

Bill No. 8524-14

No. 25-14-OR

AN ORDINANCE

An Ordinance of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations, for purposes of bringing the County Regulations into conformity with the State and Federal Food Codes, pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

Whereas, Allegheny County, pursuant to the Local Health Administration Law, 16 P.S. §12001 et seq., created the Allegheny County Health Department, and the Allegheny County Board of Health; and

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

Whereas, on September 3, 2014, the Allegheny County Board of Health adopted the attached amendments to the Allegheny County Health Department Rules and Regulations, Article III, entitled "FOOD SAFETY;" and

Whereas, it is the desire of Council to ratify the Allegheny County Health Department regulation amendments 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.

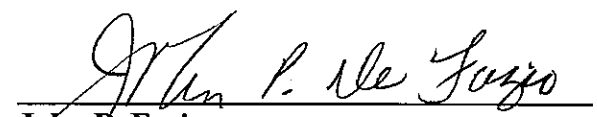
Acting pursuant to the Local Health Administration Law and the Allegheny County Home Rule Charter, County Council hereby ratifies the specific amendments to Article III, entitled "FOOD SAFETY," of the Allegheny County Health Department Rules and Regulations as set forth in the document attached hereto as Exhibit A."

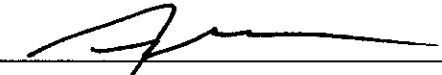
SECTION 3. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

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 Resolution.

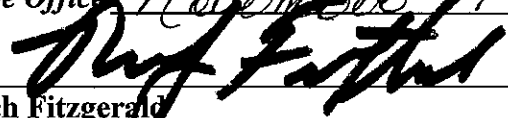
Enacted in Council, this 18th day of November, 2014.

Council Agenda No. 8529-14.


John DeFazio
President of Council

Attest: 
Chief Clerk of Council

Chief Executive Office November 19, 2014

Approved: 
Rich Fitzgerald
Chief Executive

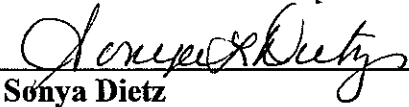
Attest: 
Sonya Dietz
Executive's Secretary

Exhibit A

Proposed Revisions to Article III - Temperature changes from 140°F to 135°F

Article III page 2. Section 302.1 Food Protection – General

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, insecticides, rodents, rodenticides, unclean equipment and utensils, unnecessary handling, flooding, draining, and overhead leakage or condensation, or other agents of public health significance. The temperature of potentially hazardous food shall be maintained at 41°F or below, or 440°F 135°F or above, at all times, except as otherwise provided in this Article.

Article III page 4. Section 303.4B Food Storage – Hot Storage

The internal temperature of potentially hazardous food requiring hot storage shall be 440°F 135°F or greater.

Article III page 6. Section 304.3C Cooking Potentially Hazardous Food

Fruits and vegetables that are cooked for hot holding shall be cooked to a temperature of at least 440°F. 135°F

Article III page 6. Section 304.4B Cooling Potentially Hazardous Food

In all cases potentially hazardous food shall be cooled from 440°F 135°F to 70°F or below within two (2) hours and from 70°F to 41°F in an additional four (4) hours for a total cooling time not to exceed six (6) hours. If internal food temperatures do not reach 70°F in 2 hours the total cooling time from 440°F 135°F to 41°F shall be reduced to 4 hours. Foods shall be left uncovered while cooling.

Article III page 7. Section 304.5B Reheating

Commercially canned, intact packaged foods shall be reheated to a minimum of 440°F 135°F unless otherwise ordered by the Director.

Article III page 9. Section 305.1.A Food Display and Service

Potentially Hazardous Food – Potentially hazardous food shall be kept at an internal temperature of 41°F or below or at an internal temperature of ~~440°F~~ 135°F or above during display and service, except that roast beef may be held for service at a temperature of no less than 130°F.

Article III page 11. Section 306.1 Food Transportation – General

The requirements for storage, display, and general protection against contamination, as contained in this Article shall apply in the transporting of all food from a food facility to another location for service or catering operations. All potentially hazardous food shall be kept at 41°F or below, or ~~440°F~~ 135°F or above, during transportation. Adequate and approved equipment must be used for maintaining food product temperatures.

Proposed Revisions to Article III - Certification of Food Protection Managers

Article III, page 40. Section 336.2.C. Issuance of a Certification for Food Protection Managers

Persons who qualify under Section 336.2 are required to reapply for certification every ~~3~~ 5 years and must meet the training and educational requirements of the Department for recertification.

Proposed Revisions to Article III - No Bare-hand Contact with Ready-to-eat Food

Article III page 4. Section 304. Food Preparation - General

- A. Food shall be prepared with minimal hand contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross-contamination.
- B. Food employees shall 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. Each time there is a change in processing between raw meats, poultry, and seafood, or between raw and ready-to-eat foods, each new operation shall begin with food-contact surfaces and utensils which have been cleaned, rinsed, and sanitized.

Proposed Revisions to Article III - Update Food Safety Definitions

Article III page 44. Section 338 - Definitions

Remove "Critical Violations" definition.

**Allegheny County Health Department
Food Safety Program
Revisions to Article III, "Food Safety" Rules and Regulations**

Executive Summary

Proposed revisions to allow for Article III to be consistent with the federal and state food codes, and to be consistent with the most current science

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: October 2, 2014

RE: Proposed Ordinance

Attached is an Ordinance ratifying amendments to Allegheny County Health Department Rules and Regulations, for purposes of bringing the County Regulations into conformity with the State and Federal Food Codes, pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

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

OCT 2 '14 11:42AM

ALLEGHENY COUNTY

COUNCIL