Implementation of the New Illinois Code

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In May 2016, the “new” Illinois Retail Food Code was passed (effective 6/29/2016)
Includes mandate that all LHDs implement no later than July 1, 2018
Most of the “old” Code was repealed
Incorporates most of the FDA food Code
Allows some reliance on OLD Code until implementation process is complete
Why did State adopt the “New Code”

- The New Code uses the most up-to-date federal food safety guidelines based on science and research
  - Focus on factors that cause and contribute to foodborne illness
- Uniform inspection process and common language between industry and Local Health Departments
  - Increase Uniformity across the State as many Local Health Departments have used different inspection forms
- Industry wanted uniformity
Local Implementation Process

- Involves Multi-step process including education, training, & computer updates
- Goal is to start utilizing new Code on January 1, 2018 (6 months prior to mandatory implementation)
- Requires revising Ordinance and/or establishing policies to insure in Compliance with new Code
  - Re-establish Food Advisory Committee to advise LCHD
- Educating Restaurants on new code and new inspection form
Implementation Process at LCHD

- Retraining of LCHD staff
  - new requirements
  - existing requirements
  - New inspection form
- Updating software
Implementation Process for Restaurants and Public

- Food Newsletter (restaurants)
  - Multiple articles on topics that are relevant to New Code
- Handouts (restaurants- at time of inspection and health permit renewal; public at health fairs)
  - HACCP Training Sheets
  - New permit Mailers
- Food Service Seminars
<table>
<thead>
<tr>
<th>What</th>
<th>When</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-establish Food Advisory Committee</td>
<td>August 2016</td>
<td>Complete</td>
</tr>
<tr>
<td>Review Ordinance and Policies</td>
<td>August 2016-August 2017</td>
<td>Complete</td>
</tr>
<tr>
<td>Board Approval of Ordinance</td>
<td>Sept- Nov 2017</td>
<td>In Process</td>
</tr>
<tr>
<td>Software Updates</td>
<td>Sept - Nov</td>
<td>In Process</td>
</tr>
<tr>
<td>Staff and Establishment training</td>
<td>August 2016 -</td>
<td>Always in Process</td>
</tr>
<tr>
<td>Use New Code and Inspection Form</td>
<td>January 1, 2018</td>
<td>On Track</td>
</tr>
</tbody>
</table>
The New Code
What to Expect

- Food Safety is STILL Food Safety!
  - Hot Foods still need to be Hot, Cold Food Still need to be kept Cold!
  - Hand washing is still required

- Incorporates parts of “old” 750 Illinois Code and the majority of the 2013 FDA Food Code
What to Expect

- New Inspection Form
- No Score Inspections
- Some New/Revised Requirements
  - Person in Charge (PIC)
  - Vomit/Diarrhea Policies
  - Hand Wash Signs
  - Employee Health Reporting
  - Special Processes need variances
- Inspections may take longer…. At least at the beginning
- More inspector interaction with PIC
The New Inspection Report
58 items in 2 Categories

29 FBI Risk Factor and Public Health Intervention items

29 Good Retail Practices

Report is Used as a checklist during the inspection

Each FBI Risk Factor must be reviewed in establishment during every inspection
### Inspection Report

#### Food Borne Risk Factors

**Food Establishment Inspection Report**

<table>
<thead>
<tr>
<th>Establishment</th>
<th>No. of Risk Factor/Intervention Violations</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of Repeat Risk Factor/Intervention Violations</td>
<td>Time In</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Time Out</td>
</tr>
<tr>
<td>License/Permit #</td>
<td>Permit Holder</td>
<td>Risk Category</td>
</tr>
<tr>
<td>Street Address</td>
<td>Zip Code</td>
<td>Purpose of Inspection</td>
</tr>
</tbody>
</table>

### Foodborne Illness Risk Factors and Public Health Interventions

Mark "X" in appropriate box for CD/D and/or R

**Compliance Status**

**Supervision**

1. IN/OUT Person in charge present, demonstrates knowledge, and performs duties
2. IN/OUT N/A Certified Food Protection Manager (CFPM)

