

**Variances/HACCP/
Specialized
Processes**



Please fill out name tent

- Name
- Municipality
- # of Years you have done Food Inspections

Ground Rules

- Share the air
- Be. Here. Now.
- No sidebar conversations
- Respect/celebrate differing opinions
- (Don't) Talk to the Hand

Capturing Questions/Ideas

- Use Parking Lot for questions to be addressed later
- Log Key Learnings/Ideas to use in the future

Learning Objectives

At the end of this session, you will be able to:

- Describe activities that require Variance
- Describe Activities that require a HACCP plan
- Assess a HACCP plan in writing and practice
- Assess TPHC procedures in writing and practice
- Locate and cite the Regulatory Applications of HACCP requirements from 105 CMR 590 and the 2013 Food Code

4 Concepts

1. Variances
2. Specialized Processes
3. HACCP
4. TPHC

What is a Variance?

Variance means a written document issued by the Regulatory Authority (RA) that authorizes a modification or waiver of one or more requirements of this Code if, in the opinion of the RA, a health hazard or nuisance will not result from the modification or waiver.

Note: The variance is contingent upon control of potential health hazards that may occur as a result of the modification (e.g. *HACCP plan*)

Regulation: § 8-103.10 Modifications and Waivers

The regulatory authority may grant a variance by modifying or waiving the requirements of this Code if in the opinion of the regulatory authority – a health hazard or nuisance will not result from the variance. If a variance is granted, the regulatory authority shall retain the information specified under § 8-103.11 in its records for the food establishment.

Regulation: § 8-103.11 Documentation of Proposed Variance and Justification

Before a variance from a requirement of this Code is approved, the information that shall be provided by the person requesting the variance and retained in the regulatory authority's file on food establishment includes:

- A. A statement of the proposed variance of the Code requirement citing relevant Code section numbers;
- B. An analysis of the rationale for how the potential public health Hazards and nuisances addressed by the relevant Code sections will be alternatively addressed by the proposal; and
- C. A HACCP plan if required as specified under § 8-201.13(A) that includes the information specified under § 8-201.14 as it is relevant to the variance requested.

Specialized Processes

- Special Processes is a term used to describe processes or procedures, often using unusual technologies or equipment; that are not fully addressed in the Food Code.
- Special Processes can present a significant health risk if not conducted under strict operational procedures.
- Special Processes are usually conducted in processing/manufacturing, but MAY be conducted at retail but with the strict operational procedure requirements – a food safety management system must be approved, and in place.

Discussion



Special Processes

Can you name some of the **specialized processes** being conducted at retail establishments that require a HACCP plan?

Specialized Processes or
Operations Requiring a Variance
AND
A HACCP Plan

Specialized Processing Methods Requiring a Variance AND a HACCP Plan

Regulation § 3-502.11

A food establishment shall obtain a variance from the regulatory authority as specified in § 8-103.10 and § 8-103.11 before conducting one or more of the following specialized processes. A HACCP plan is also required under § 8-201.13 and must be approved by the regulatory authority before conducting a specialized process.

- . Smoking food as a method of preservation (rather than a method of flavor or color enhancement);
- . Curing food;
 - . As a method of food preservation (rather than to enhance flavor) or
 - . To render food so that it is not time/temperature control for safety (TCS)
- . Using food additives or adding components such as vinegar, such as acidification or fermentation)
- . Packaging Time/Temperature Control for Safety (TCS) food using a Reduced Oxygen Packaging (ROP) method except where the growth of and toxin formation by *Clostridium botulinum* and the growth of *Listeria monocytogenes* are controlled as specified under § 3-502.12;
- . Operating a molluscan shellfish life-support system display tank used to store or display shellfish that are offered for human consumption;
- . Custom processing animals that are for personal use as food and not for sale or service in a food establishment;
- . Preparing food by another method that is determined by the regulatory authority to require a variance, such as treating juice to achieve a 5-log reduction of pathogens; or Sprouting Seeds or Beans

Require Variance and HACCP

1. Smoking food (for preservation)
2. Curing Food
3. Acidifying/fermenting food with additives (e.g. sushi)
4. Reduced Oxygen Packing (ROP) of TCS Foods (unless bacterial growth is otherwise controlled)
5. Molluscan Shellfish tank
6. Custom-processing animals for personal use
7. Sprouting seeds/beans

Specialized Processes or Operations
Requiring a HACCP Plan
But **NO** Variance
(unless required by jurisdiction)

Specialized Processing Methods or Operations Requiring a HACCP Plan, but NO Variance

Treating Juice to Attain a 5-log Reduction of Most Resistant Microorganism of Public Health Concern

Regulation § 3-404.11

¶ (A) Treated under a HACCP PLAN as specified in ¶¶ 8-201.14(B) - (E) to attain a 5-log reduction of the most resistant microorganism of public health significance.

