



# Public Health

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## IMPORTANT CHANGES TO THE IDAHO FOOD CODE

Idaho has updated the Food Safety and Sanitization Standards for Food Establishments, known as the Idaho Food Code. The FDA 2013 Model Food Code was adopted by reference. The most significant changes impacting food establishment from 2005 are summarized below. To view an official copy of these rules, please access the following internet address:

[HTTP://ADMINRULES.IDAHO.GOV/RULES/CURRENT/16/0219.PDF](http://ADMINRULES.IDAHO.GOV/RULES/CURRENT/16/0219.PDF)

To view the FDA model food code 2001 – 2013 versions of the code:

<http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/FoodCode/ucm374275.htm>

### CHAPTER 1: Purposes and Definitions

**New Violation Designations** replace Critical and Noncritical violations:

- **Priority Item:** contributes directly to the prevention of hazards associated with foodborne illness.
- **Priority Foundation Item:** supports Priority Items (i.e. cooling methods, calibrated thermometers);
- **Core Items:** relates to cleaning, design and maintenance of buildings and equipment.

**Time/Temperature Control for Safety Food (TCS)** replaces Potentially Hazardous Food (PHF). TCS refers to food that requires time and/or temperature to ensure food safety. New examples of such foods are **cut tomatoes** and **cut leafy greens**. “Cut leafy greens” is leaves removed from head, cut, shredded, sliced, chopped, torn. Doesn’t include harvest cut whole leaves only cut once or fresh herbs such as parsley, cilantro.

**Product Assessment Tables** provide criteria for determination of non-PHF/non-TCS foods that may be held out of time/temperature control.

### Chapter 2 Management and Personnel

**Section: 2-103.11** Duties of a Person in Charge (PIC) expanded: Includes Allergens knowledge, food delivery, reporting and other food safety duty requirements.

**Sections 2-201.11, 2-201.12 and 2-201.13 Responsibilities of Permit Holder, Person**

**in Charge and Conditional Employees** were amended to add Norovirus and nontyphoidal *Salmonella* (NTS) as a reportable illness for which the Person in Charge (PIC) must take action. Language was added to the *Food Code* to address exclusion and restriction of an employee for NTS and removal of the exclusion or restriction of the employee.

## **Section: 2-102.20 Certified Food Protection Manager**

Beginning July 1, 2018, at least one EMPLOYEE that has supervisory and management responsibility and the authority to direct and control FOOD preparation and service shall be a CERTIFIED FOOD PROTECTION MANAGER who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM.

An accredited food protection manager must meet the following criteria:

1. Have supervisory authority to direct and control food preparation activities.
2. Have supervisory authority to correct food safety violations.
3. Have successfully completed one of the nationally accredited food safety examinations. As of the date of this guidance, those examinations are provided by one of the following organizations.
  - ServSafe® (National Restaurant Association)
  - National Registry of Food Safety Professionals®
  - Prometric®
  - 360 Training®
4. The Certificated Food Protection Manager does not need to be present but be available.

*(B) This section does not apply to certain types of FOOD ESTABLISHMENTS deemed by the REGULATORY AUTHORITY to pose minimal risk of causing, or contributing to, foodborne illness based on the nature of the operation and extent of FOOD preparation.*

**Section 2-301.12 Handwashing Cleaning procedures:** Proper hand washing sequence was amended to add the addition of turning off the faucet with a clean barrier such as the paper towel to prevent recontamination of hands.

**Section 2-301.14(H) When to Wash Hands** was amended to make it clear that the requirement to wash hands before donning gloves is specific to the beginning of a task. If the task has not changed and new gloves are donned, hands do not have to be washed during the same task unless they have become contaminated. If the task changes or the hands become contaminated and new gloves are donned, the hands MUST be washed.

## **Section 2-501.11 Clean-up of Vomiting and Diarrheal Events**

A FOOD ESTABLISHMENT shall have procedures for EMPLOYEES to follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the FOOD ESTABLISHMENT. The procedures shall address the specific actions EMPLOYEES must take to minimize the spread of contamination and the exposure of EMPLOYEES, CONSUMERS, FOOD, and surfaces to vomitus or fecal matter.

## **CHAPTER 3: Food**

**Section 3-201.16(A) Wild Mushrooms** was revised to disallow mushrooms picked in the wild without pre approval from the regulatory authority. Currently, guidance criteria for selling and serving wild mushroom has not been provided. At this time no wild mushrooms will be allowed to be served or sold.

**Section 3-301.11(D) Preventing Contamination from Hands** was revised to make it clear that subparagraph (D)(2) does not apply when a ready-to-eat food is being added as an ingredient to another food that does not contain any raw animal foods if the combined product is heated to a minimum temperature of 145°F (63°C).

**Section 3-302.11(A)(1) Packaged and Unpackaged Food- Separation, Packaging and Segregation**

Amended language to exempt frozen, commercially processed and packaged raw animal foods from separate storage or display from frozen commercially processed and packaged Ready-To-Eat (RTE) foods; Added new subparagraph (c) that allows this exemption.

**Section 3-304.11 Food Contact with Equipment and Utensils** was amended to add a new (C) to make it clear that food may come into contact with linens and napkins, including cloth napkins, if the linens and napkins are used to line containers and are changed before the container is refilled for a new consumer.

