



Maricopa County

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Environmental Services
Department

"Working with our
community to ensure a safe
and healthy environment"

Food Code References for Produce

This guidance document was developed for food establishments interested in utilizing produce from school, community, and restaurant gardens. Excerpts were taken from the 2009 FDA Food Code/Annex as well as the Maricopa County Environmental Health Code.

Receiving

Code Reference

3-101.11 Safe, Unadulterated, and Honestly Presented.

FOOD shall be safe, unADULTERATED, and, as specified under § 3-601.12, honestly presented.P

Code Summary

- Upon receipt into the school kitchen and prior to preparation, produce should be inspected and any damaged/spoiled produce should be immediately discarded.

Storage

Code References (abbreviated)

3-302.11 Packaged and Unpackaged Food - Separation, Packaging, and Segregation.

(A) FOOD shall be protected from cross contamination by:

(1) Except as specified in (1)(c) below, separating raw animal FOODS during storage, preparation, holding, and display from:

(a) Raw READY-TO-EAT FOOD including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as fruits and vegetables, P and

(b) Cooked READY-TO-EAT FOOD; P

(c) *Frozen, commercially processed and packaged raw animal FOOD may be stored or displayed with or above frozen, commercially processed and packaged, ready-toeat food.*

(4) Except as specified under Subparagraph 3-501.15(B)(2) and in ¶ (B) of this section, storing the FOOD in packages, covered containers, or wrappings;

(7) Storing damaged, spoiled, or recalled FOOD being held in the FOOD ESTABLISHMENT as specified under § 6-404.11; and

(8) Separating fruits and vegetables, before they are washed as specified under § 3-302.15 from READY-TO-EAT FOOD.

(B) *Subparagraph (A)(4) of this section does not apply to:*

(1) Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption;

Code Summary

- Keep fruits and vegetables separate from other foods such as raw meat, poultry or seafood during storage and preparation.

Preparation

Code References

3-304.11 Food Contact with Equipment and Utensils

FOOD shall only contact surfaces of:

- (A) EQUIPMENT and UTENSILS that are cleaned as specified under Part 4-6 of this Code and SANITIZED as specified under Part 4-7 of this Code; P

4-501.16 Warewashing Sinks, Use Limitation.

(A) A WAREWASHING sink may not be used for handwashing as specified under § 2-301.15.

(B) If a WAREWASHING sink is used to wash wiping cloths, wash produce, or thaw FOOD, the sink shall be cleaned as specified under § 4-501.14 before and after each time it is used to wash wiping cloths or wash produce or thaw FOOD. Sinks used to wash or thaw FOOD shall be SANITIZED as specified under Part 4-7 before and after using the sink to wash produce or thaw FOOD.

Maricopa County Environmental Health Code, Chapter VIII, Section 1, General Provisions, Regulation 8. (abbreviated)

g. Utensils and Equipment

(b) A separate food preparation sink is required in facilities that have food preparation as determined by the Department.

Code Summary

- Properly wash, rinse, and sanitize all surfaces of equipment and utensils prior to contacting the produce
- You must provide a separate food preparation sink for washing produce.

Code References

3-302.15 - Washing Fruits and Vegetables

(A) *Except as specified in ¶ (B) of this section and except for whole, raw fruits and vegetables that are intended for washing by the CONSUMER before consumption, raw fruits and vegetables shall be thoroughly washed in water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, served, or offered for human consumption in READY-TO-EAT form.*

(B) *Fruits and vegetables may be washed by using chemicals as specified under § 7-204.12.*

7-204.12 - Chemicals for Washing, Treatment, Storage and Processing Fruits and Vegetables, Criteria.

(A) Chemicals used to wash or peel raw, whole fruits and vegetables shall meet the requirements specified in 21 CFR 173.315 Chemicals used in washing or to assist in the peeling of fruits and vegetables. P

(B) Ozone as an antimicrobial agent used in the treatment, storage, and processing of fruits and vegetables in a food establishment shall meet the requirements specified in 21 CFR 173.368 Ozone.

