

Frequently Asked Questions

The 2017 FDA Food Code will soon be adopted as the regulation for all retail food establishments in Connecticut. Below are some of the many questions the Food Protection Program (FPP) has received from local health officials including certified food inspectors, directors of health, and those being trained as Food Inspector Training Officers who volunteered for the Self-Assessment/Quality Assurance Pilot Study. More questions will be posted soon but the FPP encourages the use of the FDA Code and the annexes first as many of the answers are provided there. The 2017 FDA Food Code can be downloaded [here](#).

1. *How does the food code affect temporary events and mobile vendors?*

The FDA Food Code is a Unicode, meaning that all types of retail food establishments are included under the same regulatory language. Also, see Public Act (PA) 17-93 Section 2 (recently codified as Connecticut General Statutes 19a-36(g) for the definitions of food establishment, temporary food service establishment, and itinerant food vending food establishment.

2. *Under the 2017 FDA Food Code, does the Person in Charge (PIC) have to have Certified Food Protection Manager (CFPM) training or is demonstration of knowledge still applicable?*

Paragraph 2-102.12 (A) of the 2017 FDA Food Code states “The person in charge shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.” ¶2-102.12 (B) states “This section does not apply to certain types of food establishments deemed by the regulatory authority to pose minimal risk of causing, or contributing to, foodborne illness based on the nature of the operation and extent of food preparation.” To this end, PA 17-93 Section 4 (4) (recently codified as 19a-36i (4)) states “Each class 2 food establishment, class 3 food establishment, and class 4 food establishment shall employ a certified food protection manager.”

Also, ¶2-102.20 (B) of the FDA Food Code states “A food establishment that has a person in charge that is certified by a food protection manager certification program that is evaluated and listed by a Conference for Food Protection - recognized accrediting agency as conforming to the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs is deemed to comply with §2- 102.12.” Training is not required, only passing an approved exam.

3. *What will happen if we find an establishment that is not registered with the state?*

The local health department will not issue a license until the operator of the food establishment provides proof of registration with the state.

4. *What hand wash signage is required? What does it need to state?*

Section 6-301.14 provides information related to handwashing signage.

5. *Will more information regarding date marking be made available from the FPP?*

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Section 3-501.17 provides information related to date marking including foods required to be date marked and disposition of foods found not to be date marked.

6. *Some certificates we accepted for the Qualified Food Operator requirement do not have expiration dates. How do we determine the expiration date?*

If a certificate does not have an expiration date, the individual will need to show proof when the certification was obtained. It must have been acquired within the previous 5-year period.

7. *Does the CFPM have to be the PIC at all times?*

There must be a PIC in all establishments at all times. In class 2, 3, and 4 establishments, the PIC must be a CFPM (with a valid certification).

8. *Can the PIC be more than one person?*

Yes.

9. *Does the use of time as a public health control still need prior approval from the local Director of Health?*

No, but all requirements listed in section 3-501.19 of the FDA Code must be followed.

10. *Are “meals on wheels” recipients considered a Highly Susceptible Population (HSP)?*

Only if the meals are being delivered to a facility that provides custodial care for immune compromised individuals, preschool age children, or older adults.

11. *Are public schools considered a HSP?*

Only if they serve food to preschool age children, e.g. if they have a preschool program.

12. *Does the FDA Code become effective on July 1, 2018 or January 1, 2019?*

Originally, the FDA Code was to become effective when the regulations to implement the Code were passed. In response to requests from local directors of health a legislative change to make the effective date January 1, 2019 is being proposed. Information will be provided once the new date is finalized.