# Summary of 2022 FDA *Food Code* Changes
## For Food Managers

In late 2022, FDA released the tenth edition of the FDA Food Code for adoption by local, state, and federal governmental jurisdictions. The updated code contains numerous changes for consistency, to correct errors, and to reflect changes due to updated science and public health guidelines.

The information below is a summary of the changes to the FDA *Food Code* and should not be considered all-inclusive. Consult the full 2022 FDA *Food Code* or the FDA Summary of Changes for more information.

The NEHA exams for CP-FS and Professional Food Handler will continue to be based on the 2017 FDA *Food Code* until further notice.

The NEHA Professional Food Manager NRFSP certification exam will be based on the 2022 FDA *Food Code* **beginning Monday, October 2, 2023.**

## *Food Code* Content Changes

| Topic | Type of Change | Section | Details |
|---|---|---|---|
| **Sesame** | New item | 1-201.1(B) | Sesame has been added as a new major food allergen. |
| **Allergy Awareness** | New item | 2-103.11(O) | Employees must be able to describe major food allergens and the symptoms of an allergic reaction. |
| **Allergen Labeling** | New item | 3-602.11(C)(2) 3-602.11(B)(5) 3-602.12(C) | Allergen information is required on all labeling, including bulk food. |

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|---|---|---|---|
| Food Donation | New item | 3-204<br>8-101.1(A) | Donated foods are now addressed in the *Food Code*, with specifics on when food can be donated. |
| Hand Sink/Handwashing | Revision | 5-202.12(A) | Instead of 100°F (38°C), water used for handwashing is now required to be 85°F (29°C). |
| Manufacturer Cooking Instructions | New item | 3-401.15 | If commercially packaged food bears manufacturer cooking instructions, those instructions must be followed prior to offering as ready-to-eat or unpackaged food (unless the instructions state otherwise). Example: frozen peas must be cooked to manufacturer's instructions prior to being offered on a salad bar. |
| Thawing | New item | 2-103.11<br>3-501.13 | The Person in Charge needs to ensure that employees monitor thawing temperatures throughout the day. Additional requirements for thawing manufactured foods with cross references. |
| Pets | New item | 6-501.115 | When approved by the regulatory authority, pet dogs may be allowed in outdoor dining areas. All other requirements for animals in a food establishment still apply. |
| Assignment | New item | 2-101.11 | A Person in Charge is not always needed for low-risk establishments. |
| Storage of Raw Animal Foods | Revision | 3-302.11 | Raw animal foods need to be separated from RTE food, during storage, preparation, holding and display, except when they are combined and used as ingredients. |
| Fruit and Vegetable Wash Chemicals | Revision | 3-302.15(B) | If chemicals are used to wash fruits and vegetables, there are now requirements for chemical test kits. Regulatory agencies may choose not to enforce. |
| Whole-Muscle Intact Beef Steak | Revision | 3-201.11 | Whole-muscle intact beef steak must come from a processing plant that does not mechanically tenderize, vacuum tumble with solutions, reconstruct cube or pound the steaks. Establishments must prepare steaks in such a way that they remain intact.  Additional clarification provided. |

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|---|---|---|---|
| **Shellstock** | Code clarification | | Sections 3-202.17, 3-203.11, and 3-203.12 were reorganized to clarify receiving requirements and terminology. |
| **Equipment and ANSI Certification** | Revision | 4-205.10 | Equipment that meets ANSI certification requirements also meets *Food Code* requirements. |
| **Tobacco Products** | New item | 6-403.11 | Tobacco products are not allowed to be used around FUELSS (Food, Utensils, Equipment, Linens, and Single Service items). |
| **Toxic Chemicals** | Revision | 7-203.11 | Containers used to hold toxic items cannot then be used to store FUELLS. Previously, this restriction applied only to food. |
| **Variance** | Revision | 8-103.12 | Approved variance document(s) must be maintained in the food establishment. |
| **HACCP Contents** | Revision | 8-201.14 | 1) Requires critical hazards for each CCP, 2) highlights which documents need to be submitted separately from the plan, and 3) the *Food Code* now follows the same sequence as the HACCP Principles. |
| **Inspection Frequency** | Revision | 8-401.10 | If an establishment is operating under an approved HACCP plan, their inspection frequency may be extended beyond 6 months. |

## *Food Code* Definition Changes

| Definition | Type of Change | Details |
|---|---|---|
| **Certification Number** | Revision | Now includes all certification and permit code found on tags or labels. |
| **Commingle** | Revision (align w/NSSP) | To align with NSSP definition, commingle now means "combining different lots of shellfish." |
| **In-Shell Product** | New item | This term means "non-living, processed shellfish with one or both shells present." |
| **Intact Meat** | Revision (clarification) | The definition of intact meat now excludes meats that have undergone vacuum tumbling with solutions, cubing or pounding. |
| **Mechanically Tenderized** | Revision (align w/FSIS) | This definition was changed to: "Any mechanical device which breaks up muscle fiber and tough connective tissue, to increase tenderness…includes injection." |

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|---|---|---|
| **Molluscan Shellfish** | Revision (clarification) | The definition of "Molluscan shellfish" includes shellstock, shucked shellfish and in-shell products. |
| **Ready-to-Eat (RTE) Food** | Revision(s) | 1) In this definition, "fruits and vegetables" was changed to "plant foods" to include products such as rice; and 2) An example of food that is **not** RTE was added. |
| **Shellstock** | Revision (clarification) | The definition of shellstock is "live molluscan shellfish in the shell." |
| **Shucked Shellfish** | Revision (clarification) | The definition of molluscan shellfish was clarified to mean products that have both shells removed. |
| **Tobacco Product** | New Definition FD&C Act §201(rr)(21 U.S.C. 321(rr). | Means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product |