CHAPTER 20 REVISION
RETAIL FOOD ESTABLISHMENTS
QUALITY OF LIFE COMMITTEE – JUNE 23, 2014

ENVIRONMENTAL HEALTH DIVISION

Patrick Key, RS – Acting Assistant Director
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BACKGROUND

• Chapter 20 revision last occurred 2007

• Local chefs and grocers voiced concerns regarding the need to revise the local food code based on new science studies.

• 2013 FDA Food Code was released in late October
BACKGROUND

• 4 Stakeholder meetings held in 2014
• Invited 225 individuals and organizations (local restaurant owners and operators, grocers, GHRA, BOMA, Hotel and Lodging Association of Greater Houston)
• 17-20 individuals and organizations attended each meeting
• In general most changes received widespread support by stakeholders
DEFINITIONS

- **Light Color** – having 40% or greater light reflective value (walls and ceilings)
- **Reduced oxygen packaging** revised to clarify and expand the definition to address “cook chill” and “sous vide packaging”
- **Low risk establishment** (reduce inspection frequency to 24 months at low risk establishments)
- **Potentially hazardous food definition** is revised to include cut leafy greens and cut tomatoes
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<th><strong>Existing</strong></th>
<th><strong>Proposed</strong></th>
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<td>Provides requirements for vacuum packaging of food only. Does not provide requirements for reduced oxygen packaging processes such as sous vide or cook chill. A variance is required.</td>
<td>Provides additional methods to safely comply with reduced oxygen packaging requirements without the need for a variance.</td>
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<td>Limits the refrigerated shelf life to no more than 14 days.</td>
<td>Refrigerated shelf life of vacuumed packaged food extended from 14 days to 30 days.</td>
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<td>All foods that are packaged by reduced oxygen packaging methods are required to have a HACCP plan.</td>
<td>Eliminated the requirement for a HACCP Plan for reduced oxygen packaging of non-potentially hazardous food.</td>
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* A variance is a written document used by the regulatory authority that authorizes a modification or waiver of one or more of the requirements of the ordinance, if in the opinion of the regulatory authority, a health hazard or nuisance would not result from the modification or waiver.
**2013 FDA FOOD CODE:**
**SPECIALIZED PROCESSES: REDUCED OXYGEN PACKAGING WITHOUT A VARIANCE**

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| • No provisions in current Houston Food Ordinance or TFER for cooking and cooling of food in a sealed bag. Required to look to FDA Food Code for guidance. | • New time and temperature options. Cooled in sealed bag to 41°F within 6 hours:  
   - 1. Cooled from 41°F to 34°F within 48 hours and held until discarded within 30 days;  
   - 2. Held at 41°F in a sealed bag for 7 days or less.  
   - 3. Held frozen with no shelf life restriction until consumed or used. |
| • HACCP plan required for all food packaged by reduced oxygen methods. | • HACCP plan not required for reduced oxygen packaging of potentially hazardous food if package is labeled with production time and date; and held at 41°F or less and food removed from package or package is opened to expose product to atmospheric oxygen within 48 hours. |
ADMINISTRATIVE REVISIONS

Existing

- Ordinance states application be received 7 days before the event. No penalty.

- Current ordinance allows for instructor-guided class with test or test-only option for certification. Trend in regulatory agencies and the industry for on-line training of managers.

- Initial course-15 hours and renewal course- 7 hours

Proposed

- Special Investigative Fees: added for temporary food service applications not received at least 7 days before the event.

- Food Service Manager’s Certification Course: make course available online

- Duration of the Course: Remove requirement that the course be 15 hours in length and conducted at an appropriate length of time to cover course material.
INFORMATION AVAILABILITY

- **Online inspections**: Post full inspection reports to the HDHHS Website. Currently general violations appear in code language and not the actual inspection report.

- **Online reporting**: Offer electronic reporting of inspection results to business operators and corporate owners.

  (these do not require ordinance revision)
THANK YOU