

Summary of Cal Code Updates

Consumer Advisories (Now required in Writing)

Language of the following sections was amended to align with the FDA Food Code. Overall, these changes are meant to provide a more comprehensive consumer disclosure and address the minimum cooking temperature requirements for raw animal proteins and foods that contain raw animal proteins such as ratites, baluts, mechanically-tenderized meats and game animals.

- 113795 – Spelled out code acronyms, and removed ratite examples.
- 113814 – Simplified the definition of “Injected.”
- 113823 - Removed wild game animals as specified in subdivision (a) of Section 114031 from the definition of “Meat.”
- 113873 - Spelled out code acronyms and added ratites to the definition of “Poultry.”
- 114004 – Spelled out Fahrenheit. Specified the types of comminuted foods that need to be heated to 155F for 15 secs. Added Balut and Pasta/food stuffed with fish, meat, poultry or ratites to be heated to 165F for 15 secs. Lastly, added the following language:
 - (c) *A raw or undercooked whole-muscle, intact beef steak may be served or offered for sale in a ready-to-eat form if all of the following conditions are satisfied:*
 - (1) *The food facility serves a population that is not a highly susceptible population.*
 - (2) *The steak is labeled to indicate that it meets the definition of “whole-muscle, intact beef” as specified in subdivision (c) of Section 114021.*
 - (3) *The steak is cooked on both the top and bottom to a surface temperature of 145 degrees Fahrenheit or above and a cooked color change is achieved on all external surfaces.*
 - (d) *A raw animal food such as raw egg, raw fish, raw marinated fish, raw molluscan shellfish, or steak tartare, or a partially cooked food such as lightly cooked fish, soft cooked eggs, or rare meat other than whole-muscle, intact beef steaks as specified in subdivision (c), may be served or offered for sale upon consumer request or selection in a ready-to-eat form if either of the following conditions are satisfied:*
 - (1) *All of the following requirements are met:*
 - (A) *As specified in paragraph (1) or (2) of subdivision (e) of Section 114091, the food facility serves a population that is not a highly susceptible population.*
 - (B) *The food, if served or offered for service by consumer selection from a children’s menu, does not contain comminuted meat.*
 - (C) *The consumer is informed pursuant to Section 114093 to ensure its safety, the food should be cooked as specified in subdivision (a) or (b).*
 - (2) *The department grants a variance from subdivision (a) or (b) pursuant to Section 114417 based on a HACCP plan that satisfies all of the following conditions:*
 - (A) *It is submitted by the permit holder and approved pursuant to Sections 114417.1 and 114417.3.*
 - (B) *It documents scientific data or other information showing that a lesser time and temperature regimen results in safe food.*
 - (C) *It verifies that equipment and procedures for food prepared and training of food employees at the food facility meet the conditions of the variance.*
- 114021 – Added cottage food operation as approved source. Also added the following language:
 - (c) *Whole-muscle, intact beef steaks that are intended for consumption in an undercooked form that does not satisfy the conditions for service pursuant to Section 114093 shall satisfy all of the following conditions:*
 - (1) *Either the food has been obtained from a food processing plant that, upon request by the purchaser, packages the steaks and labels them to indicate that the steak meets the definition of whole-muscle, intact beef, or is deemed acceptable by the enforcement agency based on other evidence, such as written buyer specifications or invoices, that indicate that the steaks meet the definition of whole-muscle intact beef.*

- (2) *If the food is individually cut in a food facility, all of the following conditions are satisfied:*
 - (A) *The food is cut from whole-muscle intact beef that is labeled by a food processing plant as specified in paragraph (1).*
 - (B) *The food is prepared so it remains intact.*
 - (C) *If the food is packaged for undercooking in a food facility, the food is labeled as specified in paragraph (1).*

- 114093 – The permit holder must have a consumer advisory that is in writing (i.e. brochures, deli case or menu advisories, label statements, table tents, placards, etc.) for animal food that is served raw or undercooked without being processed to eliminate pathogens. This section now also includes a definition for “Disclosure” and “Reminder.”

ROP Processing (Now an exemption has been specified)

Language of the following sections was amended to adopt the Model Food Code, exempting facilities under specified criteria from submitting mandatory ROP HACCP Plan to CDPH for review and approval.

- 114057.1 – Added language that explains that a HACCP plan is not required if the food facility uses a ROP method to package hazardous food that always complies with the following standards with respect to packaging the hazardous food:
 - The food is labeled with the production time and date.
 - The food is held at 41 degrees Fahrenheit or lower during refrigerated storage.
 - The food is removed from its package in the food facility within 48 hours after packaging.
- 114419 – Added the following language:
 - (2) *Packaging potentially hazardous food using a reduced-oxygen packaging method as specified in Section 114057.1, except if the food facility uses a reduced-oxygen packaging method to package hazardous food that always complies with the following standards with respect to packaging the hazardous food:*
 - (A) *The food is labeled with the production time and date.*
 - (B) *The food is held at 41 degrees Fahrenheit or lower during refrigerated storage.*
 - (C) *The food is removed from its package in the food facility within 48 hours after packaging.*

Allergen Awareness (Now we have to Regulate Food Allergens)

Language of the following sections were added/amended to align with the FDA Food Code and regulate food allergens.

- 113820.5 (NEW) – Defines a major food allergen.
- 113947 – Added language that requires the person in charge to have adequate knowledge of major food allergens, as defined, foods identified as major food allergens, and the symptoms that a major food allergen could cause in a sensitive individual how has an allergic reaction and to educate food facility employees on those matters.
- 113947.2 – Added language that requires approved and accredited food safety exams must include information related to food allergens.

Juicing (Now allowed under Limited Food Preparation)

Section 113818, the definition of Limited Food Preparation, was amended to allow limited food preparation facilities (i.e. MFFS, Satellite Food Facilities, and TFFs) to provide for immediate service fresh fruit and vegetable juice.

Warewashing Drainboards (Now can be shared)

Section 114103 was amended to allow food facilities with a mechanical warewashing machine to use the drainboards that are part of the manual warewashing sinks if the sink is located adjacent to the machine.

MFF Permit holder Signage Requirement (Now has specifications for permit holder name)

Section 114299 was amended to require that permit holder name, if different from the business name, shall not be less than one inch high and the color of each letter and number shall contrast with its background.