



Timeline for Changes Associated with Public Act 17-93, Applicable to Food Service Establishments

June 21, 2017: Public Act 17-93 *An Act Concerning the Department of Public Health's Recommendation Regarding the Adoption of a Model Food Code* becomes effective.

June 21, 2017 – June 30, 2018: Food service establishments will be able to request a variance from the Commissioner of Public Health solely for the purpose of acidifying sushi rice and utilizing the sous vide cooking process. After June 30, 2018, food establishments can request a waiver from the Commissioner for any FDA Food Code requirement.

October 1, 2017: Portions of the FDA FOOD CODE take effect:

- Definitions of Food Service Establishments change
 - Many Food Establishments are reclassified/redefined
 - New classification that applies to Food Establishments serving Highly Susceptible Populations (such as hospitals, nursing homes, preschools) or any food establishment that conducts special processes are introduced
 - Food Establishment definition is more expansive (now includes retail food operations); more businesses will be defined as Food Establishments (i.e., delivery services, bakeries). Plans in development by CT DPH
- *Certified Food Protection Manager* is the new term for *Qualified Food Operator*
- **NEW TEMPERATURE DANGER ZONE: 41°-135° degrees Fahrenheit**
 - Foods must be held Hot (135° F or higher) or Cold (41° F or lower)
 - Inspectors will document temperatures not in compliance on inspection forms. **NDDH to use this as a training tool. Will not debit new danger zone as a violation until July 1, 2018, when new code becomes enforceable. Will continue to debit as violation at 45°-140° for current danger zone**
- *Time/Temperature Controlled for Safety (TCS) Food* is the new term for *Potentially Hazardous Food*
- Use of natural latex gloves is still prohibited, but fines for use will no longer be assessed
- New inspection forms in development. Current inspection forms in effect until 6/30/2018

July 1, 2018:

- FDA Food Code is adopted and enforceable as the Connecticut Food Code
- All food establishments must comply with the CT Food Code and register with the CT DPH before a permit or license can be issued by the local health department (NDDH). Temporary food establishments and farmers markets are exempt from registration
- Class 2, 3 & 4 Food Establishments must employ a Certified Food Protection Manager. The certification must be verified at time of inspection and must be valid and not expired

NDDH Food Service Ordinance Definitions

"Catering food service establishment" means a business that is involved in the (A) sale or distribution of food and drink prepared in bulk in one geographic location for retail service in individual portions in another location, or (B) preparation and service of food in a public or private venue that is not under the ownership or control of the operator of such business;

"Class 1 food establishment" means a food establishment that only offers for retail sale (A) prepackaged food that is not time or temperature controlled for safety, (B) commercially processed food that (i) is time or temperature controlled for safety and heated for hot holding, but (ii) is not permitted to be cooled, or (C) food prepared in the establishment that is not time or temperature controlled for safety;

"Class 2 food establishment" means a retail food establishment that does not serve a population that is highly susceptible to food-borne illnesses and offers a limited menu of food that is prepared, cooked and served immediately, or that prepares and cooks food that is time or temperature controlled for safety and may require hot or cold holding, but that does not involve cooling;

"Class 3 food establishment" means a retail food establishment that (A) does not serve a population that is highly susceptible to food-borne illnesses, and (B) has an extensive menu of foods, many of which are time or temperature controlled for safety and require complex preparation, including, but not limited to, handling of raw ingredients, cooking, cooling and reheating for hot holding;

"Class 4 food establishment" means a retail food establishment that serves a population that is highly susceptible to food-borne illnesses, including, but not limited to, preschool students, hospital patients and nursing home patients or residents, or that conducts specialized food processes, including, but not limited to, smoking, curing or reduced oxygen packaging for the purposes of extending the shelf life of the food;

"Food establishment" means an operation that (A) stores, prepares, packages, serves, vends directly to the consumer or otherwise provides food for human consumption, including, but not limited to, a restaurant, catering food service establishment, food service establishment, temporary food service establishment, itinerant food vending establishment, market, conveyance used to transport people, institution or food bank, or (B) relinquishes possession of food to a consumer directly, or indirectly through a delivery service, including, but not limited to, home delivery of grocery orders or restaurant takeout orders or a delivery service that is provided by common carriers. "Food establishment" does not include a vending machine, as defined in section 21a-34 of the general statutes, a private residential dwelling in which food is prepared under section 21a-62a of the general statutes or a food manufacturing establishment, as defined in section 21a-151 of the general statutes;

"Itinerant food vending establishment" means a vehicle-mounted, self-contained, mobile food establishment; All Itinerant food vending establishments are required to have a hand-washing sink with hot and cold running water under pressure, holding tank, and mechanical refrigeration.

"Pushcarts" are limited to the sale of hot dogs and pre-packaged foods only.

"Multiple class food service establishment" means any business with departments that are classified as separate food establishments;

"Noncommercial function" means a function where food is sold or distributed by a person not regularly engaged in the business of selling such food for profit;

"Permit" means a written document issued by a director of health that authorizes a person to operate a food establishment;

"Seasonal operation" means a food establishment that operates six months or less at the same geographic location;

"Temporary food service establishment" means a food establishment that operates for a period of not more than fourteen consecutive days in conjunction with a single event or celebration.