

No. 08-25-OR

AN ORDINANCE

An Ordinance of the Council of the County of Allegheny ratifying the revisions of Article III of the Allegheny County Health Department Rules and Regulation concerning Food Safety.

Whereas, Allegheny County, pursuant to the Pennsylvania Local Health Administration Law, 16 P.S. 12001 - 12028, created the Allegheny County Health Department, and the Allegheny County Board of Health; and

Whereas, Section 12011 of the Local Health Administration Law provides for the Board of Health to adopt regulations and submit such regulations to Allegheny County for approval or rejection; and

Whereas, on December 9, 2024 during its regularly scheduled public meeting, the Allegheny County Board of Health adopted by affirmative vote the attached revisions to Article III; and

Whereas, it is the desire of Council to ratify the revise Allegheny County Health Department regulations as approved by the Board of Health.

The Council of the County of Allegheny hereby resolves as follows:

SECTION 1. Incorporation of Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

SECTION 2. Ratification of Regulations.

Acting pursuant to the Pennsylvania Local Health Administration Law and the Allegheny County Home Rule Charter, County Council hereby ratifies the revisions of the Allegheny County Health Department Rules and Regulations, Article III, "Food Safety", attached hereto as Exhibit "A."

SECTION 3. Severability.

If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

SECTION 4. Repealer.

Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 23rd day of March, 2024. <sup>2025
Sji</sup>

Council Agenda No. 13344-29.


Patrick Catena
President of Council

Attest:


Jared Barker
Chief Clerk of Council

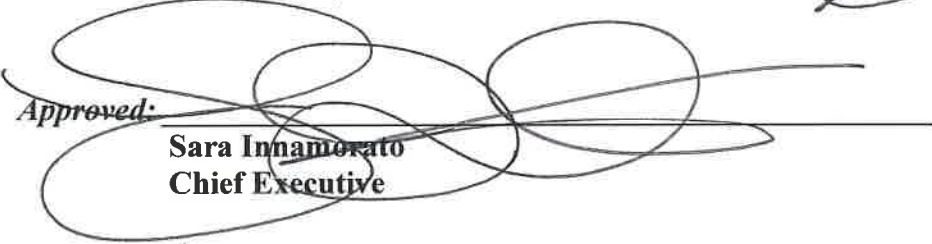
Chief Executive Office

April 2

, 2024

<sup>2025
Sji</sup>

Approved:


Sara Innamorato
Chief Executive

Attest:


Grant Gittlen
Chief of Staff

Exhibit “A”

PROPOSED REVISION

Allegheny County Health Department Rules and Regulations Article III, Food Safety

LEGEND:

Deletions are shown with ~~strikethroughs~~.

Additions are shown in **larger font, bolded and underlined**.

ALLEGHENY COUNTY HEALTH DEPARTMENT

Rules and Regulations

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SECTION 301. APPLICABILITY

B. A retail food facility that sells only a ~~food~~ **fruits or vegetables** in its ~~their~~ raw or natural state, including all fruits **and vegetables** which are washed, colored or otherwise treated in their unpeeled, natural form prior to marketing, shall be exempt from this article.

SECTION 302. FOOD PERMITS **AND REGISTRATION CERTIFICATES**

302.1 General

A. It shall be unlawful for any person to operate a food facility in Allegheny County without first obtaining a valid and appropriate food facility food permit **or registration certificate** from the Department. The food permit **or registration certificate** shall be issued to the person or party responsible for food safety and handling.

B. This food permit Food permits and registration certificates, unless suspended, shall be valid for a period of no more than one (1) year and for use only by the person or persons owning the business at the address given at the time of issuance. All food permits and registration certificates shall be posted in a place easily viewable to the public.

C. Food permits and registration certificates are not transferable by address, owner or change of classification. Any change of address, ~~or~~ owner or classification shall require a new food permit or registration certificate. Any attempted food permit or registration certificate transfer shall be deemed void and shall immediately invalidate the food permit or registration certificate.

D. Only food facility owners or operators who comply with all applicable Department Rules and Regulations, Pennsylvania law, Federal law, and all orders issued thereunder, shall be entitled to receive and retain such a permit or registration.

E. By accepting a food permit or registration certificate issued by the Department, the operator of the food facility consents to inspection of the premises by the Food Safety Program personnel during hours of operation and other reasonable times during which the facility is not open.

302.2 Classification

For the purposes of this Article, the following classifications of food facilities shall be applied:

A. Class I is a food facility that only handles commercially prepackaged non-time and temperature controlled for safety (TCS) food. Class I facilities are exempt from permitting requirements of this Article but are required to register with the Food Safety Program before operation of the retail food facility pursuant to ~~7 PA Code § 46.212~~ PA Title 3, §5703(b)(2).

1. Registration process includes:

- (a) ~~Completion and submission of the registration application; and~~
- (b) ~~Payment of fees according to the Food Safety Fee Schedule.~~

12. A retail food facility that is exempted from permitting requirements under this section shall remain subject to inspections and all other provisions of this Article.

B. Class II is a food facility that handles commercially prepackaged TCS food such as, but not limited to, milk, eggs, and cheese, which remain in sealed packaging while stored in the food facility.

1. Banquet halls and shared kitchen primary permits that only provide food handling equipment, food storage, and warewashing facilities shall be classified as a Class II food facility.

C. Class III is a food facility that handles **unpackaged** TCS food and regularly prepares food ~~for same day service~~ without a cooling step or a food facility that prepares non-TCS Foods.

1. Food facilities that only cool foods from ambient room temperatures will be classified as a Class III food facility.

D. Class IV is a food facility that handles **unpackaged** TCS food with complex food **processes** ~~preparation steps such as~~ **including, but not limited to,** cooling **or using a specialized food process,** ~~reheating, and hot holding.~~

302.3 Fees

A. Prior to receiving a food permit **or registration certificate**, each food facility owner or operator shall be required to pay applicable fees as set forth in the Food Safety Fee Schedule.

B. All fees shall be set forth in a schedule as determined by the Director upon approval from the Board of Health.

C. A single permit **or registration** holder operating more than one distinct food facility in the same structure, shall obtain a separate food permit **or registration certificate** and pay a separate fee for each food facility as listed on the fee schedule.