**Employee Health**

3. IN/OUT Management, food employee and conditional employees' knowledge, responsibilities and record
4. IN/OUT Proper use of restriction and exclusion
5. IN/OUT Procedures for responding to vomiting and diarrheal events

**Preventing Contamination by Hands**

6. IN/OUT N/A Proper washing, rinsing, drinking, or tobacco use
7. IN/OUT N/A Proper hygiene practices
8. IN/OUT N/A Proper handwashing sink, properly supplied and accessible

**Consumer Advisory**

9. IN/OUT N/A Proper hand contact with RTE food or a pre-approved alternative procedure properly allowed
10. IN/OUT N/A Adequate handwashing sink, properly supplied and accessible

**Protection from Contamination**

11. IN/OUT N/A Food received at proper temperature
12. IN/OUT N/A Food obtained from approved source
13. IN/OUT N/A Proper holding temperatures
14. IN/OUT N/A Pest management and disinfestation

**Institutional Food Safety**

15. IN/OUT N/A Food receiving and preparation
16. IN/OUT N/A Food-contact surfaces cleared, cleaned, and sanitized
17. IN/OUT N/A Proper disposal of returned, previously served, reconditioned and unsafe food
18. IN/OUT N/A Proper cooling time and temperatures
19. IN/OUT N/A Proper reheating procedures for hot holding
20. IN/OUT N/A Proper cooling time and temperatures
21. IN/OUT N/A Proper hot holding temperatures
22. IN/OUT N/A Proper cold holding temperatures
23. IN/OUT N/A Proper date marking and disposition
24. IN/OUT N/A Time as a public health control procedure & records
25. IN/OUT N/A Consumer advisory provided for raw/undercooked food
26. IN/OUT N/A Highly Susceptible Populations
27. IN/OUT N/A Food additives approved and properly used
28. IN/OUT N/A Toxic substances properly identified, stored, and used
29. IN/OUT N/A Compliance with variance/specialized process/HACCP
Focus is on the Importance of FBI Risk Factors

Section looks closely at the most frequently reported contributing factors to foodborne illness:

- Food from Unsafe Sources
- Inadequate Cooking
- Improper Holding Temperatures
- Contaminated Equipment
- Poor Personal Hygiene
Each FBI Risk Factor must be reviewed in establishment during every inspection.

Each item needs to be marked in this section as follows:

- **IN** = in compliance
- **OUT** = out of compliance
- **N/A** = not applicable (example: Item 2: CFPM aka FSSMC in a Category 3/Low Risk)
- **N/O** = not observed (example: Item 12: you did not observe any food being delivered to establishment while you were present)
• If we are marking lots of “N/O”, then it’s recommended that we conduct your next inspection when you are doing these activities.

