

Overview of Proposed Revisions to Article III (Food Safety)

Overview:

Article III establishes the Allegheny County Health Department's authority to permit and inspect food facilities within Allegheny County and establishes food safety standards for local food operators. This proposed update to Article III is a supplemental update of the regulation since the last update that became effective on January 1, 2023. This latest Article III draft proposes revisions that continue to align the Article with the 2022 FDA Model Food Code (MFC) update, align with Article XV- Allegheny County Plumbing code, and also align with internal programmatic changes within the ACHD Food Safety Program. Other minor changes address typographical errors and changes to improved clarity and readability of Article III.

The following section-by-section summary provides a general overview and explanation of the more significant proposed revisions within Article III.

Food Safety Program operational updates:

304 Food Facility Plans and Applications: Updated to a 10-business day requirement for Temporary and Seasonal permit applications to provide the Department adequate time to review permit applications prior their intended operation date which matches the pre-operational inspection request time frame.

306 Temporary and Seasonal Event Registration: Changed requirement for application for Temporary and Seasonal Event Registration from 14 calendar days to 30 calendar days to allow time for vendors to apply for a permit at a registered event.

330 Food Prepared in a Private Home: Added a subsection to clarify Department food permit requirements for PDA registered Limited Food Establishments (LFEs).

353 Definitions: Added definitions for both complex food processes and registration certificate. The definition for complex food process was added to provide clarity for the classification of food facilities. The definition for registration certificate was added to clarify intent and usage of registration certificate and differentiate the term from Food Permit throughout the Article.

Proposed changes to align with 2022 MFC update:

323 Handwashing Sinks: Hot water temperature supplied to a hand washing sink lowered from 100°F to 85°F (MFC 5-202.12)

325 Certified Food Protection Managers: "S" removed from the proper name of the Conference for Food Protection Standard (MFC 2-102.20 (A) & (B).

329 Food Supplies: Shellstock replaced with "Molluscan shellfish" throughout the section (MFC 1-201.10)

333 Food Preparation: Chemical test kit required for produce washing and peeling agents (MFC 3-302.15), requirement to follow manufacturers cooking instructions before use in Ready-

to-Eat foods. (MFC 3-401.15), and cooling requirement added for ambient room temperature (70°F) that is rendered TCS after preparation of opening of a sealed container. (MFC 3-501.19)

337 Specialized Processes and HACCP Plans: The requirements of a Hazard Analysis Critical Control Point plan flow diagram reorganized to match the MFC Alignment. (MFC 8-201.14)

353 Definitions: Definitions added for Intact Meat (MFC 1-201.10), Mechanically tenderized (MFC 1-201.10), and Molluscan shellfish. (MFC 1-201.10)

Proposed changes to align with older MFC standards:

326 Responsibilities and Supervision: “Food facility operator” changed to “Permit Holder” this removed the undefined term “Food Facility Operator” and replaced it with the defined term “Permit Holder”. (MFC 1-102.10) “If required” added to #2 and #3, these written procedures are only required if the food facility is utilizing the process involved. (MFC 3-501.19& 3-401.14) Added the requirement for food workers to report disease and symptoms to the Person-in-Charge which corrects an inadvertent removal of the requirement (MFC 2-201.11).

327 Personal Cleanliness and Food Worker Practices: Addition of allowance for food workers to drink from closed beverage containers in a food preparation area which is a correction from an inadvertent removal. (MFC 2-401.11(B))

332 Food Storage: Updated to allow for certain types of unpackaged food to be stored in water or undrained ice. (MFC 3-303.12)

353 Definitions: Definition added for Risk Factor to include reference to the terms used in the Model Food Code. (MFC 1-201.10)

Proposed changes to align with Article XV- Allegheny County Plumbing Code:

323 Handwashing Sinks: Tempered water requirement applied to all hand washing sinks (lavatories) instead of only applying to public hand washing sinks and hand washing sinks in child day care centers. (Article XV, AC-416.5)