Reduced Oxygen Packaging (ROP) without a Variance, Criteria

Regulation § 3-502.12

¶ (B): ROP packaged TCS food must control the growth and toxin formation of *Clostridium botulinum* and the growth of *Listeria monocytogenes* by meeting specific criteria.

¶ (C): ROP packaged fish must be frozen before, during, and after packaging.

¶ (D): ROP packaged TCS food using a cook-chill or sous vide process must meet specific criteria.

¶ (E): ROP packaged specific cheeses must meet specific criteria.

Require HACCP but No Variance

1. Juice PACKAGED in establishment without a Warning label
2. ROP of raw meats, poultry and vegetables
3. ROP of fish (must be frozen before, during and after)
4. ROP of cheese (only hard and semi-soft cheeses)
5. Cook-chill
6. Sous Vide

'Packaged' definition

(1) "Packaged" means bottled, canned, cartoned, securely bagged, or securely wrapped, whether PACKAGED in a FOOD ESTABLISHMENT or a FOOD PROCESSING PLANT.

(2) "Packaged" does not include wrapped or placed in a carry-out container to protect the FOOD during service or delivery to the CONSUMER, by a FOOD EMPLOYEE, upon CONSUMER request.

'Juice' definition

(1) "Juice" means the aqueous liquid ex-pressed or extracted from one or more fruits or vegetables, purées of the edible portions of one or more fruits or vegetables, or any concentrates of such liquid or purée.

(2) "Juice" does not include, for purposes of HACCP, liquids, purées, or concentrates that are not used as BEVERAGES or ingredients of BEVERAGES.

Specialized Processes or Operations That Do Not Require A Variance or a HACCP Plan

Specialized Processing Methods or Operations That DO NOT Require a Variance or a HACCP Plan

Treating Juice

Regulation ¶ 3-404.11 (B)

Unpasteurized juice that is not treated to yield a 5-log reduction of the most resistant microorganism of public health significance (not for HSP) may apply a warning statement on the package as specified under § 3-602.11 and in 21 CFR 101.17(g).

“WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.”

Reduced Oxygen Packaging (ROP) without a Variance, Criteria

Regulation ¶ 3-502.12 (F)

A HACCP plan **is not** required when a food establishment uses a reduced oxygen packaging method (ROP) for TCS food that is always:

- labeled with the production time and date,
- held at or below 41°F during refrigerated storage, and
- removed from its package in the food establishment within 48 hours after packaging

Don't Require HACCP or Variance

1. Juice PACKAGED in establishment with a Warning label
2. ROP of Non-TCS Foods - Except fruit juice 
3. ROP of TCS Foods IF food is always:
 1. Labeled with Production Time/date AND
 2. Held at 41F or below AND
 3. Removed from its package in the Establishment within 48 hours of packaging

Is a Variance and/or HACCP Plan Required?



Instructions

For each of the following scenarios, indicate whether a variance, HACCP plan, and/or other special requirements are needed. (Choose all that apply.)

Please also report where you found the citation to back it up.

For this exercise, you'll need the Merged Food Code and the 2013 FDA Food Code.

Response Options:

- Variance required
- HACCP plan required
- Other Special Requirements
- No Variance, HACCP Plan, or Other Special Requirement Needed

Scenario 1

A small orchard makes and bottles apple cider for sale to on-site customers only. They do not pasteurize the cider.

Variance required
HACCP plan required
Other Special Requirements



Scenario 1

A small orchard makes and bottles apple cider for sale to on-site customers only. They do not pasteurize the cider.

	Variance required
	HACCP plan required
☒	Other Special Requirements



1. A small orchard makes and bottles apple cider for sale to on-site customers only. They do not pasteurize the cider._

Other Special Requirements

Answer: If they do not achieve a 5-log reduction in pathogens of concern according to **Food Code Section 3-404.11 Treating Juice** [also specified in 21 CFR 101.17(g)], they must place a warning statement on the label: “**WARNING:** This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.”