• Inspections will take longer, more in depth.
## Inspect Report

### Good Retail Practices

<table>
<thead>
<tr>
<th>Safe Food and Water</th>
<th>Proper Use of Utensils</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>43</td>
</tr>
<tr>
<td>Pasteurized eggs used where required</td>
<td>In-use utensils: properly stored</td>
</tr>
<tr>
<td>31</td>
<td>44</td>
</tr>
<tr>
<td>Water and ice from approved source</td>
<td>Utensils, equipment &amp; linens: properly stored, dried, &amp; handled</td>
</tr>
<tr>
<td>32</td>
<td>45</td>
</tr>
<tr>
<td>Variance obtained for specialized processing methods</td>
<td>Single-use/single-service articles: properly stored and used</td>
</tr>
<tr>
<td>33</td>
<td>46</td>
</tr>
<tr>
<td>Food Temperature Control</td>
<td>Gloves used properly</td>
</tr>
<tr>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Proper cooling methods used, adequate equipment for temperature control</td>
<td>Utensils, Equipment and Vending</td>
</tr>
<tr>
<td>35</td>
<td>47</td>
</tr>
<tr>
<td>Plant food properly cooked for hot holding</td>
<td>Food and non-food contact surfaces clean, properly designed, constructed, and used</td>
</tr>
<tr>
<td>36</td>
<td>48</td>
</tr>
<tr>
<td>Approved thawing methods used</td>
<td>Warewashing facilities: installed, maintained, &amp; used, test strips</td>
</tr>
<tr>
<td>36</td>
<td>49</td>
</tr>
<tr>
<td>Thermometers provided &amp; accurate</td>
<td>Non-food contact surfaces clean</td>
</tr>
<tr>
<td>37</td>
<td>50</td>
</tr>
<tr>
<td>Food properly labeled, original container</td>
<td>Hot and cold water available, adequate pressure</td>
</tr>
<tr>
<td>38</td>
<td>51</td>
</tr>
<tr>
<td>Prevention of Food Contamination</td>
<td>Plumbing installed, proper backflow devices</td>
</tr>
<tr>
<td>39</td>
<td>52</td>
</tr>
<tr>
<td>Insects, rodents, and animals not present</td>
<td>Sewage and waste water properly disposed</td>
</tr>
<tr>
<td>40</td>
<td>53</td>
</tr>
<tr>
<td>Contamination prevented during food preparation, storage and display</td>
<td>Toilet facilities: properly constructed, supplied, &amp; cleaned</td>
</tr>
<tr>
<td>41</td>
<td>54</td>
</tr>
<tr>
<td>Personal cleanliness</td>
<td>Garbage &amp; refuse properly disposed, facilities maintained</td>
</tr>
<tr>
<td>42</td>
<td>55</td>
</tr>
<tr>
<td>Wiping clothes, property used and stored</td>
<td>Physical facilities installed, maintained, and clean</td>
</tr>
<tr>
<td>42</td>
<td>56</td>
</tr>
<tr>
<td>Washing fruits and vegetables</td>
<td>Adequate ventilation and lighting; designated areas used</td>
</tr>
<tr>
<td>42</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>All food employees have food handler training</td>
</tr>
<tr>
<td>42</td>
<td>58</td>
</tr>
<tr>
<td></td>
<td>Allergen training as required</td>
</tr>
</tbody>
</table>
Good Retail Practices

- Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.
Types of Violations

Within the FBI Risk Factors and Good Retail Practice sections, violations are divided into 3 types:

- Priority
- Priority Foundation
- Core
Priority Items

- Priority items are those items that most directly eliminate or reduce a hazard associated with foodborne illness.
- Priority violations include violations that were previously called Critical or High Risk Violations.
- In the past, usually required immediate or 24-hour correction.
- Examples include improper food temperatures and lack of hand washing.
- "Priority items" are denoted with a superscript P.
Priority Foundation Items

- Priority Foundation violations are those items that help keep Priority violations in compliance and support (i.e. provide the foundation for) Priority items.

- Examples include not having a metal stem thermometer, not having sanitizer test strips and not having soap or paper towel at a hand sink.

- The Priority Foundation category is made up of violations that were previously called Critical and Non-Critical Violations or High Risk, Major and Minor violations.

- Previous correction time ranged from Immediate/24 hours to 10 days to next routine inspection.

- Examples include lack of soap & paper towels at a hand sink.

- "Priority foundation item" is an item that is denoted in this Code with a superscript Pf.
Core items

- Core violations are those items that are related to general sanitation and facility maintenance.
- Most Core violations were previously called Non-Critical or Minor violations.
- Examples include dirty floors and improper facility lighting.
Correction Times

**Proposed**

- Priority Violations – Immediate or within 24 hours
- Priority Foundation Violations - Immediate or within 10 days
- Core Violations - next routine inspection unless directly contributing to a priority or priority foundation item
Proposed - Alternate Timeline for corrections

Alternative Timeline for Corrections. In the event that the correction of the violation would require the installation of new equipment or structural changes, the owner can request an alternative timeline for correction. The request for the alternative timeline for correction shall be in writing and received prior to the expiration of the initial timeline for correction. The request shall include:

- Date of proposed violation correction,
- Explanation of why original timeline for correction cannot be met,
- Documentation on how the public health will be protected during the alternative correction timeline.