Code summary

- Wash all produce thoroughly under running, potable water before peeling, cutting, cooking, or eating.
- Scrub firm produce, such as melons and cucumbers, with a clean produce brush.
- Dry produce with a clean cloth towel or paper towel to further reduce bacteria that may be present.
- Recommendations include:
 - Do not soak produce or store in standing water.
 - Wash less dense produce (i.e. apples, celery, tomatoes) in wash water that is at least 10°F warmer than the internal pulp temperature. (2009 FDA Food Code Annex 3)

Code References

"Potentially hazardous food (time/temperature control for safety food)" includes:

An animal FOOD that is raw or heat-treated; a plant FOOD that is heat treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation, or garlic-in-oil mixtures that are not modified in a way so that they are unable to support pathogenic microorganism growth or toxin formation;

“Cut leafy greens” means fresh leafy greens whose leaves have been cut, shredded, sliced, chopped, or torn. The term “leafy greens” includes iceberg lettuce, romaine lettuce, leaf lettuce, butter lettuce, baby leaf lettuce (i.e., immature lettuce or leafy greens), escarole, endive, spring mix, spinach, cabbage, kale, arugula and chard. The term “leafy greens” does not include herbs such as cilantro or parsley.

3-501.16 - Potentially Hazardous Food (Time/Temperature Control for Safety Food), Hot and Cold Holding.

(A) *Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under §3-501.19, and except as specified under ¶ (B) and in ¶ (C) of this section,* POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained:

- (1) At 57°C (135°F) or above, *except that roasts cooked to a temperature and for a time specified in ¶ 3-401.11(B) or reheated as specified in ¶ 3-403.11(E) may be held at a temperature of 54°C (130°F) or above;* P or
- (2) At 5°C (41°F) or less. P

3-401.13 - Plant Food Cooking for Hot Holding.

Fruits and vegetables that are cooked for hot holding shall be cooked to a temperature of 57°C (135°F). Pf

3-501.14 - Cooling.

(A) Cooked POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be cooled:

- (1) Within 2 hours from 57°C (135°F) to 21°C (70°F); **P** and
- (2) Within a total of 6 hours from 57°C (135°F) to 5°C (41°F) or less. P

(B) POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be cooled within 4 hours to 5°C (41°F) or less if prepared from ingredients at ambient temperature, such as reconstituted FOODS and canned tuna.

Code summary

- Cut leafy greens, cut tomatoes, cut melons, cooked plant food, and raw seed sprouts are considered potentially hazardous foods and require temperature control for safety.
- If not for immediate consumption, once cut, leafy greens, melons, and tomatoes are required to be cooled to 41°F or less within 4 hours and maintained.
- Cooked fruits and vegetables not for immediate consumption are required to be held at 135°F or higher.
- Recommendations include:
 - All produce go through a thermal destruction/kill step (cooking) process to reduce the incidence of foodborne illness.

Special Considerations

Code References

3-502.11 Variance Requirement. (abbreviated)

A FOOD ESTABLISHMENT shall obtain a VARIANCE from the REGULATORY AUTHORITY as specified in § 8-103.10 and under § 8-103.11 before: Pf

(G) Preparing FOOD by another method that is determined by the REGULATORY AUTHORITY to require a VARIANCE; Pf or

(H) Sprouting seeds or beans. Pf

Code summary

- Growing any type of sprouts will require a variance from this Department.

Code References

"Highly susceptible population" means PERSONS who are more likely than other people in the general population to experience foodborne disease because they are:

(1) Immunocompromised; preschool age children, or older adults; and

(2) Obtaining FOOD at a facility that provides services such as custodial care, health care, or assisted living, such as a child or adult day care center, kidney dialysis center, hospital or nursing home, or nutritional or socialization services such as a senior center.

3-801.11 Pasteurized Foods, Prohibited Re-Service, and Prohibited Food. (abbreviated)

In a FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION:

(A) The following criteria apply to JUICE:

(1) For the purposes of this paragraph only, children who are age 9 or less and receive FOOD in a school, day care setting, or similar facility that provides custodial care are included as HIGHLY SUSCEPTIBLE POPULATIONS;

(3) UnPACKAGED JUICE that is prepared on the premises for service or sale in a READY-TO-EAT form shall be processed under a HACCP PLAN that contains the information specified under ¶¶ 8-201.14(B) - (E) and as specified in 21 CFR Part 120 – Hazard Analysis and Critical Control Point (HACCP) Systems, Subpart B Pathogen Reduction, 120.24 Process controls. P

(C) The following FOODS may not be served or offered for sale in a READY-TO-EAT form:
P

(3) Raw seed sprouts. P

(D) FOOD EMPLOYEES may not contact READY-TO-EAT FOOD as specified under ¶¶ 3-301.11(B) and (D). P

Code summary

- Preparing juice for the service of children under the age of nine or any other highly susceptible population will require a specialized food safety plan that will need to be reviewed and approved by the Department.
- Any type of seed sprouts may be offered when they are fully cooked at operations that serve highly susceptible operations.