

Food Code Fact Sheet #32

What you should know about the Code

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OAR 333-150-0000, CHAPTER 1-201.10, DEFINITION FOR FOOD ESTABLISH- MENT DOES NOT INCLUDE:

An establishment or organization that prepares or sells non-potentially hazardous food items for immediate consumption at an event are exempt from licensure if:

- Food employees do not contact exposed, ready-to-eat food with their bare hands and use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment

PUBLIC HEALTH REASONS:

The three critical factors described in the FDA Food Code for reducing foodborne illness transmitted through the fecal-oral route include: exclusion/restriction of ill food workers; proper handwashing; and no bare hand contact with ready-to-eat foods. Each of these factors is inadequate when utilized independently and may not be effective. However, when all three factors are combined and utilized properly, the transmission of fecal-oral pathogens can be controlled. Oregon requires food workers to minimize bare hand contact with food, but it is not prohibited at this time. But it is important to note that proper handwashing with plain soap and water, may not be an adequate intervention on its own to prevent the transmission of pathogenic microbes via direct hand contact with ready-to-eat foods.

Prohibiting Bare Hand Contact At Temporary Events for Exempt Operations

A recent rule change allows for certain foods to be exempt from licensing as long as there is no bare hand contact with ready-to-eat foods. Food is considered ready-to-eat when there is no additional cooking or reheating step before it is served. Food workers can spread illness when their hands come into contact with ready-to-eat foods, so utensils, barriers or gloves are required.

A license may not be required for food service at temporary events if only non-potentially hazardous foods are served.

Examples of non-potentially hazardous foods are soda with ice, caramel apples and cookies.

Food workers must use utensils when handling ready-to-eat foods, instead of their bare hands.

Suitable utensils include:

- Deli tissue
- Tongs
- Forks and other serving utensils
- Spatulas
- Non-latex single-use gloves

Gloves and other barriers do not replace handwashing.

If you choose to use single-use gloves, always wash your hands



There are many ways to avoid touching food besides single use gloves

before putting gloves on and when changing to a new pair.

You must change gloves:

- As soon as they become soiled or torn
- Before beginning a different task
- After handling ready-to-eat food

Never wash and reuse disposable gloves.