SECTION 303. PLACARDING OF FOOD FACILITIES

303.4. "Closed by Order of the Allegheny County Health Department" Placard

A. The Department is authorized to post the "Closed by Order of the Allegheny County Health Department" placard on food facilities and suspend the food permit **or registration certificate** under any of the following conditions:

3. The facility is found operating without a valid food permit **or registration certificate**;

SECTION 304. FOOD FACILITY PLANS AND APPLICATIONS

304.1 General

304.2 Plans and Fees – Contents and Review

B. Plans and specifications shall include:

1. A tentative menu, or types of food to be sold, stored, prepared or offered, and the following where applicable:

- (a) Anticipated volume of food to be stored, prepared, and sold or served
- (b) Consumer advisory intentions, if a consumer advisory is required,
- (c) Food preparation steps of each food to be processed, in the case of a food processor,
- (d) A HACCP Plan for specialized processing methods.

2. A floor plan of the complete food facility premises that is drawn to scale that includes the following;

~~(a)~~ **3. If applicable, a site map showing** property boundaries, building locations, garbage and waste oil storage, grease interceptor **locations;** ~~construction materials, and finish schedules.~~

~~3.~~ **4.** A list of equipment that corresponds to the floor plan and includes the manufacturers' names, model numbers, dimensions and installation specifications;

~~4.~~ **5.** A completed and signed food permit or registration certificate application form, obtained from the Department;

~~5.~~ **6.** Payment of the appropriate fee for the review of plans; and

~~6.~~ **7.** Proof that the proprietor has applied for or received a sales and use tax license or exemption certificate from the PA Department of Revenue.

~~7.~~ **8.** Other information that may be required by the Department for the proper review of the proposed construction, conversion or modification of a food facility, and requested by the Department in writing.

C. Class 1 Food Facility Registration Process

1. Completion and submission of the registration application;
and

2. Payment of fees according to the Food Safety Fee Schedule.

~~DE.~~ The fee for review of plans and applications shall be determined based on the **Food Safety Fee Schedule** ~~fee schedule~~. No refunds will be given for any plan review fees whether plans are approved or disapproved.

~~ED.~~ The Department shall not approve plans until they meet all requirements imposed by this Article and the Department. Whenever plans are disapproved, the Department will respond, in writing, stating the deficiencies in the plans. The applicant, after receiving the deficiencies in writing, shall submit revisions based upon the identified deficiencies.

304.3 Pre-Operational Inspection

Whenever plans or applications are required under § 304.2(A) 1-3 or when a food facility changes ownership, an inspection must be conducted by the Food Safety Program prior to operation to determine compliance with this Article. It is the responsibility of the operator to schedule the inspection. Operators shall provide at least ten (10) ~~calendar~~ **business** day's notice to the Department for scheduling the pre-operational inspection. Should a food facility fail to meet the requirements set forth in this Article for the operation of a food facility, a subsequent pre-operational inspection shall be conducted at the owner's expense according to the fee schedule.

304.4 Temporary and Seasonal Food Facilities

A completed temporary and seasonal facility application must be submitted, with the applicable food permit fee, for all temporary and seasonal food facilities. These applications must be **submitted for review and approval** ~~reviewed and approved~~ **at least ten (10) business days** prior to operation.

SECTION 306. Temporary and Seasonal Event Registration

A. The event organizer or the responsible party for temporary or seasonal events where five (5) or more food facilities will operate at the same time must complete an event organizer's application for the temporary or seasonal event at least ~~fourteen (14)~~ **thirty (30)** calendar days before the expected start of the event. The application will include the following information:

1. Estimated number of food facilities for the event;
2. Dates, times, and location of the event;
3. Business names and contact information of expected food vendors;
4. Expected number of people per day;
5. Water supply plan;
6. Waste and refuse disposal plan, which must comply with sections 320 and 324 of this Article;

7. Electrical power supply plan;

8. Contact information for the designated point of contact on the day(s) of the event.

B. Payment of application fees shall be based on the **estimated** number of ~~registered~~ food facilities. No refunds will be provided due to termination or cancelation of the event or a food facility's failure to attend.

C. Event organizer must designate a point of contact that shall be present at the event and available to the Department.

D. Failure to comply with this section may result in enforcement actions including, but not limited to, monetary penalties and closure orders for temporary or seasonal **food facilities** operators that have failed to submit timely application materials.

EQUIPMENT, UTENSILS, AND LINENS

SECTION 307. PERMISSIBLE EQUIPMENT AND MATERIALS

307.3 Wood

Hard maple or equivalent nonabsorbent close-grained wood may be used for cutting boards, bakers' tables, rolling pins, doughnut dowels, salad bowls, and wooden paddles that are subject to 230°F (**110°C**) or above. Wood may also be used for single-service articles, such as chopsticks, stirrers, or ice cream spoons. Wood shall not be used as a food-contact surface under other circumstances. Pressure or chemically treated lumber or other similar material is prohibited on exposed surfaces in food preparation, food storage, and utensil washing areas. Food that requires removal of rinds, peels, husks, or shell may be stored in treated wood if it meets the requirements of 21 CFR § 178.3800 Preservatives for wood.

SECTION 308. EQUIPMENT AND MATERIALS DESIGN, AND FABRICATION

308.7 Food Temperature Measuring Devices

Suitable metal probe-type numerically scaled indicating thermometers, or other approved temperature measuring devices shall be provided, readily accessible, and used to assure the attainment and maintenance of proper internal cooking, reheating, cooling, holding, or refrigeration temperatures of all TCS food. Such thermometers shall be clean, properly calibrated, provide a minimum range of 0°F - 220°F (**-17°C – 105°C**) in increments no greater than 2°F **or 1°C**, and be accurate according to the following:

1. Accurate to $\pm 1^{\circ}\text{C}$ if scaled in Celsius, or dually scaled in Celsius and Fahrenheit; or
2. Accurate to $\pm 2^{\circ}\text{F}$ if scaled only in Fahrenheit.

SECTION 309. EQUIPMENT INSTALLATION AND LOCATION

309.2 Installation

A. Counter and table-mounted equipment:

1. Shall be installed to permit cleaning of the equipment and adjacent areas; and
2. Unless easily movable, shall be sealed to the table or counter, or elevated on legs that provide at least a 4-inch **(10 cm)** clearance between the table and the equipment.