The Health Department shall review each request for alternative correction timelines to insure that the public health is being protected and notify the requestor in writing as to whether the alternative timeline for correction has been approved or denied.
FDA CODE
The permit holder shall be the person in charge or shall designate a person in charge and shall ensure that a person in charge is present at the food establishment during all hours of operation.\(^{Pf}\)

Exemption... a food establishment with two or more separately permitted departments that are the legal responsibility of the same Permit holder and that are located on the same premises. The permit holder may, during specific time periods when food is not being prepared, packaged, or served, designate a single person in charge who is present on the premises during all hours of operation, and who is responsible for each separately permitted food establishment on the premises.\(^{Pf}\)
Based on the RISKS inherent to the FOOD operation, during inspections and upon request, The PERSON IN CHARGE shall demonstrate knowledge of foodborne disease prevention, application of the HAZARD Analysis and CRITICAL CONTROL POINT principles, and the requirements of the Code.
3 ways to demonstrate Knowledge

The PERSON IN CHARGE shall demonstrate this knowledge by:

1. Complying with this Code by having no violations of PRIORITY ITEMS during the current inspection; Pf

2. Being a certified FOOD protection manager who has shown proficiency of required information through passing a test that is part of an ACCREDITED PROGRAM; Pf or

3. Responding correctly to the inspector's questions as they relate to the specific FOOD operation. The areas of knowledge include: Pf
PIC QUESTIONS

- Describing the relationship between the prevention of foodborne disease and the personal hygiene of a FOOD EMPLOYEE;

- Explaining the responsibility of the PERSON IN CHARGE for preventing the transmission of foodborne disease by a FOOD EMPLOYEE who has a disease or medical condition that may cause foodborne disease; Pf

- Describing the symptoms associated with the diseases that are transmissible through FOOD; Pf

- Explaining the significance of the relationship between maintaining the time and temperature of TIME/TEMPERATURE CONTROL FOR SAFETY FOOD and the prevention of foodborne illness; Pf

- Explaining the HAZARDS involved in the consumption of raw or undercooked MEAT, POULTRY, EGGS, and FISH; Pf

- Stating the required FOOD temperatures and times for safe cooking of TIME/TEMPERATURE CONTROL FOR SAFETY FOOD including MEAT, POULTRY, EGGS, and FISH; Pf
Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of
TIME/TEMPERATURE CONTROL FOR SAFETY FOOD; Pf

Describing the relationship between the prevention of foodborne illness and the management and control of the following:

- Cross contamination, Pf
- Hand contact with READY-TO-EAT FOODS, Pf
- Handwashing, Pf and
- Maintaining the FOOD ESTABLISHMENT in a clean condition and in good repair; Pf

Describing FOODS identified as MAJOR FOOD ALLERGENS and the symptoms that a MAJOR FOOD ALLERGEN could cause in a sensitive individual who has an allergic reaction. Pf
Explaining the relationship between FOOD safety and providing EQUIPMENT that is:
- Sufficient in number and capacity, \( Pf \) and
- Properly designed, constructed, located, installed, operated, maintained, and cleaned; \( Pf \)

Explaining correct procedures for cleaning and SANITIZING UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT; \( Pf \)

Identifying the source of water used and measures taken to ensure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections; \( Pf \)

Identifying POISONOUS OR TOXIC MATERIALS in the FOOD ESTABLISHMENT and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to LAW; \( Pf \)

Identifying CRITICAL CONTROL POINTS in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled in accordance with the requirements of this Code; \( Pf \)
Explaining the details of how the PERSON IN CHARGE and FOOD EMPLOYEES comply with the HACCP PLAN if a plan is required by the LAW, this Code, or an agreement between the REGULATORY AUTHORITY and the FOOD ESTABLISHMENT; Pf