Labeling requirements apply (3-602.11)

3-404.11 Treating Juice

JUICE PACKAGED in a FOOD ESTABLISHMENT shall be:

(A) Treated under a HACCP PLAN as specified in ¶¶ 8-201.14(B) - (E) to attain a 5-log reduction, which is equal to a 99.999% reduction, of the most resistant microorganism of public health significance; ^P **or**

(B) Labeled, if not treated to yield a 5-log reduction of the most resistant microorganism of public health significance: ^{Pf}

1. As specified under § 3-602.11, ^{Pf} **and**
2. As specified in 21 CFR 101.17(g) Food labeling, warning, notice, and safe handling statements, JUICES that have not been specifically processed to prevent, reduce, or eliminate the presence of pathogens with the following, “WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and persons with weakened immune systems.” ^{Pf}

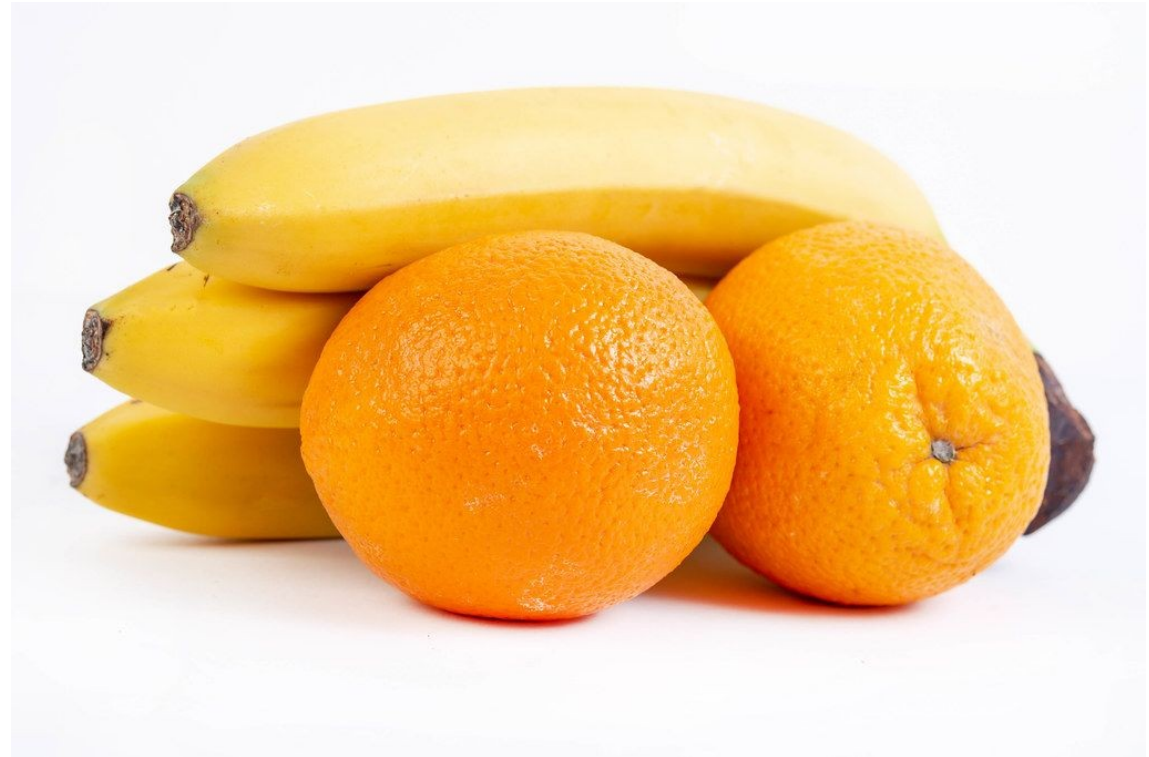
Scenario 2

A juice bar prepares orange-banana juice to order for individual customers.