B. Floor-mounted equipment:

1. Unless easily movable, shall be sealed to the floor or elevated on legs that provide at least a 6-inch **(15 cm)** clearance between the floor and the equipment.
2. Display shelving units, refrigeration units, and freezer units are exempt from this requirement if they are installed so that the floor beneath the units can be cleaned.

C. Spacing for fixed equipment: unless there is space that will permit food worker access for cleaning alongside, behind, and above a unit of fixed equipment, the space between it and adjoining equipment, walls and ceilings shall be sealed if more than **1 millimeter or** 1/32 inch.

SECTION 310. UTENSIL HANDLING AND STORAGE

310.2 Storage

A. Cleaned and sanitized utensils and single-service and single-use articles shall be stored:

1. At least 6 inches **(15 cm)** above the floor;

310.4 Returnable Items

B. A take-home food container returned to a retail food facility may be refilled at a retail food facility with **non-beverage** food if the food container is:

SECTION 311. CLEANING AND SANITIZING OF EQUIPMENT AND UTENSILS

311.2 Cleaning Frequency

B. Equipment and utensils contacting TCS food shall be washed, rinsed and sanitized at least every 4 hours. Equipment and utensils contacting TCS food may be cleaned and sanitized at a time interval other than every 4 hours if:

3. In-use utensils are intermittently stored in a running water dipper well or water at 135°F (57°C) or higher and cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues, as stated in § 334.7(B)(4); or

311.4 Manual Cleaning and Sanitizing

B. Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing and sanitizing shall be conducted according to the following sequence:

2. Pre-scraped equipment and utensils shall be thoroughly washed in the first compartment with a hot detergent solution, at least ~~110°F~~ 110°F (43°C), that is kept clean;

C. The food-contact surfaces of all equipment and utensils shall be sanitized by:

1. Immersion for at least 30 seconds in clean, hot water at a temperature of at least 171°F (77°C);
2. Immersion for at least 10 seconds in a clean solution containing at least 50 parts per million of available chlorine as a hypochlorite and having a temperature of at least 75°F (25°C), at the proper concentration according to Table 354.2 Chlorine sanitizer concentration by water temperature and pH;
3. Immersion for at least 30 seconds in a clean solution containing 12.5 - 25 parts per million (MG/L) of available iodine and having a temperature of at least 68°F (20°C);
4. Immersion for at least 30 seconds in a clean solution having a concentration of quaternary ammonium compound as indicated by the EPA-registered label use instructions and having a minimum temperature of at least 75°F (25°C);

D. When hot water is used for sanitizing in manual warewashing, the following facilities shall be provided and used:

1. An integral heating device or fixture installed in or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least 171°F (77°C); and
2. A numerically scaled indicating thermometer accurate to $\pm 3^{\circ}\text{F}$ or $\pm 1.5^{\circ}\text{C}$ 1.5°C convenient to the sink that can be used for frequent checks of water temperature; and

311.5 Alternative Manual Cleaning and Sanitizing

B. Alternative manual warewashing equipment may be used when there are special cleaning needs or constraints and its use is approved prior to use. Alternative manual warewashing equipment may include:

1. High-pressure detergent sprayers;
2. Low or line-pressure spray detergent foam foamers;
3. Other task-specific cleaning equipment;
4. Brushes or other implements;
5. 2-compartment sinks as specified § 321(C)(1); or
6. Receptacles that substitute for the compartments of a multicompartment sink.

PHYSICAL SITE

SECTION 312. FLOORS, WALLS, AND CEILINGS

312.5 Carpeting

Carpeting shall not be used in food preparation, warewashing, walk-in refrigerators, ~~food storage~~, and refuse storage areas, toilet rooms, or other areas where the floor is subject to moisture accumulation resulting from flushing or spray cleaning methods. Carpeting, if used as a floor covering elsewhere, shall be of closely woven construction, properly installed, easily cleaned, and maintained in good repair.

SECTION 314. LIGHTING

All areas of a food facility shall be well-lit by permanently fixed artificial light sources:

- A. At least 50 foot candles (540 lux) of light shall be provided at a surface where a food worker is working with food or working with utensils or equipment, such as knives, slicers, grinders or saws where food worker safety is a factor.

B. At least 20 foot candles **(215 lux)** shall be provided at a surface where food is provided for consumer self-service, display or sales; inside equipment, such as reach-in coolers; and at a distance of 30 inches **(76.2 cm)** measured above the floor in areas used for handwashing, warewashing, equipment and utensil storage, and in toilet rooms.

C. At least 10 foot **(108 lux)** candles, to be measured at a distance of 30 inches **(76.2 cm)** from the floor, shall be provided in walk-in refrigerating units, dry storage, dressing rooms, garbage/refuse storage areas and in other areas and rooms during periods of cleaning.

SECTION 317. INSECTS, RODENTS, AND PEST PREVENTION AND MANAGEMENT

317.2 Openings

B. This sub-section does not apply to **food facilities** if **the threat of** food contamination-due to ~~flying~~ insects and other pests **is** ~~are~~ absent due to the location of the food facility, the weather, or other limiting conditions unique to the facility.

WATER, PLUMBING, AND WASTE

SECTION 319. WATER SUPPLY

E. Drinking water from non-public water systems shall meet the standards for public drinking water established in 25 Pa. Code Chapter 109 (Safe Drinking Water); maintenance and operation requirements; and shall be sampled as a transient non-community public water system that serves twenty-five (25) people daily or as directed by the Pennsylvania Department of Environmental Protection (DEP). All analytical work **related to water testing** must be performed according to law ~~and the reports,~~ **and the records** must be **made available upon request to the Department** ~~retained on file at the food facility.~~

SECTION 321. PLUMBING

C. All food facilities that handle, serve, or prepare **unpackaged** food must have at least one (1) sink with at least three (3) compartments, except as provided below. Sinks must meet NSF, ANSI, or equivalent standards. Sink compartments shall be large enough to accommodate immersion of the largest equipment and utensils intended to be cleaned in a sink. Utensils and equipment too large to be cleaned in a sink shall be cleaned and sanitized as stated in § 311.5.