Explaining the responsibilities, rights, and authorities assigned by this Code to the:

- FOOD EMPLOYEE, Pf
- CONDITIONAL EMPLOYEE, Pf
- PERSON IN CHARGE, Pf
- REGULATORY AUTHORITY; Pf and

Explaining how the PERSON IN CHARGE, FOOD EMPLOYEES, and CONDITIONAL EMPLOYEES comply with reporting responsibilities and EXCLUSION or RESTRICTION of FOOD Pf
That is 17 topics that a PIC can be questioned on to determine knowledge… Inspectors can ask any and all

Inspectors will have to interact with PIC to determine their knowledge!
Illinois Food Service Manager Update

Thanks to HB3684....

Illinois will no longer have CFM Program!
Certified Food Protection Manager

- Effective January 1, 2018, it will now be known as Certified Food Protection Manager in accordance with FDA Code

- You Must still pass NATIONAL exam

- At this time the number of CFPM required remains the same as always
  - Cat 1 – One CFPM at all times
  - Cat 2 - One per Facility
Colleen gave you a whole presentation on Employee health here is a recap.

The owner has to require all employees and conditional employees to report to the PIC information about their health and activities as they relate to diseases that can be transmitted through food.
Employees have to report

- Symptoms of Vomiting, diarrhea, jaundice, sore throat with fever, open wounds
- Illness diagnoses of norovirus, Hepatitis A, Shigella, shiga toxin producing E coli, Salmonella
  - This includes exposure to these viruses/bacteria
• PIC to report to health authority within 24 hours
  • Any jaundiced employee
  • Any employee diagnosed with norovirus, Hepatitis A, Shigella, shiga toxin producing E coli, Salmonella
Employee exclusion

- PIC shall ensure that an employee who reports symptoms or diagnoses is excluded or restricted from work as required.
  - In some cases employee may be allowed to work in a non-food handling position
Procedures for responding to Vomiting and Diarrheal events

- Facility is required to have procedures for responding to Vomiting and diarrheal events in your establishment.

- We have created handouts that can be utilized if needed by facilities.
Bare Hand Contact

- **NO** bare hand contact with Ready to Eat foods is allowed.
  - Must use gloves, tongs etc.

- If need to use bare hands, an alternate procedure must be **pre-approved** by the Health Department in accordance with the Code.

- See your inspector or our website for pre-approval applications
All establishments are required to have a sign or poster that notifies food employees to wash their hands.

- Sign must be visible at ALL handwashing sinks used by employees.
Hand Sinks cannot be used for any other purpose.

Handwashing cannot occur in food prep sinks, ware washing sinks, or mop sinks.
If wearing nail polish or artificial nails, food employees must wear gloves.
Not entirely new, but now an item on the inspection report

Required if animal foods such as beef, eggs, fish, lamb, milk, pork, poultry, or shellfish are served or sold raw, undercooked, or without otherwise being processed to eliminate pathogens, is prepared either in ready-to-eat form or as an ingredient in another ready-to-eat food

The permit holder shall inform consumers of the significantly increased risk of consuming such foods by way of a disclosure and reminder.
Disclosure shall include a description of the animal-derived foods, such as “oysters on the half shell (raw oysters),” “raw-egg Caesar salad,” and “hamburgers (can be cooked to order)”; or identification of the animal-derived foods by asterisking them to a footnote that states that the items are served raw or undercooked, or contain (or may contain) raw or undercooked ingredients.

