



Maricopa County

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Standards Committee Meeting - February 25, 2015

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Date: February 25, 2015

Time: 1:00 pm - 3:00 pm

ENVIRONMENTAL HEALTH DIVISION
STANDARDS COMMITTEE MEETING



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

Agenda Items

Topic

Facilitator

Welcome

David Morales

Time as a Control - Caterers

All

Reduced Oxygen Packaging - Fish

All

Labels for Bags of Ice

All

Sodium Nitrate Use

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:

Time as a Control - Caterers

Question:

We have some caterers that utilize time as a control for their catered school lunches. Depending on the setup, they sometimes are serving the food themselves, but they are also dropping the food items off and often out of temperature for the staff at the schools to serve under their Service Kitchen permits. The question is if it is allowed for an operator to relinquish control of a food product subject to time as a control during the time as a control period to another person that is going to subsequently re-serve it? If this is a violation where would we write this?

Hazard/Concern: *B. cereus*, *C. perfringens*

Response:

If the caterer is to use time as a control, they have to have a written policy in place as described in the section 3-501.19 of the food code that explains how they plan on using time as a control. There are certain things such as:

- Start time and when an item is removed from controlled temperature (hot or cold) that has to be recorded.
- The FOOD shall be marked or otherwise identified to indicate the time that is 4 hours past the point in time when the FOOD is removed from temperature control
- The FOOD shall be cooked and served, served at any temperature if READY-TO-EAT, or discarded, within 4 hours from the point in time when the FOOD is removed from temperature control

Note: See MCESD Food code for all the requirements.

Permitted Facility.

Caterers who use Time as a Control, and cater to a school that has an ESD food permit, will have to keep one of their catering staff on the premises as part of their policy to ensure the Time as a Control policy is being met.

Non- Permitted Facility.

A school that does not hold a food permit with Maricopa County may receive food from a caterer who is using time as a control because this is considered food delivery.

Violation:

3-202.11 A (receiving cold), 3-202.11 D (receiving hot), 3-202.11 E (receiving frozen).

Reduced Oxygen Packaging - Fish

Question/Issue:

My second question is about fish in ROP Packaging (from processor) that clearly states on packaging "thaw under refrigeration for immediate use or immediately use when thawed". I have been finding fish thawed in these ROP packaging and have been telling my operators about opening the fish or cutting a slit in the packaging once fish is removed from freezer. If I find that fish have been in the ROP packaging in thawed state for several days (about 3+ days) I have embargoed the fish under violation 3-101.11 and wrote a violation. How are other inspectors writing this or what is the decision made by standards committee? This may have been brought up before and answered but I am unaware of the decision.

Concern: C. botulinum

Response:

Correct. If ROP packaged fish are found for several days in a thawed state, write under violation # 3-101.11. Recommend to operator to cut a slit in the package to thaw ROP fish. If a retail store/seafood market would like to display fish in the package, recommend to them to display one (write "for display only") on the package) and then sell frozen packages of fish to the consumers.

Violation:

3-101.11 (Safe, unadulterated and honestly presented) and 3-502.12 C (variance requirement)

Labels for Bags of Ice

Question/Issue:

I have a question that was brought up by a water store owner. He is going into revocation due to repetitive violations for not labeling his ice bags. He knows he has to label them, but he is wondering why places like Quick Trip and McDonald's don't have to have addresses on their bags. When I look at the CFRs regarding labeling of foods packaged in a facility, it is pretty clear that the address needs to be there?

Concern: Food origin and composition

Response:

Food (including ice) packaged in a food establishment is required to be labeled. 21 CFR 101.5 states: "The statement of the place of business shall include the street address, city, State, and ZIP code; however, the street address may be omitted if it is shown in a current city directory or telephone directory."

Sodium Nitrate Use

Question:

Can an establishment use Sodium Nitrite as an ingredient in foods without having an approved variance or HACCP plan? Can sodium nitrite be used in brine for turkey? Used to make marinated roast beef pastrami? (assuming items are roasted and held for no longer than 7 days). We know there are clear cut examples of inappropriate use such as a food service worker sprinkling sodium nitrite on raw meats in a deli case or a chef using sodium nitrite in sausage to extend shelf life. But are there examples of proper use, such as following a specific recipe that calls for sodium nitrite?

Concern: *C. botulinum*

Response:

No, they cannot do this without a variance (due to specific calculations that must be pre-packaged). If you find it being used on a product without a variance, embargo the food under 3-101.11.

Violation:

3-502.11 B or C (variance requirement) or 3-101.11 (safe, unadulterated, and honestly presented).

Maricopa County Environmental Services Department
Working with our community to ensure a safe and healthy environment

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