



**Proposed Legislative Changes to CalCode as recommended and approved by the CRFSC as of January 1, 2011:**

*Add the following definition:*

**113806. Hot Dog**

“Hot dog” means a whole, cured, cooked sausage that is skinless or stuffed in a casing and that is also known as a frankfurter, frank, furter, wiener, red hot, vienna, bologna, garlic bologna, or knockwurst, and that may be served in a bun or roll.

**113961. Handling ready-to-eat foods (Delete)**

- ~~(a) FOOD EMPLOYEES shall minimize bare hand and arm contact with nonPREPACKAGED FOOD that is in a ready to eat form.~~
- ~~(b) FOOD EMPLOYEES shall use UTENSILS, including scoops, forks, tongs, paper wrappers, gloves, or other implements, to assemble READY TO EAT FOOD or to place READY TO EAT FOOD on TABLEWARE or in other containers. However, FOOD EMPLOYEES may assemble or place on TABLEWARE or in other containers READY TO EAT FOOD in an APPROVED FOOD PREPARATION area without using UTENSILS if hands are cleaned in accordance with Section 113953.3.~~
- ~~(c) FOOD that has been served to the CONSUMER and then wrapped or prepackaged at the direction of the CONSUMER shall be handled only with UTENSILS. These UTENSILS shall be properly sanitized before reuse.~~

**113961. Handling ready-to-eat foods (Replace with the following language – need to review section references prior to submission)**

- (a) *FOOD EMPLOYEES shall wash their hands as specified in section 113953.*
- (b) *Except when washing fruits and vegetables as specified in section 113992 or as specified in ¶ (e) of this section,* FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT.
- (c) FOOD EMPLOYEES shall minimize bare hand and arm contact with exposed FOOD that is not in a READY-TO-EAT form.
- (d) FOOD that has been served to the CONSUMER and then wrapped or prepackaged at the direction of the CONSUMER, such as food placed in a take-home container, shall be handled only with UTENSILS. These UTENSILS shall be properly sanitized before reuse.
- (e) *FOOD EMPLOYEES not serving a HIGHLY SUSCEPTIBLE POPULATION may contact exposed, READY-TO-EAT FOOD with their bare hands if:*
  - (1) The PERMIT HOLDER obtains prior APPROVAL from the REGULATORY AUTHORITY;*
  - (2) Written procedures are maintained in the FOOD ESTABLISHMENT and made available to the REGULATORY AUTHORITY upon request that include:*
    - (A) For each bare hand contact procedure, a listing of the specific READY-TO-EAT FOODS that are touched by bare hands,*

- (B) Diagrams and other information showing that handwashing facilities, installed, located, equipped, and maintained as specified in sections 113953, 113953.1, 113953.2 are in an easily accessible location and in close proximity to the work station where the bare hand contact procedure is conducted;
- (3) A written EMPLOYEE health policy that details how the FOOD ESTABLISHMENT complies with 113949, 113949.1, 113949.2, 113949.3, 113949.4, 113949.5, 113950 and 113950.5 including:
- (A) Documentation that FOOD EMPLOYEES and CONDITIONAL EMPLOYEES acknowledge that they are informed to report information about their health and activities as they relate to gastrointestinal symptoms and diseases that are transmittable through FOOD as specified in section 113949.1,
- (B) Documentation that FOOD EMPLOYEES and CONDITIONAL EMPLOYEES acknowledge their responsibilities as specified in 113949.4 (a) and b; and
- (C) Documentation that the PERSON IN CHARGE acknowledges the responsibilities as specified in 113949.5(a) and (b), 113950 (a) and (b) and 113950.5 ; and
- (4) Documentation that FOOD EMPLOYEES acknowledge that they have received training in:
- (A) The RISKS of contacting the specific READY-TO-EAT FOODS with bare hands,
- (b) Proper handwashing as specified in section 113953.3 (a),
- (C) When to wash their hands as specified in section 113953.3 (a),
- (D) Where to wash their hands as specified in section 113953.1,
- (E) Proper fingernail maintenance as specified in section 113968,
- (F) Prohibition of jewelry as specified in section 113973(a), and
- (G) Good hygienic practices as specified in section 113977 and 113974;
- (5) Documentation that hands are washed before FOOD preparation and as necessary to prevent cross contamination by FOOD EMPLOYEES as specified in section 113952, 113953.3, and 113953.1 during all hours of operation when the specific READY-TO-EAT FOODS are prepared;
- (6) Documentation that FOOD EMPLOYEES contacting READY-TO-EAT FOOD with bare hands use two or more of the following control measures to provide additional safeguards to HAZARDS associated with bare hand contact:
- (A) Double handwashing,
- (B) Nail brushes,
- (C) A hand antiseptic after handwashing as specified in section 113953.4,
- (D) Incentive programs such as paid sick leave that assist or encourage FOOD EMPLOYEES not to work when they are ill, or
- (E) Other control measures APPROVED by the REGULATORY AUTHORITY; and
- (7) Documentation that corrective action is taken when Subparagraphs (e)(1) - (6) of this section are not followed.

