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Standards Committee Meeting – January 6, 2016

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Date: January 6, 2016

**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

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 three (3) 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 standards 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.

We also welcome questions from establishments/stakeholders if there are any topics that need to be brought up.

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.

Any recent changes to local, State or Federal codes may also be discussed.

Topics discussed at this meeting:

Consumer Advisory

Skipped, not an issue anymore.

PIC/CFM

Question/Issue:

How are violations for Person-In-Charge and Certified Food Managers to be documented based on changes within the 2013 FDA Food Code? How do these violations coincide with Maricopa County Environmental Health Code Chapter VII?

Response:

2-102.12 of the 2013 FDA Food code states: At least one EMPLOYEE that has supervisory and management responsibility and the authority to direct and control FOOD preparation and service (in businesses which handles Time/Temperature Control for Food Safety (TCS/PHF) foods) 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.

The recent amendments to the food service worker card requirements do not change anything for the Certified Food Manager (CFM) cards; you'll still need to come in to the department and get your CFM card. It is a way for the department to verify that you attended an approved course.

If the EHS conducts an inspection and there is no CFM card available; it is considered a violation.

Q: What if the PIC has met the requirements of the CFM course and received the card – but lacks the knowledge needed in the day-to-day operations?

That may fall under lack of Active Managerial Control (AMC) and could be written up under violation #1C -2-103.11 (A)-(O), Pf: Person-In-Charge-Duties; Performs Assigned Duties.

Whether it's the CFM or other PIC onsite – there needs to be that one “go to person” for any questions staff might have.

The department currently offers an AMC class that is designed to address some of these issues; it's a two hour class for owners, managers, supervisors or anyone else that might be in charge of operations in the establishment. This class goes into more detail of what the role of the CFM/PIC should be, training requirements and follow-up. There is no certificate, but valuable information and handouts are provided.

Violation(s):

2-102.12 Certified Food Protection Manager. If at least one employee with supervisory and management responsibility has not taken the certified food protection course, 2-102.12 will be referenced in the comment section of the report. This will be item #2 when the guide sheet is updated in the future.

Chapter VII Reg. 2(g). If the establishment has an individual that passed an ANSI-accredited CFM course but has not yet obtained a MCESD card, document Chapter VII Reg. 2(g) in the inspection comments until the item is added into guide sheet.

2-103.11 (A)-(O), Pf: Person-In-Charge-Duties; Performs Assigned Duties; - Used if the establishment has a CFM but an apparent failure has occurred in their food safety system to garner multiple priority violations and a lack of AMC is demonstrated.

Vomiting/Diarrhea Policy

Question/Issue:

When will this violation start to be documented?

Hazard/Concern: Norovirus

Response:

2-501.11 of the 2013 FDA Food Code states: 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. The policy doesn't have to be written it. Because this is new; the department came up with a guide document that we started handing out in 2015.

Documentation of violations will be postponed until next quarter as more communication is needed for stakeholders. An article in the next "Enviro Connections" might be beneficial. Before the department will begin to write up violations for NOT having a policy in place; a high priority email will be sent out to stakeholders explaining this.

Violation:

2-501.11 Clean up of Vomiting and Diarrheal Events. In the comment section of the report. This will be item #5 when the guide sheet is updated in the future.

Hot Water Tanks

Question:

In situations where handwashing sinks only have hot water available due to a mixing valve problem or other hot water tank issue, and the water is so hot that the employees are unable to wash their hands without scalding them; does the 2013 FDA Food Code specify a specific water temperature that is too hot?

Hazard/Concern: The hands are particularly important in transmitting foodborne pathogens. Food employees with dirty hands and/or fingernails may contaminate the food being prepared.

Response:

The FDA was asked for a clarification on this matter and the following is the interpretation:

No, the FDA Food Code does not specify that hands are to be washed using water at a specific temperature.

