



## 2021 Summary of Changes to the Maricopa County Environmental Health Code

In October of 2021, Maricopa County Environmental Services Department (MCESD) updated the Maricopa County Environmental Health Code (MCEHC). These updates include revisions to chapters I, VII, VIII, X, and XIII, including the incorporation of the U.S. Food & Drug Administration's 2017 Model Food Code (2017 FDA Food Code) by reference, to replace the 2013 FDA Food Code. It is the intent of MCESD to use the remaining part of 2021 to train and educate our permit holders on these changes and begin enforcing them in January of 2022. Highlights of the proposed changes are provided below. For additional information, visit our Maricopa County website at [MCEHC 2021 Changes](#) or the U.S. Food & Drug Administration's website at [Summary of Changes between the 2013 and 2017 Food Code \(fda.gov\)](#).

### Summary of changes from the 2013 FDA Food Code to the 2017 FDA Food Code

- Paragraphs 2-102.12(A) and 2-102.20(B) were amended to state that the Person in Charge shall be the Certified Food Protection Manager. Per paragraph 2-101.11, a Person in Charge must be present during all hours of operation.
- 2-103.11 was amended to add new paragraph (I) to address additional duty requirement for the Person in Charge to ensure employees are routinely monitoring food temperatures during hot and cold holding.
- New Section 2-401.13 was added to indicate that, if used, an impermeable cover such as a bandage, finger cot or finger stall located on the wrist, hand or finger of a food employee working with exposed food shall be covered with a single-use glove.
- Section 2-501.11 was amended to indicate that procedures for the clean-up of vomiting and diarrheal events for employees to follow shall be written.
- New subparagraph 3-302.11(A)(1)(c) was added to indicate separating raw animal foods during storage, preparation, holding and display from fruits and vegetables before they are washed.
- Subparagraph 3-401.11(A)(1)(b), cooking of raw animal foods, was amended to include the term intact meat.
- Subparagraph 3-401.11(A)(2), cooking of raw animal foods, was amended to reflect new cooking time in seconds for ratites, mechanically tenderized and injected meats, comminuted fish, comminuted meat, comminuted game animals commercially raised for food or under voluntary inspection, and raw eggs that are not prepared to a consumer's order from 15 seconds to 17 seconds, at 68°C (155°F).
- Subparagraph 3-401.11(A)(3), cooking of raw animal foods, was amended to reflect new cooking time for poultry, baluts, wild game animals, stuffed foods or stuffing containing fish, meat, poultry or ratites from 15 seconds to <1 second (instantaneous), at 74°C (165°F).
- Subparagraph 3-401.13 replaces the term "fruits and vegetables" with the term "plant foods."
- Paragraph 3-502.12(C) was amended to add in additional exception criteria for fish that is reduced oxygen packaged at retail to bear a label indicating that it is to be kept frozen until time of use.
- New Section 4-303.11 added to require that equipment and utensil cleaning agents and sanitizers be provided and readily accessible for use.
- 8-404.11 amended by adding subparagraphs 8-404.11(C)(1)-(3) as new exception criteria indicating that the regulatory authority may agree to continuing operations during an extended water or electrical outage if written operational plans have been approved by the regulatory authority.

## **Summary of Changes to Chapters I, VII, VIII, X, and XIII of the MCEHC**

- Removed hearings before the Environmental Health Officer (where not required by statute or another regulation), when a Permit to Operate has been denied, and added a third-party hearing officer.
- Added the requirement that all associated fees be paid and an inspection conducted and/or the approval to operate granted before a Permit to Operate is considered valid.
- Updated all references to previous FDA Food Codes.
- Updated the frozen dessert pasteurization requirements to match the state code.
- Removed language that conflicts with the 2017 FDA Food Code regarding the Certified Food Protection Manager being onsite during all hours of operation.
- Allowing for the operation of a shared facility without the need for a secondary commissary permit.
- Added the requirement that shared facility owners must provide each permittee with designated and labeled spaces for the storage of supplies, dry goods and time/temperature control for safety foods. In addition, the owner of a shared facility must be able to provide access to all areas upon request by the department.
- Updated references for plumbing codes and statutes for consistency with other county departments.
- Deleted a repealed mechanical code reference.
- Incorporated requirements for the manufacture of frozen desserts in retail food establishments.
- A New Owner Transition process was approved for Public Accommodations and School Grounds permits, which allows new owners to operate without a permit provided specific requirements are met, such as written approval by the department, the previous owner has a valid permit, completion of ownership change within 30 days, and with no major alterations or additions to the establishment. An establishment must cease to operate any time an imminent health hazard exists.