Variance required

HACCP plan required

**Other Special
Requirements**



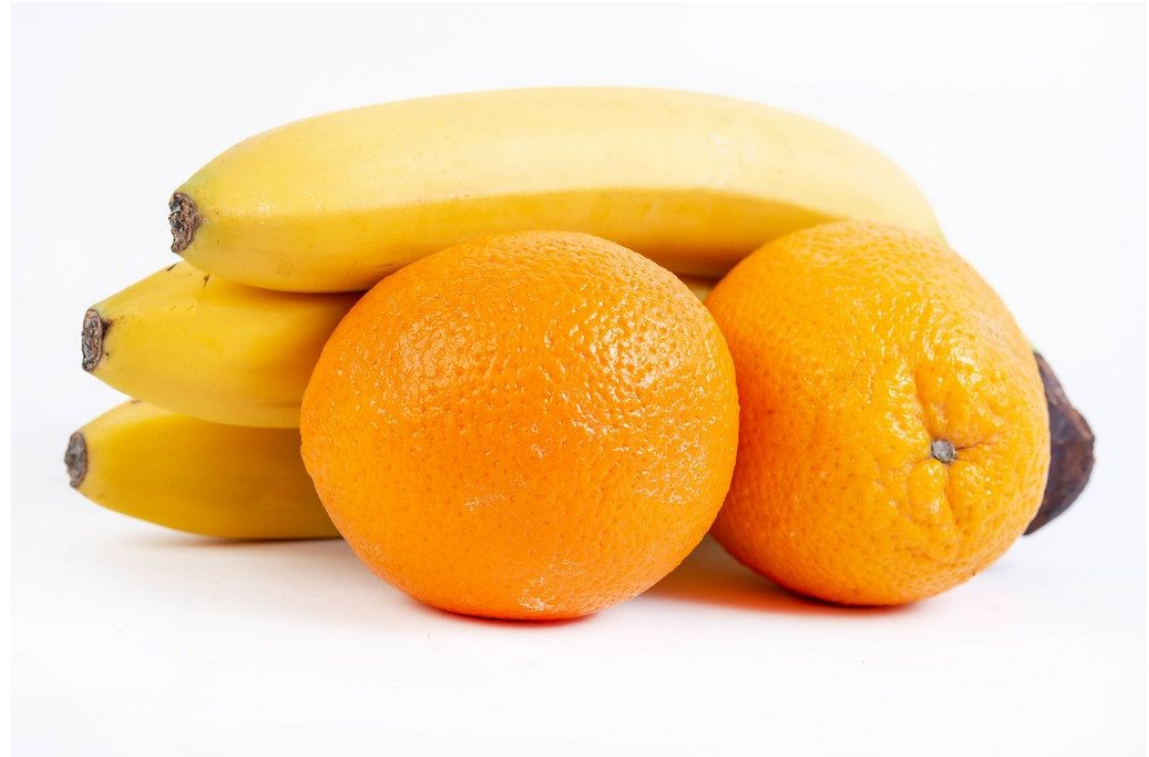
Scenario 2

A juice bar prepares orange-banana juice to order for individual customers.

Variance required

HACCP plan required

**Other Special
Requirements**



2. A juice bar prepares orange-banana juice to order for individual customers.

Answer: The juice is not packaged or bottled; therefore, **neither a variance nor a HACCP plan nor special requirements are required.**

Normal washing and culling of damaged or decayed fruit should be done before juicing but there are no special requirements.

Scenario 3

A store wants to vacuum package whole coffee beans and ground coffee with a shelf life of 6 months and sell to customers directly.

Variance required

HACCP plan required

Other Special Requirements



Scenario 3

A store wants to vacuum package whole coffee beans and ground coffee with a shelf life of 6 months and sell to customers directly.

Variance required

HACCP plan required



Other Special Requirements



3. A store wants to vacuum package whole coffee beans and ground coffee with a shelf life of 6 months and sell to customers directly.

Other Special Requirements

Answer: Coffee beans (ground or whole) are non-TCS because of their low water activity. Therefore, ROP requirements, including HACCP plan, variance and restrictions on shelf life, do not apply.
Labeling requirements apply.

Scenario 4

A restaurant vacuum packages specially cut and marinated (raw) steaks for sale to their patrons.

Variance required

HACCP plan required

**Other Special
Requirements**



Scenario 4

A restaurant vacuum packages specially cut and marinated (raw) steaks for sale to their patrons.

Variance required



HACCP plan required



Other Special Requirements



4. A restaurant vacuum packages specially cut and marinated (raw) steaks for sale to their patrons.

HACCP Plan and Special Requirements

Answer: Vacuum packaging is a form of ROP, therefore a HACCP plan is required under (3-502.12(B)(d)). High levels of competing organisms in raw meat provide a secondary barrier that allows the vacuum packaged steaks to be held at 41°F without a variance for 30 days of packaging unless frozen, or the original manufacturer's "sell-by" or "use-by" date, whichever occurs first.

