diarrhea).

Bare Hand Contact - Clarification

Question:

Employees observed bagging up cooked French fries without gloves. Fries spilling over onto their hands and trays. Is this considered to be a bare hand contact violation?

Hazard/Concern: Norovirus

Response:

Yes. If a violation is observed, correct the violation and educate the operator on preventing bare hand contact.

Violation:

Item 7: 3-301.11 B

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