### **113953.3. Handwashing procedure**

- (a) Except as specified in subdivision (b), all EMPLOYEES shall thoroughly wash their hands and that portion, if any, of their arms exposed to direct FOOD contact with cleanser and WARM WATER by vigorously rubbing together the surfaces of their lathered hands and arms for at least 10 to 15 seconds and thoroughly rinsing with clean running water followed by drying of cleaned hands and that portion, if any, of their arms exposed. EMPLOYEES shall pay particular attention to the areas underneath the

finger-nails and between the fingers. EMPLOYEES shall wash their hands in all of the following instances:

- (1) Immediately before engaging in FOOD PREPARATION, including working with nonPREPACKAGED FOOD, clean EQUIPMENT and UTENSILs, and unwrapped single-use FOOD containers and UTENSILs.
  - (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.
  - (3) After using the toilet room.
  - (4) After caring for or handling any animal allowed in a FOOD FACILITY pursuant to this part.
  - (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.
  - (6) After handling soiled EQUIPMENT or UTENSILs.
  - (7) During FOOD PREPARATION, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.
  - (8) When switching between working with raw FOOD and working with READY-TO-EAT FOOD.
  - (9) Before *initially* donning gloves for working with FOOD *and when changing gloves as required in section 113973. Handwashing is not required between glove changes when no contamination of the gloves or hands has occurred.*
  - (10) Before dispensing or serving FOOD or handling clean TABLEWARE and serving UTENSILs in the FOOD service area.
  - (11) After engaging in other activities that contaminate the hands.
- (b) If APPROVED and capable of removing the types of soils encountered in the FOOD operations involved, an automatic handwashing facility may be used by FOOD EMPLOYEES to clean their hands.

### **113973. Use of gloves (Current Cal Code Language)**

- (a) *Notwithstanding Section 113951,* gloves shall be worn when contacting FOOD and FOOD-CONTACT SURFACES if the EMPLOYEE has any cuts, sores, rashes, artificial nails, nail polish, rings (other than a plain ring, such as a wedding band), uncleanable orthopedic support devices, or finger-nails that are not clean, SMOOTH, or neatly trimmed.
- (b) Whenever gloves are worn, they shall be changed, replaced, or washed as often as handwashing is required by this part. *Single-use gloves shall not be washed.*
- (c) If used, single-use gloves shall be used for only one task, such as working with READY-TO-EAT FOOD or with raw FOOD of animal origin, used for no other purpose, and shall be discarded when damaged or soiled, or when interruptions in the FOOD handling occur.
- (d) Except as specified in subdivision (e), slash-resistant gloves that are used to protect the hands during operations requiring cutting shall be used only with FOOD that is subsequently cooked as specified in Section 114004, such as FROZEN FOOD or a primal cut of MEAT.
- (e) Slash-resistant gloves may be used with READY-TO-EAT FOOD that will not be subsequently cooked if the slash-resistant gloves have a SMOOTH, durable, and nonabsorbent outer surface or if the slash-resistant gloves are covered with a SMOOTH,

durable, nonabsorbent glove, or a single-use glove.

- (f) Cloth gloves may not be used in direct contact with FOOD unless the FOOD is subsequently cooked.

***Add the following under Article 3 – Employee Health***

***113951 Lesions and Wounds***

*A FOOD EMPLOYEE with a lesion or wound that is open or draining is restricted from food handling unless the FOOD EMPLOYEE complies with the following:*

- (a) If located on the hands or wrists, an impermeable cover such as a finger cot or stall protects the lesion and a single-use glove is worn over the impermeable cover.*
- (b) If located on exposed portions of the arms, the lesion is protected by an impermeable cover.*
- (c) If located on other parts of the body, the lesion is covered by a dry, durable, tight-fitting bandage.*