

TEXAS FOOD ESTABLISHMENT RULES

Examples of violations are marked with an arrow. →

Food Temperature/Time Requirements/Potentially Hazardous Foods (PHF)

- 1) Proper Cooling for Cooked/Prepared Food –
 - a. Food should cool from 140°F to 70°F within 2 hours and from 70°F to 41°F within 4 hours, a total of 6 hours.
 - b. PHF prepared from ambient (room temperature) ingredients must cool to 41°F within 4 hours.
 - Filled one-gallon crock-pot of chili which is stored in walk-in cooler.
- 2) Cold Hold (41°F)
 - a. PHF's must be stored at or below 41°F.
 - Reach-In cooler is at 57°F.
- 3) Hot Hold (140°F)
 - a. PHF's must be maintained at a temperature at or above 140°F.
 - Steam table holding food at 110°F.
- 4) Minimum Cooking Temperatures per PHF
 - a. Raw animal products (eggs, poultry, meat, fish) 145°F for 15 seconds (3 D kill)
 - b. Comminuted meats, pork or ratites 155°F for 15 seconds (5 D kill)
 - c. Poultry 165°F for 15 seconds (7 D kill) (#D kill refers to the log reduction of salmonella)
 - Under cooked patties with meat juices still blood red.
- 5) Rapid Reheating
 - a. Foods must be reheated to 165°F within two hours.
 - PHF's removed from a walk-in cooler, and put directly into a steam table for slow reheating.

EXAMPLES OF POTENTIALLY HAZARDOUS FOOD (PHF)

Refried Beans, Cheese Sauce, Scrambled Eggs,
Rice Dishes, Pasta Salads, Creamy Salad Dressings,
Gravies, Sour Cream, Potato Salad,
Coleslaw, Custards, Soups

Personnel/Handling/Source Requirements

- 6) Personnel with Infections Restricted/Excluded
 - a. An employee must be excluded from working if diagnosed with *Salmonella typhi*, *Shigella spp*, *Escherichia coli* 0157:H7 (or other enterohemorrhagic E.coli) or hepatitis A virus.
 - b. An employee may be restricted if diagnosed or has symptoms caused by gastrointestinal illness (diarrhea, fever, vomiting), jaundice, sore throat with fever or lesion containing pus (infected wound).
 - Band-aid found in a salad.
- 7) Proper/Adequate Handwashing
 - a. Hands must be washed for at least 20 seconds with soap and warm water in a handwash sink after the change of every job.
 - Washing hands in a pot wash sink or in a food prep sink.
- 8) Good Hygienic Practices (Eating, Drinking, Smoking, Other)
 - a. There should not be any eating or smoking in any food prep area.
 - b. Drinks should be in a covered spill-proof container.
 - Personnel eating food leftover by a customer.

9) Approved Source/Labeling

- a. All food shall be from an inspected and approved source.
- b. Refrigerated, ready-to-eat PHF's should be clearly marked with a "consume by" date (*Note: foods prepared and consumed within 24 hours do not need date marking*):
 - of 7 days or less from the date of prep if food is held at 41°F or less
 - of 5 days or less from the date of prep if food is held at 45°F or less
 - Improperly labeled crab salad in a deli case, and not displaying a "consume by" date.

10) Source Condition

- a. All food shall be in sound condition, free from spoilage, filth or other contamination.
 - Food that has weevils (flour, grains) or other insects present.

11) Proper Handling of Ready to Eat Foods

- a. When direct hand contact with ready-to-eat foods is necessary, an employee must wash hands (as described above) and use a hand sanitizer, don gloves or use a utensil.
 - Preparing lettuce after washing dishes, without first washing hands.

12) Cross Contamination

- a. Transferring bacteria from food product A to food product B.
 - Using spoon to stir chili, then to spread salad dressing.
- b. Transferring bacteria from a non-food contact surface to a food product.
 - Storing food under the condensate lines in the walk-in cooler.

13) Approved Systems (HACCP Plans/Time as Public Health Control)

- a. If an establishment is using time as a public health control for a working supply of potentially hazardous food, which is displayed or held for immediate consumption, it must be clearly marked when food is to be discarded, held no more than four hours and a written procedure must be available upon request.
 - An establishment is holding cooked meat patties at 120°, and it is unclear when patties are to be discarded.

