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We are again providing you with information that we hope you will find useful. If you pay attention to the two reminders we have included, you will find that one will protect you against receiving a particular violation and the other will protect you against scam artists. For more information, please see the directory on page 4. To suggest topics for future issues of *Food Matters*, call the Health Academy at (212) 280-9211.

hazardous foods are safe when kept hot or cold.

The New York City Health Code now requires that potentially hazardous foods be kept at 41°F or below. However, many food service establishments have older refrigeration equipment designed to hold foods at 45°F; time is needed to replace such equipment. Because of this, the Code currently allows cold foods to be held at 45°F but requires that old equipment be replaced or upgraded to maintain foods at 41°F or below no later than July 1, 2003.

The following information will help you hold cold foods at 45°F or below.

♦ Foods that are already at 45°F may be maintained at that temperature in a refrigerator that is working efficiently. You should monitor your refrigerator's temperature with equipment thermometers placed in the warmest part, usually the front on a higher shelf. A refrigerator has to be colder than 45°F to hold foods at that temperature.

♦ Because frequent opening

COMMON VIOLATIONS

In response to your requests, the previous issue of *Food Matters* listed three common violations found during inspections and discussed how to correct them. We will address three other common violations in this issue.

Violation: Holding Cold Food Products above 45°F

Many food service establishments continue to receive violations for holding cold food products above 45°F even though it is a well-known scientific fact that

cold temperatures slow down the

growth of bacteria. The colder the temperature, the slower the growth of bacteria, hence, the safer the food.

Foods that have a high protein content are considered potentially hazardous because they provide conditions suitable for the growth of microorganisms: examples are milk and milk products, eggs, meat, fish, poultry and shellfish. There are other foods which, in their natural state, may not be a problem but become potentially hazardous once they are cooked: these are cooked rice and cooked potato. Potentially



COMMON VIOLATIONS (CONTINUED)

of refrigerator doors may raise refrigerator temperature, you should keep this to a minimum.

- Too much food, closely packed, and any lining on the shelves of a refrigerator can reduce air circulation and prevent proper cooling of food.

- Cool hot foods quickly by transferring them into shallow containers before placing them in the refrigerator.

- Foods displayed on cold holding units for self-service must be at 45°F or below before being placed on the



unit. Check the temperature with a probe thermometer.

Attention to the above will keep cold food safe and ensure fewer violations.

Violation: Thermometers Not Provided or Not Used to Evaluate Temperatures of Potentially Hazardous Foods

Numerous food service establishments are cited for not providing or using appropriately scaled metal stem-type thermometers to monitor the temperatures of potentially hazardous foods during cooking, cooling, reheating and storage.

The only sure way to determine that foods are at the required temperature is by the use of an approved thermometer. The bimetallic bayonet style thermometer with a dial face scale ranging from 0°F to 220°F is the more popular instrument. It is cheap,



accurate, easy to calibrate and is excellent for measuring the temperature of foods two or more inches thick. It is also an inexpensive substitute for the more expensive thermocouple thermometer which is excellent for measuring thin foods such as hamburger patties. Both these instruments have to be used according to the manufacturer's specifications and must be sanitized before and after each use.

Merely having thermometers on the premises is not enough. All food workers must be trained to use them and will be asked to demonstrate their use.

either one or both ends of a can to swell.

A *major* defect is one that is serious enough to cause loss of hermetic seal even though there is no visible sign of such a loss. A dent on any one of the three seams (top, bottom or side) is a major defect; the same is true for severe dents fracturing the side panel and severe rust that cause pitting on the surface of a can.

A *minor* defect is slight rust that can be cleaned off without leaving any pitting or a dent on the side panel with no evidence of fracture.

Cans with either critical or major defects must be removed from circulation. A can with a minor defect may be unsightly and difficult to stack but the contents are safe. It is a good practice to inspect all canned food products, preferably at the time of receipt and to separate out any that are obviously defective for return to the supplier or for destruction. Since it is sometimes difficult to decide between an acceptable can and a defective can, a good rule to follow is "When in doubt, throw it out."

HEALTH CODE CHANGE

The latest food-related Health Code change extends the period during which ultra-pasteurized milk and milk products may be possessed and sold from thirty to forty-five days after the date of ultra-pasteurization.

This change does not affect pasteurized milk and other pasteurized milk products such as low sodi-

um milk, low fat milk, skimmed milk, cream or half and half. All of these products still have an expiration date of nine days after the date of pasteurization.

Checking the expiration date will help you purchase a product that is safe and one that you can use up during the period in which its safety is guaranteed.

Violation: Swollen, Leaking, Rusted or Severely Dented Cans of Food.

Another commonly cited violation is the presence of defective canned food products. Defects in cans can be either critical, major or minor.

A *critical* defect is when a can has lost its hermetic seal or when there is evidence of microbial growth. Holes, punctures and leaking contents are all evidence of loss of seal while microbial growth results in the production of gas causing

Food safety continues to be an important public health concern. The Department of Health conducts a thorough investigation of each reported foodborne outbreak in order to determine its magnitude and cause so as to prevent others from becoming ill. Summarized in this excerpt are a few outbreaks that the Health Department has investigated recently.



An Outbreak of Scombroid Fish Poisoning.

