# IMPORTANT CHANGES TO THE TENNESSEE FOOD SERVICE LAW

The Tennessee Food Service Establishment Law has changed to incorporate the 2009 FDA model Food Code and current food science. **The new Food Service Law will take effect on July 1, 2015.** The most significant changes impacting food establishments are summarized below.

**The 5 Major Risk Factors of Foodborne Illness:**

- Food from unsafe sources
- Poor personal hygiene and ill food workers
- Inadequate cooking temperatures
- Improper holding temperatures and cooling procedures
- Cross Contamination and contaminated equipment

## Chapter 1- Purposes and Definitions

**Time/Temperature Control for Safety Food (TCS**) replaces Potentially Hazardous Food (PHF). TCS refers to food that requires time and/or temperature to ensure food safety. New examples of such foods are **cut tomatoes** and **cut leafy greens**.

**Product Assessment Tables** provide criteria for determination of non-PHF/non-TCS foods that may be held out of time/temperature control.

**New Violation Designations** replace Critical and Noncritical violations:

- **Priority Item**: contributes directly to the prevention of hazards directly associated with foodborne illness.
- **Priority Foundation Item**: supports Priority Items (i.e. cooling methods, calibrated thermometers);
- **Core Items**: relates to cleaning, design, and maintenance of buildings and equipment.

## Chapter 2 Management and Personnel-

A **Person In Charge (PIC)** must be able to **Demonstrate Knowledge of Food Safety** by:

1. Being a **Certified Food Protection Manage**r, or
2. Having no Priority or Priority Foundation violations, or
3. Correctly **answering food safety questions.**

## Employee Health Policy

An employee health policy is required where food employees must report certain symtoms and diagnoses to the PIC.

The PIC is responsible for ensuring that food service employees are excluded or restricted from work if ill with the following symptoms:

- Vomitting-
- Diarrhea-
- Jaundice-
- Sore throat with fever-
- An infected lesion or infection on thehands, wrists, or exposed areas of the arm-

Or Diagnosed with:

- Norovirus-
- Hepatitus A-
- Shigella-
- Shiga Toxin-Producing E.coli-
- Salmonella typhi-
- Nontyphoidal Salmonella-

The FDA Employee Health and Personal Hygiene Handbook contains helpful information: http://www.fda.gov/downloads/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/UCM194575.pdf

Chapter 3 Food

**Bare Hand Contact with ready-to-eat (RTE) Foods**
Food handlers shall not touch RTE foods with their bare hands. The proper use of tongs, scoops, deli paper, and single-use gloves will be required to handle food which will not be cooked, or cooked again before serving.

**Bare Hand Contact** with RTE foods requires prior approval of a variance from the Department of Health. Specific procedures, policies, and documentation per 3-301.11 (D) of the 2009 Food Code must be submitted in a variance request.

**Date Marking**
RTE, TCS foods, once opened or prepared (if held more than 24 hours) are required to be date marked. These foods must be used, sold, or discarded within **7 days** when held at or below 41°F.

**Consumer Advisory**
When animal foods are served raw, under-cooked, or without processing to eliminate pathogens, an **advisory** must be posted informing the consumer(s) of the health risk associated with consuming raw or undercooked animal foods.

Advisories must include:

1. A **Disclosure** that identifies which food items are offered raw or undercooked, and
2. A **Reminder:** Such as:
   Consuming raw or undercooked meats, poultry, seafood, or eggs may increase your risk of foodborne illnesses, especially if you have certain medical conditions.

**Cooling Procedures**
Potentially Hazardous/Time Temperature Control for Safety (TCS) foods must be cooled from 135°F to 41°F within six hours or less according to the following parameters:

- From 135 °F to 70°F within two hours
- From 70 °F to 41°F within four hours

Chapter 4-Equipment, Utensils & Linens

After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in:

- Hot water manual - immersion for at least **30 seconds**
- Hot water mechanical - achieving a UTENSIL surface temperature of 71°C (**160°F) as measured by an irreversible registering temperature indicator;** or
- Chemical manual or mechanical operations
  1. A contact time of at least 10 seconds for a chlorine solution-
  2. A contact time of at least 7 seconds for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 38°C (100°F) or a pH of 8 or less and a temperature of at least 24°C (75°F)-
  3. Contact time of at least 30 seconds for other chemical sanitizing solutions-; or
  4. A contact time used in relationship with a combination of temperature, concentration, and pH that, when evaluated for efficacy, yields sanitization.