

Retail Food Rule: Top 10 Potential Changes

The following provisions are being reviewed and are not final.

1. Certified Food Protection Manager (CFPM)

At least one employee must be a CFPM with ANSI certification from one of six national tests. The CFPM does not need to be on premises, but must ensure all PICs are properly trained and able to ensure Active Managerial Control. There is a 1 year extension to meet CFPM requirement.

2. Employee Health

Establishments must notify employees about reporting illness to the PIC and be able to verify they provided the notification. In addition, norovirus and all types of Salmonella are added to the list of reportable illnesses.

3. Clean up of Vomiting and Diarrheal Events

Establishments must have a written plan to clean up vomit and diarrheal events. Department of Health will share sample plans/items to include for use in food establishments, such as temporary events, mobile food units, schools, and facilities serving highly susceptible populations.

4. Bare Hand Contact with Ready-to-Eat Foods

Establishments wanting to prepare food with bare hands must demonstrate unique active managerial control requirements related to employee health in order to be approved. Department of Health is working on a sample application with guidance materials for local health.

5. Date Marking for 7-Day Shelf-Life

Select ready-to-eat, refrigerated, perishable foods prepared in-house or in opened packages will need to be marked and used within 7 days. Able to reheat or otherwise remediate products that may be safely reconditioned.

6. Refilling Reusable Consumer-Owned Containers

Establishments have the option to allow customers to bring in a clean container to fill, refill, or reuse under an approved plan.

7. Dogs in Select Outdoor and Indoor Areas

Dogs may be allowed in outdoor areas under an approved plan and in indoor areas of establishments with limited food service under conditions.

8. Mobile Food Units

Several changes were made for mobile food units based on recent state law changes and comments received.

9. Donated Foods

Several sections were changed to clarify food source and reduce limitations to help safely rescue food. Additional changes to notification are expected.

10. Food-Specific Changes

- Ground meats will need to be cooked to 158°F instantaneous
- Fresh fish may be served partially-cooked with consumer advisory

Progress Timeline

Current timeline has lengthened by three months.

- **July 2018**
Stakeholder comment on 2017 FDA Model Food Code
- **September 2018**
Food Safety Advisory Council rule review meetings begin
- **May 2019**
First draft of revised WAC 246-215 shared with stakeholders
- **July 2019**
Draft rule presented at five statewide locations and online
- **October 23, 2019**
Final Food Safety Advisory Council review of draft rule
- **April 8, 2020**
State Board of Health briefing
- **June 2020**
Filing CR-102
- **January or February 2021**
Potential implementation date of revised WAC 246-215

Education Materials

Upcoming education materials.

- **Mobile Food Unit Guides**
Plan review guidance materials to be complete by April 2020
- **Public Health Rationale**
A written explanation of all Washington modifications to the FDA Model Food Code
- **Training & Ed Materials**
New Food Worker Card and Person in Charge materials by October 2020