D. At least one (1) service sink or curbed cleaning facility with a floor drain shall be provided in accordance with Article XV "Plumbing Code" and used for the cleaning of mops, maintenance tools, obtaining mop water, and disposal of mop water or similar liquid wastes. **The use of food preparation sinks, handwashing sinks, toilets, or warewashing equipment, for the disposal of such wastes is prohibited.**

~~E. The use of food preparation sinks, handwashing sinks, toilets, or warewashing equipment, for the disposal of such wastes is prohibited.~~

SECTION 322. TOILET ROOMS

322.1 Toilet Room Location and Design

C. To minimize the potential for the spread of disease between the toilet facility and food preparation areas toilet rooms shall be completely enclosed and have tight fitting, self-closing, solid doors, which shall be kept closed except during cleaning or maintenance. The doors of toilet rooms shall not open directly into any food preparation, warewashing, or food storage area, except where **Department approved** alternate means have been taken to protect against such contamination such as double doors or negative air-flow.

SECTION 323. HANDWASHING SINKS

E. Handwashing sinks shall be provided with hot and cold running water provided through an approved water-temperature limiting device or combination faucet. Steam mixing valves are prohibited. The hot water shall be provided at a temperature of at least 100°F **85°F (29.4°C)**. Handwashing sinks ~~in public areas or accessible to children in child day care centers~~ may not exceed 110°F **(43.3°C)**.

MANAGEMENT AND PERSONNEL

Section 326. RESPONSIBILITIES AND SUPERVISION

326.1 General

The **Permit Holder** ~~food facility operator~~ shall develop and maintain written records and policies required by this Article and the MFC, to include, but not limited to:

1. Clean-up of vomiting and diarrheal events,
2. Time as Public Health Control in accordance with § 334.2 **(if required)**,
3. Non-continuous cooking of raw animal-derived foods in accordance with § 333.3(D) **(if required)**,
4. HACCP Plans in accordance with § 337 (if required),
- 5. Food workers reporting symptoms and diseases listed in § 328 to the Person in Charge,**
- ~~5~~**6.** Grease interceptor cleaning and service schedule and records, and

67. Major food allergen control plans.

326.2 Designation of Person in Charge

The **Permit Holder** ~~food facility operator~~ shall be the Person in Charge or shall designate a Person in Charge. A Person in Charge shall be present at the food facility during all hours of operation for Class II, Class III, and Class IV facilities.

326.7 Emergency Occurrences

In the event of a fire, flood, sewage back-up, power outage of 2 or more hours, lack of potable water, alleged foodborne or waterborne illness outbreak of two (2) or more people, a food worker with reportable symptoms or diagnoses specified in § 328, or similar event that might result in the contamination of food, the permit holder or the Person in Charge shall immediately contact the Department. Upon receiving notice of such an occurrence, the Department shall take appropriate actions to protect the public health, which include, but are not limited to, suspension of the food permit or registration certificate.

SECTION 327. PERSONAL CLEANLINESS AND FOOD WORKER PRACTICES

327.2 Tobacco, Electronic Cigarette Device Use, and Food Worker Dining
C. A food worker may drink from a closed beverage container if the container is handled to prevent contamination of:

1. The food worker's hands;
2. The container; and
3. Exposed food; clean equipment, utensils, linens, and unwrapped single-service and single-use articles.

327.7 Jewelry

Except for a plain ring such as a wedding band, while preparing food, food workers may not wear jewelry such as bracelets and watches, including medical information jewelry, on their arms and hands.

FOOD SOURCES

SECTION 329. FOOD SUPPLIES

329.2 Special Requirements

A. Fluid and dry milk and milk products, including frozen and cheeses, used, or served, or offered for sale shall meet the standards established by the PA Milk Sanitation Law (31 P.S. § 645-660g). Milk shall not be sold past the sell-by-date noted on the container and shall be received at 45°F (7°C) or less. **Fluid and dry infant formula may not be sold past the sell-by-date noted on the container.**

B. Molluscan shellfish and fish shall be from an approved source according to law and the requirements specified in the U.S. Department of Health and Human Services, Public Health Service, FDA, National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish. Recreationally caught fish and shellfish shall not be offered for consumption. Molluscan shellfish shall be protected from contamination at all times and not commingled with shellfish stock with different tags or labels.

1. **Molluscan shellfish** ~~Shellstock~~ shall be reasonably free from mud, dead shellfish, and shellfish with broken shells. Dead molluscan shellfish ~~or shellstock~~ with badly broken shells shall be discarded.

2. **Molluscan shellfish** ~~Shellstock~~ shall be obtained in containers bearing legible source identification tags or labels that are attached by the harvester and each dealer.

4. ~~Shellstock and shucked~~ Molluscan shellfish shall be kept in the container in which they were received until used, repacked or sold. ~~Shellstock and shucked~~ Molluscan shellfish may be removed from the original container for display purposes for servings upon a consumer's request if the labeling information is retained and, ~~in the case of shucked shellfish~~, correlated to the date when the shellfish are sold or served. Each tag and/or corresponding record shall be kept for ninety (90) days and be made available for inspection by the Department.

5. Molluscan shellfish ~~and shellstock~~ which do not bear a label or a label with the required information shall be subject to embargo or condemnation.

6. The repacking of ~~shucked~~ molluscan shellfish, breaking down of shellstock lots or ~~shucking-repacking~~ of shellfish shall be conducted in accordance with appropriate state and federal laws.

C. Only clean, whole eggs with shell intact and without cracks or checks; or pasteurized liquid, frozen, or dry eggs, or pasteurized dry egg products, shall be used, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used or offered for sale. Shell eggs shall be transported and received in containers or vehicles with an ambient air temperature of 45°F (7°C) or below, and shall not be re-packaged. Eggs at a food facility shall be maintained at an internal temperature not to exceed 45°F (7°C) until use, preparation or purchase

by a consumer in accordance with the PA Egg Refrigeration Law (31 P. S. §§ 300.1—300.9).

D. Only ice that has been ~~manufactured~~ **made** from an approved source of potable water and packaged and handled in a sanitary manner shall be used or offered for sale.

SECTION 330. FOOD PREPARED IN A PRIVATE HOME

A. Food prepared in home-style kitchen, residential-style kitchen, or a personal-use kitchen, regardless whether the location is on or off the actual residential property, shall not be sold for public consumption, unless the operation is approved by, and registered as a Limited Food Establishment with, the Pennsylvania Department of Agriculture (PDA) under the Pennsylvania Food Safety Act (3 Pa.C.S.A. §§ 5721 – 5737) for residential food service operations.

B. Limited Food Establishments registered with the PA Department of Agriculture are not required to obtain an annual food permit or registration certificate issued by the Department, but may require other Department permits, including but not limited to, temporary, seasonal, or mobile food facility permits for retail sales within Allegheny County.