Approximately 40 people attending a luncheon experienced symptoms consistent with Scombroid fish poisoning. These include hives, redness of the face and extremities and itching. Six individuals had to be taken to the emergency room. The investigation by the New York City Department of Health determined that the consumption of a tuna and mushroom dish served at the luncheon was the cause of illness. Laboratory analysis of the food revealed high levels of histamine contamination, as much as 3000 parts per million. (A level greater than 50 parts per million is enough to cause an outbreak).

Scombroid fish poisoning is caused by inadequate refrigeration of certain varieties of fish. If these fish are not kept refrigerated from the time they are caught, rapid bacterial

growth may occur causing the degradation of fish flesh which in turn results in a chemical reaction permitting the production of histamine in the fish. This is what most likely happened in this outbreak.

This outbreak could have been prevented if the fish served was adequately refrigerated from the time it was caught until it was prepared for service

to the guests. Responsibility for the outbreak includes a chain of people, from the

food service operator to the supplier to the fisherman. As a food service operator your first responsibility is to purchase your supplies from a reputable, reliable supplier, and then to refrigerate the fish at or below 41°F.

An Outbreak of Hepatitis A at a Corporate Cafeteria.

An outbreak of hepatitis A occurred among employees of a large corporation who ate at the corporate cafeteria. All food workers were tested for recent hepatitis A infection, and one was found to be positive. The infected food worker's duties included preparation of ready-to-eat cold sandwiches. It was determined that this infected food worker, through poor personal hygiene (that is, not washing hands after use of the toilet), was responsible for the direct contamination of the food, cold sandwiches, which are not subject to heat treatment after preparation.

This outbreak could have been prevented if the food worker was excluded from work while he was ill. Public Health law prohibits anyone from working in a food establishment who has a boil, infected wound or diarrhea, or who is diagnosed with an infection or illness from an organism that can be transmitted through foods. Such conditions include cholera, dysentery, hepatitis A, typhoid, and diarrhea from *E. coli* (for example *E. coli* O157:H7). Persons who are diagnosed with some illnesses that can be transmitted through contact with respiratory droplets or contact with respiratory secretions (for example, tuberculosis and diphtheria) are also prohibited from working. Anyone with such an illness has to be excluded from a food service establishment until a doctor determines that

he is cured and no longer a danger to others.

Further, when preparing ready-to-eat foods (that is, foods that are not going to receive any further heat treatment) care must be taken not to touch them with bare hands. Gloves, tongs, deli paper and other barriers must be used when handling ready-to-eat foods. And, of course, good personal hygiene is always essential.



REMINDER NUMBER 1: CERTIFICATE HOLDERS



A Food Protection Certificate holder must be present during the entire time in which food is prepared and served. Some folks still believe that as long as the certificate is there, they don't need to be present. This is not true; it is a violation of the Health Code if the certificate holder is not on the premises. The intention of the Health Code is to have someone who is trained in food safety oversee the activities of food workers. The certificate has no value if its owner is not there.

ANIMALS IN ESTABLISHMENTS

Live animals generally are not allowed in food service establishments. This means that you cannot have cats to control rats, dogs to protect against thieves or birds to entertain customers.

Dogs however, are allowed in customer areas when they are providing a service to their owners in any of the following ways:

1. Seeing eye dogs accompanying a sightless person.
2. Hearing or service dogs accompanying and assisting disabled persons.

3. Patrol dogs accompanying police officers.

Animals are being trained in several different ways to help disabled individuals. This means that we have to be careful to differentiate between which one is merely a pet accompanying its owner and which is providing a service to a disabled person. If the handler of an animal states that it is a service animal and names the legitimate service provided, such animal must be allowed to accompany the handler into the establishment. However,



if the animal is threatening or aggressive to other patrons or employees, the handler may be asked to remove it from the establishment.

Fish, shellfish, crabs or lobsters may be kept in an aquarium as decoration or items on the menu.

REMINDER NUMBER 2: PAYMENT OF FEES

The Citywide Licensing Center located at 42 Broadway, 5th floor, in Manhattan is where you apply for a new permit, renew an old permit, register for the Food

Protection Course and pay fines. These transactions require the payment of fees for which you will be issued an official receipt on the spot. When you pay for a permit, it will be

processed and sent to you only through the U.S. Postal Service. Your permit will never be sent to you by courier, Cash on Delivery (that is, with a demand that you pay cash at the time it is delivered to you). Any demand for cash at the time of delivery is illegal and you should refuse the delivery.



If you have questions or comments regarding this newsletter, please call the Bureau of Inspections or the Health Academy. The telephone numbers are listed below.

If you wish to contact: ADMINISTRATIVE TRIBUNAL

2 Lafayette Street, 14th floor,
NY, NY 10007

☎ (212) 676-2020

BUREAU OF INSPECTIONS

253 Broadway, 12th floor,
Box CN59A, NY, NY 10007

☎ (212) 676-1600

CITYWIDE LICENSING CENTER

42 Broadway, 5th floor,
NY, NY 10004

☎ (212) 487-4436

HEALTH ACADEMY

160 West 100th Street,
NY, NY 10025

☎ (212) 280-9211

Inspector General

80 Maiden Lane,
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