

WAC 246-215 Rule Revision Implementation

Educational Period

During the COVID-19 pandemic, Washingtonians worked to prepare and provide safe food under severe operational changes and challenges. When the Washington State Board of Health adopted the revised food code in October 2020, it provided a delayed effective date of March 1, 2022 to help the state continue the active pandemic response.

The statewide pandemic response was not isolated or short-lived. While activity to prepare for the changing rule continued, effort was primarily dedicated to business continuity.

Due to enduring effects of pandemic response such as staffing and resource limitations still present in 2022, Washington State Department of Health supports an extended educational period after the effective date to help transition to the changed rule.

The educational period will focus on continued education to food establishments about the rule changes while conducting or reinstating routine food inspections. Identified food safety risks will need to be corrected, but points for the *revised* rule provisions as detailed in the DOH Marking Instructions will not be assigned until after the educational period concludes. **The educational period is in effect March 1, 2022 until August 31, 2022.**

Consistency

Please forward consistency issues or questions to the Department of Health Food Safety Program at food.safety@doh.wa.gov to track consistency concerns, needs or suggestions, and to assist with updating statewide educational materials, training, and guidance.

Key Changes in the Revised Rule

The new food code includes several changes that apply to all food establishments, changes that only apply to select establishments, and changes that provide additional options for businesses.

Key Changes that apply to all

Verifiable employee health awareness. Food workers have always needed to know about foodborne illness symptoms and reporting, but the new rule requires that the Person in Charge be able to prove that employees are aware of the requirements. In addition to the current symptoms, the new rule adds norovirus and all types of *Salmonella* to the list of diagnosed illnesses that must be reported to the health department.

- **Educational period:** Update operator on requirement to show training attendance, poster, or other proof that workers are trained on required employee health. Provide trainer from AMC Toolkit if appropriate. Note: Workers present with symptoms of illness would be cited with points and corrected as normal.

Cleanup plan for vomiting and diarrheal events. Each food establishment must have a written plan for cleanup of vomit and diarrhea specific to their operation.

- **Educational period:** Update operator on need for written plan; provide sample from AMC Toolkit if appropriate.

Date Marking. Each establishment that stores cold food for longer than 24 hours must mark foods to ensure they are used within 7 days. Several food types are exempt.

- **Educational period:** Update operator on foods that require date marking; provide date marking trainer from AMC Toolkit if appropriate. Do not discard foods due to improper date marking during the educational period. Note: Otherwise distressed or adulterated foods would be cited with points and corrected as normal.

Soap and Sanitizer Availability. Food workers must have access to soap and sanitizer when preparing food.

- **Educational period:** Update operator on need to ensure materials are *ready for use* during food preparation. Note: Facilities without any cleaning and sanitizing capacity on premises would be cited with points and corrected as normal.

Inspection report posted/available. Establishments must inform customers that a copy of the inspection report is available for view.

- **Educational period:** Update operator on need to provide placard or post permit with a link to an online database or otherwise post a hard copy of the report.

Certified Food Protection Manager (CFPM). Beginning in March 2023, establishments must have access to a CFPM. While this is not in effect until 2023, the educational period will help businesses prepare for the new requirement.

- **Educational period:** Update operator on need to have access to a CFPM by March 2023; provide CFPM trainer from AMC Toolkit if appropriate.

Key changes that affect some establishments

Cooking hamburger, sausage, and scrambled eggs. Comminuted/blended animal foods that used to require cooking to 155°F for 15 seconds must now be cooked to 158°F. Establishments may still cook to alternate temperatures with an approved plan.

- **Educational period:** Verify cooking temperatures for comminuted animal foods. If temperatures are 155-157°F, advise operator of need to increase cooking temperature to 158°F or the need to provide a written plan for approval if the operator is interested in cooking to a lower temperature. Note: Other undercooked animal products intended for service without consumer advisory would be cited with points and corrected as normal.

Shellstock tags. Establishments with in-shell molluscan shellfish, such as oysters, clams, or mussels must record the first and last dates of sale/service on the shellstock tags.

- **Educational period:** Update operator on need to add the first date of service to the shellfish tag. Note: Otherwise improperly marked tags would be cited with points and corrected as normal.

Raw fish separation. Establishments that prepare raw fish on a cutting board and then cut raw chicken or other raw meats on the cutting board will need to wash, rinse, and sanitize the cutting board between the fish and animal products to reduce the risk of allergen cross contact.

- **Educational period:** Update operator on need to wash cutting boards between raw fish and other raw animal products.

Packaged fish thawing. Establishments that thaw commercially-packaged frozen fish labeled “keep frozen” will need to break the package seal when thawing.

- **Educational period:** Update operator on need to break seal of commercially-packaged fish before thawing in refrigerator or immediately after thawing under running water. Note: Otherwise improperly thawed foods would be cited with points and corrected as normal.

New options available to interested establishments

The following are new options in the revised food code. During the educational period, advise operators of potential options for their follow-up as desired.

- **Bare Hand Contact.** Establishments with Active Managerial Control and enhanced health and hygiene procedures may use bare hand contact with ready-to-eat foods under an approved plan.
- **Consumer-owned containers.** Establishments may refill more consumer-owned containers in the food establishment with an approved plan.
- **Partially-cooked fresh fish.** Establishments may use a special consumer advisory to serve partially-cooked fresh (unfrozen) fish, such as salmon, without parasite destruction.
- **Pet dogs.** Establishments may allow customers to have pet dogs on the premises in select circumstances and when approved.
- **Emergency operating plans.** Establishments may continue operation during emergency power or water stoppage with an approved plan.

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