FOOD CONDITION

SECTION 331. FOOD PROTECTION

A. At all times, including while being stored, prepared, displayed, served, dispensed, packaged, or transported, food shall be protected from cross-contamination between foods and from potential contamination by insects, rodents, chemicals, unclean equipment and utensils, unnecessary handling, flooding, draining, and overhead leakage or condensation, sewage, or other agents of public health significance. The temperature of TCS food shall be maintained at 41°F (**5°C**) or below, or 135°F (**57°C**) or above, at all times, except as otherwise provided in this Article.

SECTION 332. FOOD STORAGE

332.2 Containers and Location

Containers of food shall be stored a minimum of 6 inches above the floor, in a manner that protects the food from splash and other contamination, and that permits easy cleaning of the storage area, except that:

E. **Unpackaged and loosely wrapped** food shall not be stored in contact with water or undrained ice, **except as listed below**. ~~Loosely wrapped ready-to-eat food shall not be stored in direct contact with ice.~~

1. Whole, raw fruits or vegetables; cut, raw vegetables such as celery or carrot sticks or cut potatoes; and tofu may be immersed in ice or water.

2. Raw poultry and raw fish that are received immersed in ice in shipping containers may remain in that condition while in storage awaiting preparation, display, service, or sale.

332.3 Refrigerated and Frozen Storage

B. The internal temperature of TCS food requiring refrigeration shall be at or below 41°F **(5°C)**.

332.4 Hot Storage

B. The internal temperature of TCS food requiring hot storage shall be 135°F **(57°C)** or greater, except roasts meeting cooking criteria may be held at 130°F **(54°C)** or above.

332.5 TCS Food in a Homogeneous ~~Homogeneous~~ Liquid Form

A. Packaged TCS food in a homogeneous ~~homogeneous~~ liquid form may be held outside of the temperature control requirements for hot or cold foods while contained within specially designed equipment that maintains the safety of aseptically packaged fluid foods and complies with the design and construction requirements of the NSF/ANSI Standard 18, "Manual Food and Beverage Dispensing Equipment".

332.6 Date Marking of Food

A. Refrigerated ready-to-eat TCS food prepared and held for more than 24 hours in a retail food facility shall be clearly marked at the time of preparation to indicate the date the food shall be consumed, sold or discarded, which is, including the day of preparation, seven (7) days or less from the day the food is prepared, if the food is maintained at 41°F **(5°C)** or less. The day of preparation shall be counted as "Day 1."

SECTION 333. FOOD PREPARATION

333.2 Raw Fruits and Raw Vegetables

A. Raw fruits and vegetables shall be thoroughly washed with potable water before being cooked, cut, served, or offered for human consumption in ready-to-eat form.

1. Chemicals used to wash or peel raw, whole fruits and vegetables shall meet the requirements specified in 21 CFR 173.315 **and provided with a test kit or other device that accurately measures the active ingredient concentration.**

B. Raw fruits and raw vegetables considered TCS food according to the FDA must be temperature controlled and held at 41°F (**5°C**) or below. Such foods include, but are not limited to: cut melons, cut tomatoes, and cut leafy greens, and raw seed sprouts.

333.3 Cooking Time and Temperature Controlled for Safety Food

A. TCS food requiring cooking shall be cooked to heat all parts of the food to a temperature of 145°F (**62°C**) or above for 15 seconds, except that:

1. Poultry; stuffed products such as poultry, meats, fish, or pastas; stuffing containing poultry, meat, or fish; baluts, and wild game animals shall be cooked to heat all parts of the food to 165°F (**73°C**) or above for < 1 second (instantaneous).

2. Ground , mechanically tenderized, and injected meats; comminuted meat and fish, such as gyros, sausage, and gefilte fish; — comminuted commercially raised and inspected game; ratites; or eggs, unless cooked for one consumer's serving at a single meal and served immediately, shall be cooked to heat all parts of the food to 155°F (**68°C**) for 17 seconds, or in accordance to the cooking times and temperatures in table 354.3, Cooking Times and Temperatures.

3. Whole beef roasts, pork roasts, and lamb roasts shall be cooked to an internal temperature of 145°F (**62°C**) for 4 minutes or to 130°F (**54°C**) for 112 minutes. Alternative cooking times and temperatures may be used in accordance with § 3-401.11(B) of the MFC. Beef steak shall be cooked on both the top and bottom to a surface temperature of 145°F (**62°C**) or above, and cooked to achieve a color change on all external surfaces, provided it is whole muscle, intact, and not offered to a highly susceptible population.

B. Raw animal products cooked in a microwave oven shall be rotated during cooking to compensate for uneven heat distribution, covered to retain surface moisture, heated to a temperature of at least 165°F (**73°C**) in all parts of the food, and allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

C. Raw fruits and vegetables that are cooked for hot holding shall be cooked to a temperature of at least 135°F (**57°C**).

E. Commercially packaged food that bears a manufacturer's cooking instructions shall be cooked according to those instructions before use in ready to eat foods or offered in

unpackaged form for human consumption, unless the manufacturer's instructions specify that the FOOD may be consumed without cooking.

333.5 Cooling Time and Temperature Controlled for Safety Food

A. Cooked TCS food requiring refrigeration after preparation shall be monitored and rapidly cooled:

1. Within 2 hours from 135°F (**57°C**) to 70°F (**21°C**); and
2. Within a total of 6 hours from 135°F (**57°C**) to 41°F (**5°C**), for a total cooling time not to exceed 6 hours.

B. TCS food prepared from ingredients at ambient temperature shall be cooled within 4 hours to 41°F (**5°C**) or less.

1. Ready to Eat produce or hermetically sealed food that is rendered TCS food upon cutting, chopping, or opening of a hermetically sealed container to shall be cooled from 70°F (21°C) to 41°F (5°C) or less within 4 hours or remain at 70°F (21°C) or less for a maximum of 4 hours.

333.6 Reheating for Hot Holding

A. Previously cooked TCS food shall be rapidly reheated within 2 hours to 165°F (**73°C**) or higher for 15 seconds throughout all parts of the food before being served, or before being placed in a hot storage unit. Steam tables, bains-marie, warmers, and similar hot food holding equipment are prohibited for the rapid reheating of TCS food, unless such procedures are demonstrated as meeting safety requirements.

