

3717-1-03.7

Food: special requirements for highly susceptible populations.

In a food service operation or retail food establishment that serves a highly susceptible population:

~~(A) Prepackaged juice or a prepackaged beverage containing juice, that bears a warning label as specified in 21 C.F.R. 101.17(g) food labeling and in rule 3717-1-08 of the Administrative Code, may not be served or offered for sale;~~

(A) The following criteria apply to juice:

(1) For the purposes of this paragraph only, children who are nine years of age or less and receive food in a school, day care setting, or similar facility that provides custodial care are included as highly susceptible populations;

(2) Prepackaged juice or a prepackaged beverage containing juice, that bears a warning label as specified in 21 C.F.R. 101.17(g) food labeling and in rule 3717-1-08 of the Administrative Code, shall not be served or offered for sale;

(3) Unpackaged juice that is prepared on the premises for service or sale in a ready-to-eat form shall be processed under a H.A.C.C.P. plan and as specified in 21 CFR part 120 - hazard analysis and critical control point (H.A.C.C.P.) systems, subpart B pathogen reduction, 120.24 process controls. This is not intended to include freshly prepared fruit or vegetable purees that are prepared on-site.

~~(B) Food in an unopened original package may not be re-served; Food employees may not contact ready-to-eat food as specified under paragraph (A)(2) of rule 3717-1-03.2 of the Administrative Code.~~

(C) The following foods may not be served or offered for sale in a ready-to-eat form:

(1) Raw animal foods such as raw fish, raw-marinated fish, raw molluscan shellfish, and steak tartare,

(2) A partially cooked animal food such as lightly cooked fish, rare meat, soft-cooked eggs that are made from raw shell eggs, and meringue, and

(3) Raw seed sprouts; ~~and.~~

(D) Pasteurized shell eggs or pasteurized liquid, frozen, or dry eggs or egg products shall be substituted for raw shell eggs in the preparation of:

(1) Foods such as Caesar salad, hollandaise or ~~Bearnaise~~ Béarnaise sauce, mayonnaise, meringue, ~~egg nog~~ eggnog, ice cream, and egg-fortified

beverages; and

(2) Recipes in which more than one egg is broken and the eggs are combined, unless:

(a) The raw eggs are combined immediately before cooking for one consumer's serving at a single meal, cooked as specified under paragraph (A)(1)(a) of rule 3717-1-03.3 of the Administrative Code, and served immediately, such as an omelet, ~~souffle~~ soufflé, or scrambled eggs;

(b) The raw eggs are combined as an ingredient immediately before baking and the eggs are thoroughly cooked to a ready-to-eat form, such as a cake, muffin, or bread; or

(c) The preparation of the food is conducted under a H.A.C.C.P. plan that:

(i) Identifies the food to be prepared,

(ii) Prohibits contacting ready-to-eat food with bare hands,

(iii) Includes specifications and practices that ensure:

(a) Salmonella Enteritidis growth is controlled before and after cooking, and

(b) Salmonella Enteritidis is destroyed by cooking the eggs according to the temperature and time specified in paragraph (A)(1)(b) of rule 3717-1-03.3 of the Administrative Code,

(iv) Contains ~~the~~ H.A.C.C.P. ~~plan~~ information and including, includes procedures that:

(a) Control cross contamination of ready-to-eat food with raw eggs, and

(b) Delineate cleaning and sanitization procedures for food-contact surfaces, and

(v) Describes the training program that ensures that the food employee

responsible for the preparation of the food understands the procedures to be used.

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