**Section 3-304.14: Wiping Cloths**

Clarified the use of wiping cloths separate from raw animal food and uses for other purposes and sanitizer buckets must be stored off the floor.

**Section 3-304.17 Refilling Returnables**

Clarified and expanded the section regarding refilling of returnables. The section is no longer limited to beverages.

**Section: 3-401.11(A)(2) Raw Animal Food.**

Eggs pooled and not served immediately shall be cooked to 155F for 15 seconds “mechanically tenderized” meats shall be cooked to heat all parts of the food to 155F for 15 seconds

**Section: 3-401.11 (D) (2): Raw Animal Food**

A food establishment cannot offer undercooked food or raw animal food to a child.

**Section 3-401.14 Non-Continuous Cooking of Raw Animal Foods** was revised to clarify in subparagraph (D) that raw animal foods that were cooked using a non-continuous cooking process must be cooked to a final temperature that satisfies the requirement of 3-401.11 (A)-(C) before being served or sold.

**Section 3-403-11 Reheating for Hot Holding** was amended to make it clear that the provision applies to ALL commercially processed TCS foods that are ready-to-eat.

**Section 3-501.13 Thawing (FISH)** was amended to add a new (E) to ensure that it was clear that frozen fish packaged using a ROP method MUST be removed from the ROP package (environment) before initial thawing commences or MUST be removed from the ROP package immediately once thawing has been completed. Thawing of frozen fish is to be executed following the procedures in (B) of this same section.

**Section 3-501.16 Time Temperature Control for Safety Food, Hot & Cold,** a new (C) was added to address food in a homogenous liquid form. It may be maintained outside of the temperature control requirements, as specified in the section, while contained within a specially designed EQUIPMENT that complies with the design and construction requirements as specified in the code.

**Section 3-501.17 Ready-to-Eat, Time/Temperature Control for Safety Food, Date Marking**

Was revised C, date of earliest food to expire, D, date marking method, added a new (F) to exempt all live raw in shell molluscan shellfish from date marking. A new (G), clarifies in in this new subparagraph that the date marking exemption for shelf stable dry fermented sausage is not voided if the sausage is removed from the original casing.

**Section 3-502.11 Variance Requirement** clarifies that a variance is only required for TCS food prepared under reduced oxygen packaging methods that do not control for growth or toxin formation by *Clostridium botulinum* and the growth of *Listeria monocytogenes*. Section expanded to include sprouts and wild game.

**Section 3-502.12 Reduced Oxygen Packaging**

Amended and expanded to clarify that all Reduced Oxygen Packaging methods with or without a variance in this section require controls for growth and/or toxin formation by *Clostridium botulinum* and *Listeria monocytogenes*, not just methods with two barriers

**Section 3-501.19 Time as a Public Health Control**

Amended to increase the time food can be under time control from 4 to 6 hours if food starts at 41F or less prior to being removed from temperature control.

**IDAPA 16.02.19.355 Food Processing Plants**

Added acidified food product must meet the requirements of 21 CFR 114.

**Section 3-602.11(B) and (C) Food Labels** was amended to clarify what information a label must include and to make it clear that ALL individual ingredients in a packaged food must be disclosed in the statement of ingredients (including allergen source ingredient) example: Flour (wheat).

**Section 3-603.11 Consumption of Animal Foods that are raw, undercooked etc.** was amended to delete verbal notification of undercooked food. Must designate the item that is undercooked or raw. Example \*Aioli  
\* Footnote that states that the items are served raw or undercooked, or contain or may contain raw or undercooked ingredients

## **Chapter 4: Equipment, Utensils & Linens**

**Section 4-101.13 Lead, Use, Limitation**

Amended to combine lead, pewter, solder and flux restrictions into one section. New chart with levels.

**Section 4-302.13: Temperature Measuring Devices, Manual and Mechanical Warewashing**

Requires the availability of irreversible registering temperature indicator for hot water mechanical warewashing operation.

**Section 4-602.11 Equipment Food-Contact Surfaces and Utensils – Frequency** amended to make it clear that a cleaning and sanitizing food-contact surface in between fish and other meats products is required or any food that is a major allergen.

**Section 4-904.14 Rinsing Equipment and Utensils after Cleaning and Sanitizing**

This is a new section completely. Equipment and utensils shall not be rinsed before air drying unless the rinse is applied directly from the warewashing machine.

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

**Section 5-203.13 Service Sink**

Added a new ¶(B) to address use limitations for toilets and urinals and amended existing paragraph to be new ¶(A) Toilets and urinals may not be used as a service sink for disposal of mop water & similar liquid waste.

## **Chapter 6: Physical Facilities**

### **Section 6-303.11(A) and (B) Lighting Intensity**

The lux (foot candles) level of light intensity was adjusted to more accurately match conversion formulas for light intensity.

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

### **Section 7-204.12 Chemicals for Washing, Treatment, Storage and Processing Fruits and**

**Vegetables, Criteria** was amended to allow the use of other antimicrobial agents allowed under the food contact notification program for washing fruits and vegetables, as well as GRAS (Generally Recognized as Safe) ingredients permitted as antimicrobials or for general food use. Example: added other antimicrobial agents approved by FDA for washing fruits and vegetables as well as GRAS ingredients permitted as antimicrobials or for general food use.

## **Chapter 8: Compliance and Enforcement**

NO SIGNIFICANT CHANGES