B. Commercially processed ready-to-eat food that has been packaged in a processing plant shall be reheated to a minimum of 135°F (**57°C**) for 15 seconds. Once the container or package is opened, the food must be reheated to 165°F (**73°C**) for 15 seconds.

D. When a microwave oven is used, food temperatures shall be taken throughout the food to assure a reheat temperature of 165°F (**73°C**) for 15 seconds, except where noted above in § 333.6(B), and shall be rotated or stirred, and be allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

333.7 Thawing Time and Temperature Controlled for Safety Food

TCS food shall be thawed:

1. In refrigerated units at a temperature not to exceed 41°F (**5°C**);

2. Completely submerged under potable running water at a temperature of 70°F (21°C) or below, with sufficient water velocity to agitate and remove loose food particles into the overflow, and for a period of time that does not allow thawed portions of:

- (a) Ready-to-eat food to rise above 41°F (5°C);
- (b) Raw animal-derived food, requiring cooking, to rise above 41°F (5°C) for more than 4 hours that includes the time needed for preparation and cooking;

SECTION 334. FOOD DISPLAY AND SERVICE

334.1 Time and Temperature Controlled for Safety Food

TCS food shall be kept at an internal temperature of 41°F (5°C) or below or at an internal temperature of 135°F (57°C) during display and service, except that roast beef may be held for service at a temperature of no less than 130°F (54°C).

334.2 Time as a Public Health Control

A. If time only, rather than time in conjunction with temperatures of 41°F (5°C) or below or at a temperature of 135°F (57°C) or above, is used as the public health control for a working supply of TCS food before cooking, or for ready-to-eat TCS food that is displayed or held for sale or service for immediate consumption:

B. If time without temperature control is used for up to a maximum of 6 hours, all steps in § 334.2 (A) apply, however, the food temperature must be continually monitored, have an initial temperature of 41°F (5°C) or below, and may not exceed 70°F (21°C) during the 6-hour period.

334.7 Dispensing Utensils

B. Between uses, dispensing utensils shall only be stored:

- 4. In water that is maintained at a temperature of 135°F (57°C) or greater, free of food residue accumulation cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues.

SECTION 335. DONATION OF FOODS

335.2 Previous Service

Once served or sold to a consumer, unused portions of or left-over food, shall not be offered as food for human consumption except as otherwise provided in this section

A. Packaged TCS foods in sealed packaging, such as unopened milk, may be or donated if immediately stored and maintained at 41°F (5°C) or below after service.

335.3 Unpackaged and Unserved Prepared Foods

Unpackaged and unserved prepared foods may be donated if the following requirements are met at the time of donation:

B. Cold TCS food is at or below 41°F (5°C) Fahrenheit, or an ambient temperature of 45° F (7°C) Fahrenheit for raw shell eggs;

C. Hot TCS food has been at or above 135°F (57°C) Fahrenheit during hot holding, and subsequently cooled to meet the time and temperature requirements in § 332.3, or maintained at proper holding temperatures required in § 332.4;

SECTION 336. FOOD TRANSPORTATION

336.1 General

B. All TCS food, shall be kept at 41°F (5°C) or below, or 135°F (57°C) or above, during transportation. Adequate equipment made of non-toxic, corrosion resistant, easily cleanable, durable materials must be used for maintaining food product temperatures as described in sections 307 and 308 of this Article.

SECTION 337. SPECIALIZED PROCESSES AND HAZARD ANALYSIS CRITICAL CONTROL POINT PLANS

337.2 HACCP Plan Contents

HACCP Plans, when required, shall include the following:

C. A flow diagram or chart by specific food or category type, identifying each step in the process and the steps that are Critical Control Points (CCP); ~~and providing information on the following:~~

D. Ingredients, materials, packaging supplies and equipment used in the preparation of that food;

E. Formulations or recipes that delineate methods and procedural control measures that address the food safety concerns involved;

F. The product labeling system;

~~4. List the food safety hazards that are reasonably likely to occur, as identified in the Hazard Analysis.~~

G. A food worker and supervisory training plan that addresses the food safety issues of concern.

H. A CCP summary for the plan under consideration that clearly identifies the following:

1. Each CCP.
2. The significant hazard for each CCP.
3. The critical limits for each CCP.
4. The method and frequency for monitoring and controlling each CCP by the food worker designated by the Person in Charge.
5. The method and frequency for the Person in Charge to routinely verify that the designated food worker is following standard operating procedures and monitoring CCPs.
6. Corrective action plans that have been developed to be followed in response to deviations from critical limits at CCPs.
7. Records to be maintained by the Person in Charge to demonstrate that the HACCP Plan is properly operated and managed.
8. Standard Sanitation Operational Procedures (SSOP) that describe the procedures along with the frequency for cleaning and sanitizing food-contact surfaces and equipment.

I. Additional scientific data or other information, as required by the Department, supporting the determination that food safety is not compromised by the proposal.

337.3 Reduced Oxygen Packaging (ROP) or Modified Atmosphere Packaging (MAP)

B. A retail food facility that packages food using a ROP or MAP method shall have an HACCP Plan that requires that the packaged food, as the primary barrier, be maintained at 41°F (**5°C**) or less, and that meets the following criteria:

3. Describes how the packages shall be prominently and conspicuously labeled on the principle display panel in bold type on a contrasting background, with instructions to do the following:

- (a) Maintain the food at 41°F (5°C) or below;
- (b) Discard the food within thirty (30) calendar days of its packaging if it is not served for on-premises consumption, or it is not consumed if served or sold for off-premises consumption;

D. A retail food facility that packages food using a cook-chill or sous vide process shall:

2. Ensure the food is:

- (a) Prepared and consumed on the premises, or prepared and consumed off the premises but within the same business entity with no distribution or sale of the bagged product to another business entity or the consumer;
- (b) Cooked to heat all parts of the food to a safe temperature unless covered by a consumer advisory;
- (c) Protected from contamination before and after cooking;
- (d) Placed in a package or bag with an oxygen barrier and sealed before cooking, or placed in a package or bag and sealed immediately after cooking and before cooling to a temperature below 135°F (57°C);
- (e) Cooled to 41°F (5°C) or below in the sealed package or bag using a safe procedure and:

1) Cooled to 34°F (1°C) within 48 hours of reaching 41°F (5°C) and held at that temperature until consumed or discarded within thirty (30) days after the date of preparation;

2) Held at 41°F (5°C) or less for no more than seven (7) days, at which time the food must be consumed or discarded; or

3) Held frozen with no shelf life restriction while frozen until consumed or used.