They must also meet the other requirements of 3-502.12 (B) (3) – (7). These requirements must be stated in the HACCP plan, which must be provided to the REGULATORY AUTHORITY prior to implementation as specified under ¶ 8-201.13(B). **Labeling requirements apply.**

Scenario 5

A restaurant uses a small smoker to smoke turkey breasts to a final temperature of 175°F in 7 hrs and served within 3 days

Variance required

HACCP plan required

**Other Special
Requirements**



Scenario 5

A restaurant uses a small smoker to smoke turkey breasts to a final temperature of 175°F in 7 hrs

Variance required

HACCP plan required



Other Special Requirements



5. A restaurant uses a small smoker to smoke turkey breasts to a final temperature of 175°F in 7 hrs.

Other Special Requirements

Answer: Because the smoking process meets the required cooking temperature for poultry of 165°F for 15 seconds, no variance or HACCP plan is required. **But the safety of the material (wood, sawdust, etc.) used to generate the smoke in the smoker must be verified.**

Variance required
HACCP plan required
Other Special Requirements

Scenario 6

A restaurant buys alfalfa seed from a local farmer and soaks/irrigates the seed to grow fresh alfalfa sprouts for sandwiches and salads.



Scenario 6

A restaurant buys alfalfa seed from a local farmer and soaks/irrigates the seed to grow fresh alfalfa sprouts for sandwiches and salads.



Variance required



HACCP plan required

**Other Special
Requirements**



6. A restaurant buys alfalfa seed from a local farmer and soaks/irrigates the seed to grow fresh alfalfa sprouts for sandwiches and salads.

Variance and a HACCP Plan Required

Answer: Under **3-502.11 (H) Variance Requirement** a FOOD ESTABLISHMENT shall obtain a VARIANCE from the REGULATORY AUTHORITY as specified in § 8-103.10 and under § 8-103.11 before sprouting seeds or beans.

Key elements of the HACCP plan should include using seed intended for human consumption (GAPs), disinfecting the seed with 20,000 ppm Ca hypochlorite, testing the irrigation water for pathogens and refrigeration of the sprouts at 41°F or less. See FDA Guidance for Industry: Reducing Microbial Food Safety Hazards for Sprouted Seeds.

Scenario 7

A meat market smokes and cures Polish sausage where the final product temperature reaches 178°F after 24 hours.

Variance required

HACCP plan required

Other Special Requirements



Scenario 7

A meat market smokes and cures Polish sausage where the final product temperature reaches 178°F after 24 hours.



Variance required



HACCP plan required



Other Special Requirements



7. A meat market smokes and cures Polish sausage where the final product temperature reaches 178°F after 24 hours.

Variance, HACCP Plan, and Other Special Requirements

Answer: Since the smoking process reaches a temperature above the required cooking temperature for comminuted meat, no variance or HACCP plan is required because of the smoking. **The source of the materials used to generate the smoke must be verified for safety though.**

Scenario 7: Special Requirements

But the curing process is for preservation and to extend shelf life. Therefore under 3-502.11

(A)Variance Requirement a FOOD ESTABLISHMENT **shall obtain a variance** from the regulatory authority and submit a HACCP plan as specified in § 8-103.10 and under § 8-103.11 before curing FOOD as a method of FOOD preservation rather than as a method of flavor enhancement.

Special requirements for curing comminuted sausage include: additives for curing must be approved for their intended use such as nitrates and nitrites for fixing color and cure accelerators such as ascorbates or erythorbates to speed the reaction, accurate measure of curing compounds must be done on a certified scale if not using pre-weighed packets, good mixing must be done for uniform distribution of curing compounds **in the mix, curing must be done at $\leq 41^{\circ}\text{F}$, final concentration of nitrite must be ≤ 200 ppm, and the label of the packaged product must show curing additives in the ingredient statement along with other necessary labeling information.** Refer to the HACCP Guide from MA DPH for details.

Variance required

HACCP plan required

**Other Special
Requirements**

Scenario 8

A sushi bar acidifies their hot sushi rice to pH 4.1 with sweetened rice wine vinegar early in the morning and holds it at room temperature until it is used in the afternoon to make sushi rolls with raw vegetables, cooked shrimp, or cooked lobster for individual orders at lunch time.





