

Food Code Fact Sheet #2

What you should know about the new Code

http://www.oregon.gov/ODA/FSD/reg_fc_index.shtml

FOOD CODE, OAR 603-25-0030, CHAPTER 3-502.12

(A) Except for a FOOD ESTABLISHMENT that obtains a VARIANCE as specified under § 3-502.11, a FOOD ESTABLISHMENT that PACKAGES POTENTIALLY HAZARDOUS FOOD TIME/TEMPERATURE CONTROL FOR SAFETY FOOD using a REDUCED OXYGEN PACKAGING method shall control the growth and toxin formation of *Clostridium botulinum* and the growth of *Listeria monocytogenes*.

(B) A FOOD ESTABLISHMENT that PACKAGES POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) using a REDUCED OXYGEN PACKAGING method shall have a HACCP PLAN that contains the information specified under § 8 201.14 (D) and that: (see the Food Code for complete rule)

(C) Except for FISH that is frozen before, during, and after PACKAGING, a FOOD ESTABLISHMENT may not PACKAGE FISH using a REDUCED OXYGEN PACKAGING method.

ROP = Reduced Oxygen Packaging

TCS = Time/Temperature Control for Safety Food = Potentially hazardous food

PUBLIC HEALTH REASONS:

When followed as written, the ROP methods in this section all provide controls for the growth and/or toxin production of *C. botulinum* and *L. monocytogenes* without a variance.

Reduced Oxygen Packaging without a Variance Requires HACCP

Reduced Oxygen Packaging (ROP), is done in many ways. The most common food establishment use of ROP is to mechanically remove air from around food in a plastic bag to create a tight seal, called vacuum packaging. Packaging food in resealable zipper storage bags is not considered ROP.

There are many benefits to using ROP, such as reducing freezer burn, portioning product, prolonging shelf life. Unfortunately, by removing the oxygen from around a food, you are also creating an environment favorable to the growth of *Clostridium botulinum*. This can make a safe food into a potentially lethal food after packaging. It is because of this that there are many requirements around ROP.

You can ROP some foods without a variance because they have barriers to the growth of the botulism, but you must write a Hazard Analysis of Critical Control Points (HACCP) plan first and have it approved by the Oregon Department of Agriculture.

Any ROP packaged food done without a variance and HACCP plan must be:

- Held below 41°F and,
- Have a water activity of .91 or less, or
- Have a pH of 4.6 or less, or
- Be a cured meat from a USDA-regulated facility from an intact package, or

- Have a high level of competing organisms, such as raw meat, raw poultry or raw vegetables.

ROP for raw fish is stricter than other raw products because *C. botulinum* is found in all species. Fish is required to be frozen before, during and after being packaged.

ROP also includes the cook/chill and sous vide methods of bagging foods. See Fact Sheet #4 for specific information about cook/chill and sous vide processes.



Vacuum packaging is commonly used to portion raw meats for freezing

The Variance Fact Sheet #3 has information about variances if you want to ROP cooked foods or other products not listed here.

There are also provisions for packaging cheese in the Code as well, see OAR 603-25-0030, Chapter 3-502.12 (E).