



Date: March 1, 2023
To: Easton, Weston, and Westport Food Service Establishment Permit Holders/Owners
From: Mark A.R. Cooper, MPH
Director of Health
Re: State of Connecticut Adoption of the FDA Model Food Code

The CT General Assembly recently passed regulations to adopt the [Food and Drug Administration \(FDA\) Model Food Code](#) in the state of Connecticut. With the passing of recent [regulations](#) by the Connecticut Department of Public Health (CT-DPH), the FDA Food Code is now fully effective as of February 17, 2023. The purpose of this letter is to inform you of the new regulations as well as to provide initial information that you should be aware of. We will continue to share additional information as we receive it from the CT-DPH.

The adoption of the FDA Food Code across the state of Connecticut will result in a variety of changes for food service establishments, as well as for Local Health Departments across the state. Requirement changes include:

- Updated food establishment risk classification categories.
- Changes to hot and cold holding temperature requirements.
- Qualified Food Operators (QFO) became known as Certified Food Protection Managers. (CFPM)
- Requirement to employ Certified Food Protection Managers (CFPM) at FSEs.
- Ensuring all CFPM certificates are current.

The Aspetuck Health District recognizes that adoption of the [FDA Food Code](#) in Connecticut will be a transition for everyone, including establishment owners and operators as well as for us at the Health District. We are committed to working with you throughout the transition process as we collectively ensure the health and safety of the public while implementing the new requirements in accordance with the FDA Food Code.

As you prepare for this implementation, it may be helpful to review the 2022 FDA Food Code, which can be found at: [FDA Food Code 2022](#).

Additionally, please be aware of the following information and/or requirements that are new:

- **Inspection Form.** Food inspectors will be utilizing a new inspection report form once CT-DPH approves a final format. Inspection reports will no longer provide a number score. Violations will be categorized as “Priority,” “Priority Foundation,” and “Core.” These categories align with the risk of foodborne illness relative to the violation. Each violation category has its own compliance timeline associated with it (*See Section 8-405 of the [Food Code](#)*).
 - **Priority** items eliminate, prevent, or reduce to an acceptable level, hazards that cause foodborne illness or injury (e.g., appropriate handwashing)

- **Priority foundation** items provide support to Priority items (e.g., soap provided to support proper handwashing)
- **Core** items are related to general sanitation /maintenance and standard operating procedures (e.g., floors are easily cleanable)

More information regarding this system will be forthcoming.

- **Person in Charge.** Each Class 1, 2, 3, and 4 food establishment shall have a person in charge (PIC) who meets the requirements of section 2-102.11 of the [Food Code](#) and who is on-site at the food establishment at all times the establishment is operating.
 - The person in charge at all Class 2, 3, and 4 food establishments shall hold a valid certificate to be a certified food protection manager (CFPM) (*See Section 2-102.12 of the [Food Code](#)*). For a list of approved testing organizations please visit the [Conference for Food Protection Directory website](#).
- **Date-Marking.** Food establishments will be required to implement a date-marking system for certain foods stored in the establishment (See *Section 3-501.17 of the [Food Code](#)*).
- **Signage and Advisories.**
 - A sign or poster that notifies food employees to wash their hands shall be provided at all handwashing sinks used by food employees and shall be clearly visible (See *Section 6-301.14 of the [Food Code](#)*).
 - Food establishments shall notify consumers by written notification of the presence of major food allergens as an ingredient in unpackaged food items that are served or sold to the consumer (*See Section 3-602.12 of the [Food Code](#)*). Written notification can be provided in many forms such as: physical or electronic means, including, but not limited to, brochures, deli case or menu notifications, label statements, table tents, placards, or other effective written means. Notifying the consumer to the presence of major food allergens may prevent an inadvertent exposure.
- **Written Clean-Up Procedure for Vomiting or Diarrheal Events.** Food establishments shall have a written policy regarding procedures for employees to follow when responding to vomiting or diarrheal events in the food establishment. The procedure shall address the specific actions employees must take to minimize the spread of contamination and the exposure of employees, consumers, food, and surfaces (*See Section 2-501.11 of the [Food Code](#)*).

The information presented in this letter is only a small portion of the changes that will take place relative to the adoption of the FDA Food Code. The Health District is considering holding FDA Food Code training sessions for Food Service Establishments with the Health District's jurisdiction in the future. As more information becomes available it will be posted to our webpage at www.aspetuckhd.org.

Again, we look forward to working with our local food service facilities as we all navigate this important transition. Our goal is to transition as smoothly as possible while ensuring the health and safety of all who live, work, and visit our wonderful communities.

Thank you in advance for your understanding and cooperation.

REVISED CLASSIFICATION OF CONNECTICUT FOOD ESTABLISHMENTS

CURRENT CLASSIFICATIONS UNDER 19-13-B42

CLASS 1:

- Commercially prepackaged food
- Hot and cold beverages
- Hot holding of commercially pre-cooked PHFs that are heated and served in the original package within 4 hours
- No preparation or cooking

CLASS 2:

- Preparation of cold or RTE commercially processed food that does not require heat treatment
- Hot and cold beverages
- Hot holding of commercially pre-cooked PHFs that are heated and served in the original package within 4 hours
- Reheat and hot holding of commercially precooked hot dogs, kielbasa, and soup taken directly from the package and served within 4 hours

CLASS 3:

- Preparation, cooking, hot/cold holding of PHF that are consumed within 4 hours of preparation

CLASS 4:

- Preparation, cooking, hot holding greater than 4 hours after preparation and prior to consumption, and cooling of PHF

NEW CLASSIFICATIONS UNDER PA 17-93

CLASS 1:

- Prepackaged food that is not TCS
- Commercially prepackaged, processed (fully cooked) food that is TCS and either cold-held or heated for hot holding, but not cooled
- Preparation of non-TCS foods

CLASS 2:

- Preparation of limited menu TCS food that is served immediately, cold-held or hot-held for an unspecified length of time
- No cooling of TCS foods allowed
- Does not include facilities that provide foodservice specifically to a highly-susceptible population

CLASS 3:

- Preparation of an extensive menu of TCS food involving complex processes including cooking, cooling, reheating for hot-holding, and handling of raw ingredients
- Does not include facilities that provide foodservice specifically to a highly-susceptible population

CLASS 4:

- On-site preparations of foods by special processes, such as sous vide, acidification, ROP, etc.
- Preparation of an extensive menu of TCS food involving complex processes including cooking, cooling, reheating for hot-holding, and handling of raw ingredients that is served in an establishment which serves a highly-susceptible population