Section 5-202.12 of the 2013 FDA Food Code establishes criteria for the installation of handwashing sinks used in a retail food establishment. Paragraph 5-202.12(A) states that a handwashing sink must be capable of delivering running water that is at least 38°C (100°F). Section 2-301.12 establishes criteria for how food employees are to clean their hands and exposed portions of their arms at a handwashing sink and specifically indicates that hands should be rinsed under warm running water. The word "warm" is not a defined term in the Food Code. Therefore, while the handwashing sink must be capable of delivering running water that is at least 38°C (100°F), flexibility is provided such that a

food employee can adjust the temperature of the running water to suit his or her preference. In practice, this means that per the Food Code food employees may wash their hands under running water that is less than 38°C (100°F).

If there is no other way for the employees to wash their hands and the problem cannot be solved at time of inspection; the permit may be suspended until fixed and re-inspected. We will always try to work with the establishment before suspending the permit. Most often an establishment will have more than one handwashing sink or another sink that could be temporarily designated as a handwashing sink.

Violation(s):

Item #6B: 2-301.12 if the inspector observes an employee not washing their hands properly due to the water being too hot.

Item# 8A: 5-202.12(A) if the inspector finds that the water is too hot at a hand sink. A discussion should also take place about possible plumbing issues.

Other questions and issues brought up:

Glove Changing

Question:

Do food employees need wash their hands between glove changes while doing the same task? The specific scenario is; you are making sandwiches and after a few minutes you need to wipe down the surface. Can you use the wiping cloth in the sanitizer bucket to do this without glove changing and hand washing needed?

Hazard/Concern: Cross Contamination

Response:

This item will be put on the agenda next time; a little more research and discussion is needed.

3-304.15 (A) of the 2013 FDA Food Code States: If used, SINGLE-USE gloves shall be used for only one task such as working with READY-TO-EAT FOOD or with raw animal FOOD, used for no other purpose, and discarded when damaged or soiled, or when interruptions occur in the operation.

3-304.14 Wiping Cloths, Use Limitation.

(A) Cloths in-use for wiping FOOD spills from TABLEWARE and carry-out containers that occur as FOOD is being served shall be: (1) Maintained dry; and (2) Used for no other purpose.

(D) Dry wiping cloths shall be free of FOOD debris and visible soil.

Annex 3: Further, for the purpose of wiping up food spills from surfaces in situations where full cleaning and sanitizing is not required (such as when a soft drink overflows onto the side of a cup or onto a countertop) the use of dry cloths and disposable towels is also acceptable as long as the cloth or towel is used for no other purpose. Again, this does not constitute a proper cleaning and sanitizing procedure for a food contact surface, when such is called for in 4-6 and 4-7 of the Food Code.

Consistency among Inspectors

This was an issue that came up during the task force process last year. This is where good communication is needed. The department currently has the FDA Standardization process and will continue to actively improve the communications and consistency amongst inspectors. Several improvements have been implemented such as having the inspector's supervisor's name on the inspection report for stakeholders to get clarification or provide feedback to the supervisor. Email addresses stored in our system help to automatically distribute copies of inspection reports once a day after uploading.

Cast Iron Serving Dishes

Question:

Can a cast iron skillet be used if the food is prepared on the cook line, plated and placed in the service window, where the expediter then heats a skillet using a special skillet warmer and then transfer the cooked food from the plate in the window to the hot skillet?

Code Reference:

4-101.12 Cast Iron, Use Limitation of the 2013 FDA Food code states:

- (A) Except as specified in ¶¶ (B) and (C) of this section, cast iron may not be used for UTENSILS or FOOD-CONTACT SURFACES of EQUIPMENT.
- (B) Cast iron may be used as a surface for cooking.
- (C) Cast iron may be used in UTENSILS for serving FOOD if the UTENSILS are used only as part of an uninterrupted process from cooking through service.

Response:

The committee sees this as part of the continuous cooking process as much as it is when food cooked on a grill and then transferred onto a hot skillet on the cook line. The committee does not see this as a hazard so it will be allowed.

Maricopa County Environmental Services Department
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