The reminder shall include a statement indicating that regarding the safety of these asterisked items, written information is available upon request; or that consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness; or that consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.
Temperature violations on the “old” inspection form were combined into a few violations. Temperature violations now account for at least 6 violations, depending on the point in the process. We are still looking at the same temperatures, but with the new system each item is “marked” separately.
<table>
<thead>
<tr>
<th>“Old” Inspection</th>
<th>“New” Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>#3 Food at Proper Temperatures</td>
<td>#12 Food Received at Proper temperatures</td>
</tr>
<tr>
<td></td>
<td>#18 Proper cooking time and temperatures</td>
</tr>
<tr>
<td></td>
<td>#19 Proper reheating</td>
</tr>
<tr>
<td></td>
<td>#20 Proper cooling Time and temperatures</td>
</tr>
<tr>
<td></td>
<td>#21 Proper Hot Holding temperatures</td>
</tr>
<tr>
<td></td>
<td>#22 Proper Cold holding Temperatures</td>
</tr>
<tr>
<td></td>
<td>#34 Plant food Properly Cooked</td>
</tr>
<tr>
<td>#4 Facilities to maintain product temperatures</td>
<td>#33 Proper cooling methods, adequate equipment for temperature control</td>
</tr>
<tr>
<td>#6 Proper Thawing</td>
<td># 35 Approved thawing methods</td>
</tr>
</tbody>
</table>
Special Processes

- Establishments that are using special processes are required to obtain a variance from the Health Department prior to utilizing these practices.

- Special processes include:
  - smoking food as a method of food preservation,
  - curing foods,
  - using food additives as a method of food preservation or to render a food so that it is not a Time/Temperature Control for Safety Food,
  - reduced oxygen packaging,
  - operating a mollusscan shellfish life-support system,
  - custom processing animals for personal use,
  - sprouting seeds or beans.
See your inspector or our website for Variance applications

Special Processes also require detailed HACCP plan
#58 Allergens

- HB2510 amends Sec 3.07 of Food Handling Enforcement Act
- All CFPM employed by a restaurant must obtain training in basic allergen awareness principles within 30 days of employment and every 3 years after
- Excludes Category 2 and 3 facilities
- Training programs must be accredited by ANSI
- ANSI Training IS transferrable between employers
Allergen awareness training must cover and assess knowledge of the following topics:

1. the definition of a food allergy;
2. the symptoms of an allergic reaction;
3. the major food allergens;
4. the dangers of allergens and how to prevent cross-contact;
5. the proper cleaning methods to prevent allergen contamination;
6. how and when to communicate to guests and staff about allergens;
7. from workstations and self-serve areas;
8. how to handle special dietary requests;
9. dealing with emergencies, including allergic reactions;
10. the importance of food labels;
11. how to handle food deliveries in relation to allergens;
12. proper food preparation for guests with food allergies; and
13. cleaning and personal hygiene considerations to prevent contaminating food with allergens.
Internal Training programs

- If an internal training meets these requirements and is approved by State prior to when act when into effect then it can be used.

- This training IS NOT transferable between employers
Multi-State Program

The training program of any multi-state business with a plan that follows the guidelines of subsection (c) meets the requirements of this Section. The training IS NOT transferable between individuals or employers.
Enforcement

- From January 1, 2018 through July 1, 2018, enforcement shall be limited to education and notification of requirements to encourage compliance.
Other Changes

- Changes in Definition of a Food Establishment
  - Some facilities selling ONLY prepackaged non-TCS foods no longer need permits
  - Vending Machines selling or serving TCS foods will need to be inspected and permitted
Proposed Changes

- Proposed Ordinance changes
  - Addition of definitions
  - Addition of minimum requirements for facilities undergoing plan reviews
    - 3 comp sinks (even if you have a dishwasher)
    - Prep sink
    - Handwashing sinks at all prep stations
  - Addition of Vending Machines permit
  - Addition of Variance Section to Ordinance to allow us grant variances to allow facilities to do special processes
Proposed Changes Continued

Repeat Re-inspection Fees

- We are proposing to implement a repeat re-inspection fees for those facilities not “fixing” violations in a timely manner
- Proposing that the first re-check is free
Plan Review Fees

- Proposing to add fees for reviewing plan reviews for new and remodeled establishments
- New $125
- Remodel $100
Permit Fees

- Proposing small fee increase for 2019 permits
- Category 1  $25 increase
- Category 2  $20 increase
- Category 3  $10 increase
- Temporary/Concession Stand  $5 increase
QUESTIONS???