Variance required



HACCP plan required

**Other Special
Requirements**

Scenario 8

A sushi bar acidifies their hot sushi rice to pH 4.1 with sweetened rice wine vinegar early in the morning and holds it at room temperature until it is used in the afternoon to make sushi rolls with raw vegetables, cooked shrimp, or cooked lobster for individual orders at lunch time.



8. A sushi bar acidifies their hot sushi rice to pH 4.1 with sweetened rice wine vinegar early in the morning and holds it at room temperature until it is used in the afternoon to make sushi rolls with raw vegetables, cooked shrimp, or cooked lobster for individual orders at lunch time.

Variance and HACCP Plan Required

Answer: Under 3-502.11 ***Variance Requirement*** a FOOD ESTABLISHMENT shall obtain a variance from the regulatory authority and submit a HACCP plan as specified in § 8-103.10 and under § 8-103.11 before Using FOOD ADDITIVES or adding components such as vinegar as a method of FOOD preservation rather than as a method of flavor enhancement, or to render a FOOD so that it is not TIME/TEMPERATURE CONTROL OF SAFETY FOOD.

Questions



Administrative Provisions



History of Hazard Analysis and Critical Control Plan (HACCP)

1959 The Pillsbury Company, US Army Natick Laboratories and the National Aeronautics and Space Administration (NASA) began developing the HACCP System

- First presented to the public in 1971 at the National Conference on Food Protection.

Initial HACCP (HACCP 1.0) Consisted of three principles:

- Identification and assessment of hazards associated with growing/harvesting to marketing/preparation
- Determination of the critical control points to control any identifiable hazard.
- Establishment of systems to monitor critical control points.

History of HACCP (Cont'd)

- Early 1970s FDA began training inspectors on all elements of HACCP and began HACCP inspections.
- The low acid (21 CFR 113) and acidified foods (21 CFR 114) regulations that were promulgated in the early 1970s included HACCP-like concepts.
- Little to no advancement until the mid 1980s
- FDA Seafood HACCP – 1995
- USDA Meat and Poultry HACCP – 1996
- FDA Juice HACCP - 2001

7 HACCP Principles

- 1: Conduct a hazard analysis.
- 2: Determine the critical control points (CCPs).
- 3: Establish critical limits.
- 4: Establish monitoring procedures
- 5: Establish corrective actions.
- 6: Establish verification procedures
- 7: Establish record-keeping and documentation procedures

HACCP Requirements

Permit Holder shall

- Submit HACCP plan for approval
- Comply with approved HACCP plan

HACCP Requirements Under MA Regulations and Food Code

Person-In-Charge

- Demonstrate knowledge of application of HACCP principles
2-102.11 [590.002(B)]

If HACCP Plan is required:

- Explain in detail the HACCP plan (2-102.11 (C)(15))
- Designate food employee for monitoring and controlling of Critical Control Points (8-201.14 (D)(3))
- Verification of HACCP plan (8-201.14 (D)(4))
- Take corrective actions if CL is not met (8-201.14 (D)(5))
- Maintain and provide HACCP records (8-201.14 (D)(6) and 590.008(K)(B)(2)(e) and f (See 8-403.10))

Prerequisite Programs

Develop SOPs

Prerequisite

- Procedures to prevent cross contamination
- Personal hygienic practices
- Pest Control System
- Vendor Certification Program
- Staff Training Program
- Refrigeration Temperature Monitoring Program
- Preventive Maintenance Schedule

Required

- Employee Sick Policy - Requirement per 2-103.11 Person in Charge. [590.002(D)] *“(O) FOOD EMPLOYEES and CONDITIONAL EMPLOYEES are informed in a verifiable manner of their responsibility to report in accordance with LAW, to the PERSON IN CHARGE, information about their health and activities as they relate to diseases that are transmissible through FOOD, as specified under ¶ 2-201.11(A). PF”*
- Allergen Management Program - MA State Requirement per 105 CMR 590.011

Regulation: § 8-201.14

Contents of a HACCP Plan

For a FOOD ESTABLISHMENT that is required under § 8-201.13 to have a HACCP PLAN, the PERMIT applicant or PERMIT HOLDER shall submit to the REGULATORY AUTHORITY a properly prepared HACCP plan that includes:

- (A) General information such as the name of the PERMIT applicant or PERMIT HOLDER, the FOOD ESTABLISHMENT address, and contact information;
- (B) A categorization of the types of TIME/TEMPERATURE CONTROL FOR SAFETY FOODS that are to be controlled under the HACCP PLAN; Pf
- (C) A flow diagram or chart for each specific FOOD or category type that identifies:
 - 1. Each step in the process; Pf
 - 2. The HAZARDS and controls for each step in the flow diagram or chart; Pf
 - 3. Steps that are CRITICAL CONTROL POINTS; Pf
 - 4. The ingredients, materials, and equipment used in the preparation of that FOOD, Pf and
 - 5. Formulations or recipes that delineate methods and procedural control measures that address the FOOD safety concerns involved; Pf

Regulation: § 8-201.14

Contents of a HACCP Plan (Cont'd 2)

(E) Supporting documents such as:

- (1) FOOD EMPLOYEE and supervisory training plan that addresses the FOOD safety issues of concern;^{Pf}
- (2) Copies of blank records forms that are necessary to implement the HACCP PLAN;^{Pf}
- (3) Additional scientific data or other information, as required by the REGULATORY AUTHORITY, supporting the determination that FOOD safety is not compromised by the proposal.^{Pf}

(F) Any other information required by the REGULATORY AUTHORITY.

Regulation: § 8-201.14

Contents of a HACCP Plan (Cont'd)

D) A CRITICAL CONTROL POINT summary for each specific FOOD or category type that clearly identifies:

- (1) Each CRITICAL CONTROL POINT, ^{Pf}
- (2) The CRITICAL LIMITS for each CRITICAL CONTROL POINT, ^{Pf}
- (3) The method and frequency for monitoring and controlling each CRITICAL CONTROL POINT by the designated FOOD EMPLOYEE or PERSON IN CHARGE ^{Pf}
- (4) The method and frequency for the PERSON IN CHARGE to routinely verify that the FOOD EMPLOYEE is following standard operating procedures and monitoring CRITICAL CONTROL POINTS, ^{Pf}
- (5) Action to be taken by the designated FOOD EMPLOYEE or PERSON IN CHARGE if the CRITICAL LIMITS for each CRITICAL CONTROL POINT are not met, ^{Pf} and
- (6) Records to be maintained by the PERSON IN CHARGE to demonstrate that the HACCP PLAN is properly operated and managed; ^{Pf} and

Acidified Sushi Rice HACCP Plan Contents

- Hazard is Bacillus Cereus
- Acidification of the rice is CCP
- Recipe includes weight/volume of rice and water and strength of vinegar
- PH of each batch of acidified rice must be verified using a calibrated (daily) pH meter or appropriate pH paper
 - pH strips must be able to detect 0.1 unit differences in pH (increments of 0.3 or less)
- Record-keeping to document pH, pH meter calibration and Corrective action
- Sample log forms

Acidified Sushi Rice HACCP Plan Key Elements

- If using pH paper, the pH shall not exceed 4.3
- If using a pH meter, the pH shall not exceed:
 - 4.3 if tested within 2 hours of preparation, or
 - 4.6 if tested after 2 hours of preparation.
- Lab validation updated annually or when recipe is modified
- Signed and dated HACCP plan reviewed and updated at least annually or as needed by PIC.

Acidified Sushi Rice HACCP Plan Key Elements

Supporting documents such as:

- FOOD EMPLOYEE and supervisory training plan that addresses the FOOD safety issues of concern
- PH meter calibration log
- PH measurement log (retain for 30 days)
- Validation by independent laboratory of acidification process. Redo if/when recipe changes
- Also: Parasite destruction documentation

Other HACCP Notes

- HACCP plans in use at an establishment have been previously approved by your jurisdiction
- Establishments with HACCP plans are Risk Level 4
- No Specialized processes allowed in Residential kitchens (e.g hot sauce)

Regulation: § 8-103.12

Conformance with Approved Procedures

If the regulatory authority grants a variance as specified in § 8-103.10, or a HACCP plan is otherwise required as specified under § 8-201.13, the permit holder shall:

(A) Comply with the HACCP plans and procedures that are submitted as specified under § 8-201.14 and approved as a basis for the modification or waiver; and

(B) Maintain and provide to the regulatory authority, upon request, records specified under § 8-201.14(D) and (E) that demonstrate that the following are routinely employed;

- Procedures for monitoring critical control points,
- Monitoring of the critical control points,
- Verification of the effectiveness of an operation or process, and
- Necessary corrective actions if there is failure at a critical control point