14) Water Supply-Approved Source/Sufficient Capacity/Hot and Cold Under Pressure

- a. Water supply should be from a safe source, and be of adequate supply for both hot (110°F) and cold water.
 - Hot water is only reaching 105°F.

Facility and Equipment Requirements

15) Equipment Adequate to Maintain Product Temperature

- a. All equipment, whether it is steamers or coolers, should be in good working order.
 - A cooler is not working effectively, and there is not enough space in other coolers to hold all PHF's.
 - There is no available equipment, such as a range or ovens designed to rapidly cook or reheat foods.

16) Handwash Facilities Adequate and Accessible

- a. As a general guideline there should be a handsink at least every 25 unobstructed feet.
- b. Handwash sinks must never be used for any purpose other than hand washing.
 - A handsink is obstructed by dirty pots and pans.

- 17) Handwash Facilities with Soap and Towels
 - a. Hands shall be washed for at least 20 seconds with warm water and hand soap, and dried using a single service towel.
 - Washing hands in the three-compartment sink.
 - Using dishwash detergent for washing hands.
- 18) No Evidence of Insect Contamination
 - a. Effective measures are used to minimize the presence of insects.
 - Count at least 3 flies in the food prep area, or see “fruit flies” in produce area.
- 19) No Evidence of Rodents/Other Animals
 - a. Premises shall be kept in such a manner to prevent harborage of rodents.
 - Live rodents observed, or indications of rodents, such as fresh droppings.
- 20) Toxic Items Properly Labeled/Stored/Use
 - a. All toxic items must be labeled, stored and used properly.
 - Use of an insecticide which states on the label “not for use in commercial food establishment”.
 - Use of bathroom cleaner products in a commercial kitchen.
- 21) Manual Warewashing and Sanitizing at () ppm/temperature
 - a. Equipment and utensils shall be sanitized in the third compartment according to one of these methods:
 - Immersion for at least one-half minute in water of at least 170°F.
 - Immersion for at least 7 seconds at 50 ppm chlorine, at temperature of 100°F (pH of 10 or less).
 - Immersion for at least one minute at 12.5 ppm of iodine, at temperature of 75°F (pH not higher than 5.0).
 - Find less than 12.5 ppm iodine as indicated by test paper in the sanitizing solution.
- 22) Mechanical Warewashing and Sanitizing at () ppm/temperature
 - a. Machines using hot water only for sanitizing may be used, provided that. water be maintained at not less than 180°F.
 - Machine-washes and rinses, but does not sanitize properly.
- 23) Approved Sewage/Wastewater Disposal System, Proper Disposal
 - a. All sewage, including liquid waste, shall be disposed of by a public or licensed private sewage facility.
 - Liquid flowing out of a dumpster onto the ground or an establishment using “port-a-potties” as permanent restroom.
- 24) Thermometers Provided/Accurate, Properly calibrated (+/- 2°F)
 - a. Thermometers shall be accurate.
 - Stem-type thermometer is off calibration by 10°F.
- 25) Food Contact Surfaces of Equipment and Utensils Cleaned/Sanitized/Good Repair
 - a. To prevent cross contamination, kitchenware and food contact surfaces are cleaned and sanitized after each use.
 - Cuts of meat stored on unsanitized hooks in a walk-in cooler.
 - Area around soda nozzle has a fungus build up.
- 26) Posting of Consumer Advisories (Heimlich/Raw Shellfish Warning/Buffer Plate)
- 27) Food Establishment Permit
 - a. \$50.00-\$2000.00 Fine for each day of operating without a permit.

Other Violations

 - a. Violations require corrective action, not to exceed 90 days or the next inspection, whichever comes first.
 - b. To thaw correctly, when using the running water method of thawing frozen food, the water must be at 70°F or below, with sufficient water velocity and the food must be completely submerged.

The New Form:

- a. Risk based and targets factors closely related to foodborne illness
- b. Critical temperatures violations are segregated and debited separately
- c. On site corrections are documented (but they still count)

When did the rules change?

- a. The rules were adopted by the Texas Board of Health on September 11, 1998, and became effective on October 6, 1998.
- b. City of Dallas adopted the rules June 5, 2005.

Why all the fuss?

- a. 33 million cases of foodborne illness in 1998
- b. 9000 deaths per year directly attributed to foodborne illness
- c. Food imports are increasing, inspectors can't keep up
- d. Pathogens becoming more deadly and more drug resistant