

## Change is in the Air: New Food Code Coming to NYS

### INSIDE THIS ISSUE:

Changes Coming	1
Vac Pack Issues	1
Selling food offsite	1
Complaints	2
Foodworker Training	2
Contact Us	2

### Vacuum Packaging Woes

Just a friendly reminder to our FSE operators. Inspectors have been coming across packages of ‘in house’ vacuum sealed packages again this year. This is a critical violation. Although the use of a vacuum sealer seems like it would be a good idea, **food code does not allow** a restaurant to do so without first obtaining a waiver from the Health Department. This is due to concerns over **botulism** in the sealed packages. If you are currently sealing your own food and you do not have a waiver, please contact our office so that we may discuss the next steps with you with you!

If you have been a regular at any of the LCDOH-offered food worker safety classes in the last few years you have heard us talking about changes coming to the food code. It looks like that time is coming sooner than later. Although there are still no set dates, some significant rumblings coming from the State have caught our attention. All signs are pointing towards an updated NYS code for the first time since 1997. We expect the updated code to be more like the FDA model Food Code, already implemented in most other states.

One expected change is to the cold holding temperatures of food. Currently we require food to be held at 45°F or lower. The FDA code requires 41°F. This does not seem like a big difference, but many FSE’s may find their equipment cannot meet that temperature. They may need to service or replace their equipment in order to meet this requirement or risk being cited for a critical temperature violation.

If your equipment doesn’t seem up for this challenge, you might want to use this time before the switch to repair or upgrade.

With this upcoming change, expect there to be a “transition” period between codes. We have not received word on how long (if any) this period would be. **As soon as we have new information, you can be sure we’ll pass it on to you— you’ll hear it here first!**

### On the Road

We often get calls from operators who own an FSE and who have been asked to provide food for an off-site event. This is something that can be allowed under your FSE permit, but only with an additional permit type. Depending on your operation, this might be a catering permit, a mobile food permit, or a temporary food permit. In many cases, these permit add-ons can be granted over the phone. Our office will determine what equipment and processes you’ll need to follow to maintain food safety when away from your facility. It’s not difficult but you do need to **obtain your permit first!** Operating away from your facility without a permit is a serious violation.





The Center for Environmental Health  
 2 Murray Hill Drive  
 Mount Morris, NY 14510  
 Phone: 585.243.7280  
 Fax: 585.243.6793

Mark Grove, Director  
 Kevin Dyke, Senior Sanitarian  
 Katie Harding, Sanitarian

## LIVINGSTON COUNTY DEPARTMENT OF HEALTH

*Commitment to Leading the  
 Community For a Healthier and Safer  
 Tomorrow*

[www.livingstoncounty.us/eh](http://www.livingstoncounty.us/eh)

## There's a Fly in My Soup!

You know how it happens: A customer is angry that their expired coupon isn't honored. Maybe a problem employee is let go. As a restaurant owner, you might feel that creeping dread... Are they about to complain to the Health Department?

In Livingston County, anyone can call to report a problem at a food service establishment. We receive calls all the time with reports of improper food handling, unclean kitchens, everything you can imagine. Sometimes what the public sees as a problem is not a violation of the food code. These calls don't require any follow-up. But when we receive a report involving code violations, the complaint process begins!

We investigate all reports of violations at regulated food service establishments, even when they seem far-fetched. Do some of these complaints come from disgruntled employees? Absolutely! That doesn't mean the information isn't true. We are still required to follow up.

Not all complaint investigations result in a field visit. Some reports can be resolved with a call to the facility and a conversation with staff. Other times, a site visit is necessary. These visits are usually unannounced. We will always let you know that we're there to investigate a complaint, although we might not

discuss the details of the complaint until after the investigation is complete. We do not enforce on a violation unless we verify it ourselves. If the information in the complaint is inaccurate, the investigation will be closed and there will be no mark against your facility.

When a complaint is found to be valid, the process to correct it is the same as any violation found during your regular inspection. You may need to make an immediate correction, or you might be given a deadline to resolve the problem. Sometimes another visit will be required. Like all violations, repeat offenses are subject to fines or other enforcement actions.

Nobody wants to hear that a complaint was made about their facility. Just know that most complaint reports are resolved in a single visit, and with no additional enforcement required.



## Food Worker Training

### Online Food Workers Course

The Livingston County Department of Health is now offering an **online** Food Worker Training Certification! This course may be completed at anytime. For more information, visit our website:

<https://www.livingstoncounty.us/1019/Food-Worker-Training>

Please note that there is \$10 fee for the online course which is paid directly to the third party course provider. The LCDOH will continue to offer in-person trainings free of charge at our regularly scheduled times.

### In-Person Food Workers Courses

**Wednesday October 12, 2022 5pm-8pm**

**Thursday October 13, 2022 9am-12pm**

### PRE-REGISTRATION IS A MUST!!

Space is limited and classes fill up quickly. Please register online using the link above on or before Monday Oct 10

If you don't have internet access call our office to register at (585)243-7280

All courses are being held at the Livingston County Highway Department at the Hampton Corners Complex on Gypsy Lane.

**At least one employee from each food establishment must have a current certificate from an approved Food Workers Course.** Please call the LCDOH for more details regarding approved courses.