F. A HACCP Plan is not required when a retail food facility uses a ROP method to package TCS food that is always:

- 1. Labeled with the production time and date,
- 2. Held at 41°F (5°C) or less during refrigerated storage, and
- 3. Removed from its package in the food facility within 48 hours after packaging.

SPECIAL FOOD SERVICE FACILITIES

SECTION 339. MOBILE FOOD FACILITIES

339.1 General

D. All mobile food facilities, except those only providing prepackaged food or beverages ~~that are dispensed from covered containers or other protected equipment~~, must comply with the requirements of this Article pertaining to water and wastewater systems.

SECTION 340. TEMPORARY AND SEASONAL FOOD FACILITIES

340.2 Ice as Temperature Control

If ice is to be used for temperature control the following criteria must be met:

3. There shall be a sufficient supply to maintain TCS-food at 41°F (5°C) or less.

SECTION 341. SHARED KITCHENS

341.3 Responsibilities in Shared Kitchens

B. Shared kitchen user duties. A shared kitchen user issued a food permit or registration certificate, for a food facility shall:

4. Have a copy of their food permit or registration certificate, posted on site at all times when the shared kitchen user is physically using the shared kitchen.

342. SELF-SERVICE FOOD FACILITY

342.3 Vending Machines

B. The automatic shut-off within the vending machine cold holding TCS food shall activate when the ambient temperature exceeds 41°F (5°C) or 45°F (7°C) for a unit holding raw shell eggs only, for more than 30 minutes immediately after the display is filled, serviced, or restocked.

C. The automatic shut-off within the vending machine hot holding TCS food shall activate when the ambient temperature is below 135°F (57°C) for more than 120 minutes immediately after the display is filled, serviced, or restocked.

ADMINISTRATIVE PROCEDURES AND REMEDIES

SECTION 343. SUSPENSION OF A FOOD PERMIT OR REGISTRATION CERTIFICATE- IMMINENT HEALTH HAZARD

A. If the Department finds there is an imminent health hazard to the public health the food permit or registration certificate shall immediately be suspended.

Any person whose food permit **or registration certificate** has been suspended under this section shall upon written request be entitled to a hearing pursuant to Article XI, "Hearings and Appeals", of the Allegheny County Rules and Regulations. The suspension shall not become effective until the operator has received legal notice of the decision.

B. Upon suspension of a food permit **or registration certificate**, the Department shall immediately post a "Closed by Order of the Allegheny County Health Department" placard in plain view at all patron entrances to the premises. Such notice shall not be concealed, or removed. Removal shall be only at the direction of the Department.

C. A person whose food permit has been suspended shall have the food permit **or registration certificate** reinstated upon completion of the corrective action required by the Department and an inspection verifying such corrections. It shall be unlawful to operate a food facility with a suspended food permit.

SECTION 344. SUSPENSION OF A FOOD PERMIT - NON-IMMINENT HAZARD

A. If the Department determines that there is violation of any of the Rules and Regulations of the Allegheny County Health Department or laws of the Commonwealth of Pennsylvania but there is no imminent health hazard, the facility's food permit **or registration certificate** may be suspended.

B. The food permit **or registration certificate** suspension shall not become effective until an opportunity for a pre-suspension hearing has been afforded to the holder of the permit. The pre-suspension hearing notice shall contain the violations, and where applicable, any corrective action which must be taken and the time within which such corrections must be completed. The Department shall schedule a hearing no sooner than six (6) days from the date of mailing of the notice of pre-suspension hearing unless the Department and the applicant both agree to a hearing at an earlier date. If the permit holder fails to appear at the hearing, the suspension shall become effective on the date of the hearing; otherwise, the suspension shall become effective at such time as may be fixed by the Department.

C. Upon suspension of a food permit **or registration certificate**, the Department shall immediately post a "Closed by Order of the Allegheny County Health Department" placard in plain view at all patron entrances to the premises. Such notice shall not be concealed, altered or removed. Removal shall be only at the direction of the Department. It shall be unlawful to operate any food facility with a suspended food permit **or registration certificate**.

SECTION 345. REINSTATEMENT OF A HEALTH PERMIT

A. A food permit **or registration certificate** which has been suspended shall be reinstated if the person whose food permit has been suspended completes the

corrective action as required and provides the Food Safety Program with a written request for an inspection. The food permit **or registration certificate** may only be reinstated following a Food Safety Program inspection of the premises and written approval by the Department.

B. If a food facility fails to meet the requirements for the initial food permit **or registration certificate** reinstatement, all subsequent food permit reinstatement inspections shall be conducted at the owner's expense according to the fee schedule.

SECTION 349. ALLEGHENY COUNTY FOOD SAFETY FUND

B. Disposition of Funds Collected. All funds received by the County ~~including, but not limited to,~~ **as a result of activities such as** reinspections, owner requested inspections, consent orders, consent decrees, or civil penalties relating to actions taken by the Department regarding food safety shall be paid into a special fund known as the Allegheny County Food Safety Fund which is hereby established.

SECTION 353. DEFINITIONS

The following definitions shall apply in the interpretation and application of this Article:

Commingle - ~~To combine shellstock harvested on different days or from different growing areas as identified on the tag or label, or to combine shucked shellfish from containers with different container codes or different shucking dates~~
different lots of shellfish.

Complex food process – **Food preparation processes where the food items pass through the temperature danger zone between 41°F and 135°F (5°C and 57°C) more than once.**

Intact Meat - **A cut of whole muscle(s) meat that has not undergone comminution, mechanical tenderization, vacuum tumbling with solutions, reconstruction, cubing or pounding.**

Mechanically tenderized –

- a) Manipulating meat with deep penetration by processes which may be referred to as “blade tenderizing”, “jaccarding,” “pinning”, “needling”, or using blades, pins, needles or any mechanical device
- b) ~~The term does not include processes by which solutions are INJECTED into meat.~~

Molluscan shellfish – an edible species of fresh or frozen oysters, clams, mussels and scallops or edible portions thereof, except when the scallop product consists only of the shucked adductor muscle. **Molluscan shellfish includes shellstock, shucked shellfish and in-shell products.**

Permit holder – The entity that:

- a) Is legally responsible for the operation of the food facility, such as the owner, the owner's agent, or other person; and
- b) Possesses a valid food permit **or registration certificate** to operate a food facility.