Review 1

Special Processes Requiring a Variance

Special Process at Retail	Variance	Exceptions
Reduced Oxygen Packaging	Yes	Methods specified under 3-502.12, FISH may not be packaged using ROP unless frozen
Sprouting	Yes	
Custom Processing of Meat for Personal Use	Yes	
Operating Live Molluscan Shellfish Storage Display Tanks	Yes	
Curing, Drying and Smoking of Fish	Yes	Smoking for flavor enhancement, color, or part of the cooking process
Curing, Smoking of Meat and Poultry	Yes	Smoking for flavor enhancement, color, or part of the cooking process
Drying of Meat and Poultry	Yes	
Fermentation of Sausages	Yes	
Adding Components to Extend Shelf-life	Yes	
Juice Processing and Packaging	No	A performance standard is required instead of a variance

Review 2

Special Processes Requiring a HACCP Plan

Special Process at Retail	HACCP Plan	Exceptions
Reduced Oxygen Packaging	Yes	
Sprouting	Yes	
Custom Processing of Meat for Personal Use	Yes	
Operating Live Molluscan Shellfish Storage Display Tanks	Yes	
Curing, Drying and Smoking of Fish	Yes	Smoking for flavor enhancement, color, or part of the cooking process
Curing, Smoking of Meat and Poultry	Yes	Smoking for flavor enhancement, color, or part of the cooking process
Drying of Meat and Poultry	Yes	
Fermentation of Sausages	Yes	
Adding Components to Extend Shelf-life	Yes	
Juice Processing and Packaging	Yes	A warning label can be applied in lieu of HACCP Plan

Applicable Regulations - Specialized Processes or Operations Requiring a HACCP Plan

- § 3-404.11 Treating Juice Packaged in a Retail Food Establishment
- § 3-502.11 Variance Requirement – Specialized Processing Methods
- § 3-502.12 Reduced Oxygen Packaging Without a Variance, Criteria
- § 3-801.11 Pasteurized Foods and Prohibited Food in Highly Susceptible Populations
- § 8-103.10 Modifications and Waivers
- § 8-103.11 Documentation of Proposed Variance and Justification
- § 8-103.12 Conformance with Approved Procedures
- § 8-201.13 When a HACCP Plan is Required
- § 8-201.14 Contents of a HACCP Plan

Residential Kitchens and HACCP

Resource

AFDO Guide

AFDO HACCP Plans for Specialized Processes
at Retail

Breakout Session



Time as a Public Health Control

3-501.19 (1) Written procedures shall be prepared in advance, submitted to the REGULATORY AUTHORITY for review, maintained in the FOOD ESTABLISHMENT and made available to the REGULATORY AUTHORITY upon request

Time as a Public Health Control

Maximum of 4 hours:

- (1) The FOOD shall have an initial temperature of 41°F or less when removed from cold holding temperature control, or 135°F or greater when removed from hot holding temperature control
- (2) The FOOD shall be marked or otherwise identified to indicate the time that is 4 hours past the point in time when the FOOD is removed from temperature control

Time as a Public Health Control

(3) The FOOD shall be cooked and served, served at any temperature if READY-TO-EAT, or discarded, within 4 hours from the point in time when the FOOD is removed from temperature control and

(4) The FOOD in unmarked containers or PACKAGES, or marked to exceed a 4-hour limit shall be discarded

Time as a Public Health Control

(3) The FOOD shall be cooked and served, served at any temperature if READY-TO-EAT, or discarded, within 6 hours from the point in time when the FOOD is removed from temperature control and

(4) The FOOD in unmarked containers or PACKAGES, or marked to exceed a 6 hour limit shall be discarded

Time as a Public Health Control

A maximum of 6 hours

(1) The FOOD shall have an initial temperature of 41°F or less when removed from temperature control and the FOOD temperature may not exceed 70°F

(2) The FOOD shall be monitored to ensure the warmest portion of the FOOD does not exceed 70°F during the 6-hour period, unless an ambient air temperature is maintained that ensures the FOOD does not exceed 70°F

Time as a Public Health Control

- The FOOD shall be marked or otherwise identified to indicate
 - (a) The time when the FOOD is removed from 41°F or less cold holding temperature control and
 - (b) The time that is 6 hours past the point in time when the FOOD is removed from cold holding temperature control

Questions

