

CUYAHOGA COUNTY  
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BOARD OF HEALTH  
YOUR TRUSTED SOURCE FOR PUBLIC HEALTH INFORMATION

**Amendments to the Ohio Uniform Food Safety Code Start on March 1, 2019**

Although most of the changes in the food code were put in place to correct spelling and grammatical errors, there are a few changes that may affect how you operate your business.

**For ease of research, please reference the sections of the Ohio Uniform Food Safety Code that appear here in bold type.**

A change under the definitions section at the start of the food code now requires variances to be approved only by the Ohio Department of Agriculture or the Ohio Department of Health. Facilities need to apply for a variance if they are preparing or storing food in a way that is not expressly approved in the food code; for example, pickling kraut or culturing yogurt, which can be found in section **3717-1-01(B)125**.

**3717-1-02.1 Management and Personnel: Employee Health**

The rules have changed regarding when to report illness or illness exposure to the board of health. Illness exposure may mean:

- You have prepared food that is suspected in an outbreak
- You work at a facility that prepared food implicated in an outbreak
- You live with someone who made food implicated in an outbreak
- You live with someone who works at a facility that made food implicated in an outbreak

For some illnesses, the illness exposure time may have changed. The safe way to handle it is to train employees to inform their manager if any of these four bulleted items occur. Next, contact the Cuyahoga County Board of Health at 216-201-2000 to discuss the situation and we will provide guidance. If our office is closed, please follow the paging instructions because reporting exposure to implicated foods and/or illnesses is extremely important in preventing outbreaks.

### **3717-1-02.3 Management and Personnel: Hygienic Practices**

The rules now read, *“Food employees shall effectively restrain hair by wearing hair restraints such as hats, hair coverings and nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed food...”*

This means ponytails and short hair are NOT considered hair restraints. Hair must be covered, including facial hair.

### **3717-1-02.4 Management and Personnel: Supervision**

There are several changes, including:

(A)2 Risk class III and IV food operations must have a management level employee who is Level II Food Safety Certified, such as the 16 hour ServSafe course offered by CCBH.

(C)9 Adds a requirement that *“Employees are properly maintaining the temperatures of TCS (time and temperature controlled for safety) foods during hot and cold holding through daily oversight of the employees’ routine monitoring of food temperatures.”*

(C)17 Now reads, *“The food service operation or retail food establishment has written procedures for employees to follow when responding to vomiting or diarrheal events that involve discharge onto surfaces in the food service operation or retail 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.”* Either a written policy with corresponding supplies or a body fluid clean-up kit with written instructions must be present.

### **3717-1-03.2 Food: Protection from Contamination after Receiving**

Two new sections have been added:

(K)2 Addresses how scoops and utensils can be stored inside of bulk containers of non-TCS foods (i.e. flour, sugar or cinnamon). It states that as long as these foods are going to be thoroughly cooked, the utensil may be stored in the product. However, if the product will be used on ready to eat food such as cinnamon sprinkled onto a cake without cooking, the scoop handle must be up and out of the product and the product must remain covered.

(N)4 Latex gloves may no longer be used inside a food service or retail food establishment.

### **3717-1-04 Equipment, Utensils and Linens: Materials for Construction and Repair**

There have been some changes that permit the use of wooden storage crates for foods that are delivered in them, such as produce and nuts, and also the use of properly treated wood containers if the preservative meets the requirements specified in the Code of Federal Regulations.

**3717-1-04.2 Equipment, Utensils and Linens: Numbers and Capacities**

A section has been added that requires the operator to have sanitizer and the appropriate test kit for the sanitizer available at all times.

**3717-1-5.3 Water, Plumbing, and Waste: Sewage, Other Liquid Waste, and Rainwater**

States that if a new three compartment utensil washing sink is installed, it must be indirectly plumbed with an air gap over the floor drain in compliance with the Ohio Plumbing Code.

**3717-1-07.1 (B) Poisonous or Toxic Materials: Operational Supplies and Applications**

It is specified that pesticides cannot be applied by anyone other than a licensed pest control operator. This includes household sprays and gels purchased over the counter in retail settings.

**3717-0-8.4 Special Requirements: Acidified White Rice Preparation Criteria**

The target pH for acidified rice is now 4.1 and not to exceed 4.3. The pH test must be conducted within 30 minutes after acidification of the rice. The liquid portion of mix (slurry) must have a pH or 4.3 or less.

**For additional information call the Cuyahoga County Board of Health at 216-201-2000**