Registration Certificate - The document issued by the Allegheny County Health Department that authorizes a person or entity to operate a Class 1 food facility.

Risk factor – Improper or unsafe practices, procedures, or conditions identified as contributing to foodborne illness or injury. For the purpose of prioritization of intervention, risk factors are designated as *high, medium* or *low risk violations*:

- a) *High* – Hazards associated with foodborne illness or injury, where there is no alternative method to mitigate the risk. Hazards that require immediate corrective actions, or suitable alternative intervention, to diminish risk until the violation can be corrected. A follow-up inspection, or reinspection, may be required. **See “Priority item” definition in the MFC.**
- b) *Medium* – Hazards that contribute indirectly foodborne illness or injury and support, facilitate, or enable the control or reduction of high risk hazards. Hazards that may require immediate corrective actions or a follow-up inspection. **See “Priority foundation item” definition in the MFC.**
- c) *Low*– Violations that relate to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), building structures, equipment design, general maintenance, or administrative requirements. Management of these conditions support, facilitate or enable the control of high and medium risk conditions. These violations may not require immediate correction, but may require a follow-up inspection. **See “Core item” definition in the MFC.**

Shared kitchen - a commercial kitchen in which three or more food businesses or operations with different permit holders is **are** using the same commercial kitchen facilities for the disposal of waste, storage or production of food or as an operational base, warewashing facility, or commissary.

Shared kitchen user – **a permit holder that operates a food businesses or operation in a food facility owned by a different permit holder.**

Proposed Changes to Align with 2022 MFC Update:

§323 Handwashing Sinks: Hot water temperature supplied to a hand washing sink lowered from 100°F to 85°F (MFC 5-202.12)

§325 Certified Food Protection Managers: “S” removed from the proper name of the Conference for Food Protection Standard (MFC 2-102.20 (A) & (B)).

§329 Food Supplies: Shellstock replaced with “Molluscan shellfish” through the section (MFC 1-201.10)

§333 Food Preparation: Chemical test kit required for produce washing and peeling agents (MFC 3-302.15), requirements to follow manufacturers cooking instructions before use in Ready-to-Eat foods. (MFC 3-401.15), and cooling requirement added for ambient room temperature (70°F) that is rendered TCS after preparation of opening of a sealed container. (MFC 3-501.19)

§337 Specialized Processes and HACCP Plans: The requirements of a Hazard Analysis Critical Control Point plan flow diagram reorganized to match the MFC Alignment. (MFC 8-201.14)

§353 Definitions: Definitions added for Intact Meat (MFC 1-201.10), Mechanically tenderized (MFC 1-201.10), and Molluscan shellfish (MFC 1-201.10).

Proposed Changes to Align with Older MFC Standards:

§326 Responsibilities and Supervision: “Food facility operator” changed to “Permit Holder” this removed the undefined term “Food Facility Operator” and replaced it with the defined term “Permit Holder” (MFC 1-102.10). “If required” added to #2 and #3, these written procedures are only required if the food facility is utilizing the process involved. (MFC 3-501.19 & 3-401.14) Added the requirement for food workers to report disease and symptoms to the Person-in-Charge which corrects an inadvertent removal of the requirement (MFC 2-201.11).

§327 Personal Cleanliness and Food Worker Practices: Addition of allowance for food workers to drink from closed beverage containers in a food preparation area which is a correction from an inadvertent removal (MFC 2-401.11(B)).

§332 Food Storage: Updated to allow for certain types of unpackaged food to be stored in water or undrained ice (MFC 3-303.12).

§353 Definitions: Definitions added for Risk Factor to include reference to the terms used in the Model Food Code (MFC 1-201.10).

Proposed Changes to Align with Article XV - Allegheny County Plumbing Code

§323 Handwashing Sinks: Tempered water requirement added to all hand washing sinks (lavatories) instead of only applying to public hand washing sinks and hand washing sinks in child day care centers (Article XV, AC 416.5).

**Proposed Revisions of the Allegheny County Health Department
Rules and Regulations, Article III, Food Safety**

LEGISLATIVE SUMMARY

Pursuant to the authority granted to it under the Pennsylvania Local Health Administration Law, Sections 12010(f) and 12011(c), on December 9, 2024, the Allegheny County Board of Health approved revisions to the Allegheny County Health Department (“ACHD”) Rule and Regulation Article III, “Food Safety.” The motion to approve passed without opposing vote. The approval was preceded by a 45-day public comment period, including a public hearing held on September 5, 2024.

Through the comment period, ACHD and the Food Safety Program presented the proposal to the Food Safety Advisory Committee that positively recommended the revision proceed to the Board of Health. No comments or public testimony was received for the proposed changes.

Some of the more notable changes are as follows:

Food Safety Program Operational Updates:

§304 Food Facility Plans and Applications: Updated to a 10-business day requirement for Temporary and Seasonal permit applications to provide the Department adequate time to review permit applications prior to their intended operation date which matches the pre-operational inspection request time frame.

§306 Temporary and Seasonal Event Registration: Changed requirement for application for Temporary and Seasonal Event Registration from 14 calendar days to 30 calendar days to allow time for vendors to apply for a permit at a registered event.

§330 Food Prepared in a Private Home: Added a subsection to clarify Department food permit requirements for PDA registered Limited Food Establishments (LFEs).

§353 Definitions: Added definitions for both complex food processes and registration certificate. The definition for complex food process was added to provide clarity for the classification of food facilities. The definition for registration certificate was added to clarify intent and usage of registration certificates and differentiate the term from Food Permit throughout the Article.

MEMORANDUM

OFFICE OF THE COUNTY SOLICITOR

TO: John Fournier
County Manager

FROM: Rosalyn Guy-McCorkle
County Solicitor

DATE: December 10, 2024

RE: ACHD Rules and Regulations-Proposed Revisions to Article III
Food Safety

Attached is the following:

- 1) The Regulation revision ordinance form
- 2) Exhibit A containing the Regulation changes or amendments
- 3) The Legislative Summary for the Regulation change

The Allegheny County Law Department has reviewed the Ordinance prior to submitting it to the Council.

I am requesting that the item be placed on the agenda at the next Regular Council Meeting.