

Retail Food Rule: Top 10 Changes

This document highlights the top 10 changes that affect most food establishments. See www.doh.wa.gov/foodrules for information. See side panel for effective dates.

1. Certified Food Protection Manager (CFPM)

At least one employee must be a CFPM with national ANSI certification from one of six approved providers. The CFPM does not need to be on premises but must ensure all PICs are properly trained and able to ensure Active Managerial Control. There is a 1-year extension to meet CFPM requirement.

2. Employee Health

Establishments must notify employees about reporting illness to the PIC and be able to verify they provided the notification. In addition, norovirus and all types of Salmonella are added to the list of reportable illnesses.

3. Clean up of Vomiting and Diarrheal Events

Establishments must have a written plan to clean up vomit and diarrheal events. Department of Health will share sample plans/items to include for use in a variety of food establishment environments.

4. Bare Hand Contact with Ready-to-Eat Foods

Establishments wanting to prepare food with bare hands must demonstrate unique active managerial control requirements related to employee health in order to be approved.

5. Date Marking for 7-Day Shelf-Life

Select ready-to-eat, refrigerated, perishable foods prepared in-house or in opened packages will need to be marked and used within 7 days. Able to reheat or otherwise remediate products that may be safely reconditioned.

6. Refilling Reusable Consumer-Owned Containers

Establishments have the option to allow customers to bring in a clean container to fill, refill, or reuse under an approved plan.

7. Dogs in Outdoor and Some Indoor Areas

Dogs may be allowed in outdoor areas and in certain indoor areas of establishments with limited food service under an approved plan.

8. Mobile Food Units

Several changes were made for mobile food units based on recent state law changes and comments received.

9. Donated Foods

Several sections were changed to clarify food source and reduce limitations to help safely rescue food while clarifying operating requirements.

10. Food-Specific Changes

- Ground meats will need to be cooked to 158°F
- Fish must be kept separate to prevent allergen cross-contact

Staggered Implementation

Based on public comment and the COVID-19 pandemic, Washington State Board of Health staggered the effective dates for the rule.

Sections affected by legislative activity are effective January 15, 2021 and are listed below. The effective date for the rest of the rule is extended to March 1, 2022.

January 15, 2021

The following sections become effective January 15, 2021.

- **WAC 246-215-01115**
Definitions (including the removal of lemonade/beverage stands and certain B&B food service from the definition of “food establishment”)
- **WAC 246-215-01115**
Allows receiving freshly-made rice noodles at ambient temperature
- **WAC 246-215-06570**
Pet dogs allowed indoors at food establishments with very limited food service
- **WAC 256-215-09100 – 09160**
Mobile food unit requirements, restrictions, and commissaries

Education Materials

Upcoming education materials.

- **Public Health Rationale**
A written explanation of all Washington modifications to the FDA Model Food Code
- **Guidance Documents, Training & Ed Materials**
New Food Worker Card and Person in Charge materials by early Summer 2021