

INDUSTRY BULLETIN

for Florida's Food Service Industry



SUBJECT: **BARE HAND CONTACT AND READY-TO-EAT FOODS**

Number: 2008-01

Date: June 12, 2008

The Department of Business and Professional Regulation's (DBPR) Division of Hotels and Restaurants (DHR) adopted the 2001 Food Code. This code included a revised definition of "ready-to-eat" (R-T-E) which, in turn, impacted the types of food with which operators could have bare hand contact without implementing an Alternative Operating Procedure.

Recognizing ready-to-eat food is important since these foods may **not** be touched with a bare hand **unless** the establishment has an approved Alternative Operating Procedure. Even though the prohibition of bare hand contact with R-T-E food had already been implemented, the 2001 Food Code further described foods identified as ready-to-eat, basing the definition on measurable food safety requirements rather than on subjective operational intentions.

The 2001 Food Code defines a ready-to-eat food as a food that:

- Is in a form that is edible and does not require additional heat treatment (to kill bacteria or viruses) or freezing (to destroy parasites) in order to make it safe to eat;
- Is a raw or partially cooked animal food **AND** the consumer is provided with a written consumer advisory concerning the consumption of raw or undercooked animal food;
- May receive additional preparation (heating) in order to make the food more palatable or more pleasing to touch, taste, look or smell.

Foods may be in a form that is safe to eat from a food safety standpoint of food safety, and yet not be ready for service to the customer (e.g., frozen/refrigerated cooked meat). Heating food to improve its taste or smell is common, but does not alter the Food Code definition that describes the food as "ready to eat" because the food has already been cooked to the minimum required temperature and safely cooled. The term "ready-to-eat" does not require food be ready to serve, only that it is safe to eat.

Common ready-to-eat foods include:

- All potentially hazardous food that is cooked to the required temperature and time and properly cooled;
- Raw animal foods that are properly frozen for parasite destruction;
- Raw fruits and vegetables that are properly washed or cooked for hot holding and plant food that does not require further washing, cooking or other processing for food safety and from which rinds, peels, husks or shells are removed;
- Spices, seasonings and sugar; bakery items such as bread, cakes, pies, fillings or icing for which further cooking is not required for food safety; fruit and vegetable plate garnishes;
- Foods that have been processed according to USDA guidelines to reduce disease causing organisms (e.g., dry salami or pepperoni; salt-cured meats such as Prosciutto ham, country cured ham or jerky; and
- Foods processed and packaged in hermetically sealed containers.

Examples of foods that are R-T-E, but may not be commonly recognized as R-T-E include:

- Washed and cut raw vegetables included in Asian recipes;
- Pizza toppings such as raw vegetables, pepperoni, pre-cooked ground beef or sausage, and pre-cooked ham or bacon;
- Frozen / refrigerated cooked foods intended to be reheated in some manner prior to service;
- Soft or hard pre-cooked taco / burrito shells; and
- Raw sushi fish (frozen for parasite destruction and establishment has a consumer advisory) and sushi rice.

The Florida Administrative Code (FAC) allows for bare hand contact with R-T-E food if an Alternative Operating Procedure (AOP) has been approved [(61C-4.010(1) (d-g), FAC)]. An AOP must be submitted to your division inspector for approval and include:

- Identification of the specific work area (e.g., cook line) and employee positions where bare hand contact will occur; and
- Food preparation processes that will utilize bare hand contact and employee procedures for handling R-T-E food, including how cross contamination will be prevented.

In addition to proper hand washing, employees utilizing bare hand contact with R-T-E food must also use a chemical hand sanitizer, be properly monitored and receive professional hygiene training. All items must be addressed in the written AOP. The operator must maintain the written AOP and all related procedures within the establishment and review them annually.

The division will again enforce the no bare hand contact with R-T-E food beginning July 1, 2008. Violators are subject to appropriate administrative actions per division policy. It is the operator's responsibility to ensure that there is no bare hand contact with R-T-E food **unless** an approved Alternative Operating Procedure has been submitted and approved.

Additional information is available at <http://www.cfsan.fda.gov/~dms/fc01-1.html#1-2>, <http://www.cfsan.fda.gov/~dms/fc01-sup.html#ch330111>, and on our website at www.MyFlorida.com/dbpr/hr/ or by calling 850.487.1395.

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Charlie Crist, *Governor*

Division of Hotels and Restaurants

Chuck Drago,
Interim Secretary

www.MyFloridaLicense.com/dbpr/hr/