IMPORTANT CHANGES TO THE TENNESSEE
FOOD SERVICE ESTABLISHMENT LAW

The Tennessee Food Service Establishment Law has changed to incorporate the 2009 FDA model Food Code and current food science. The new Food Service Law will take effect July 1, 2015. The most significant changes impacting food establishments are summarized below.

The 5 Major Risk Factors of Foodborne Illness:
- Food from unsafe sources
- Poor personal hygiene and ill food workers
- Inadequate cooking temperatures
- Improper holding temperatures and cooling procedures
- Cross contamination and contaminated equipment

Chapter 1 - Purposes and Definitions

Time/Temperature Control for Safety Food (TCS) replaces Potentially Hazardous Food (PHF). TCS refers to food that requires time and/or temperature to ensure food safety. New examples of such foods are cut tomatoes and cut leafy greens.

Product Assessment Tables provide criteria for determination of non-PHF/non-TCS foods that may be held out of time/temperature control.

New Violation Designations replace Critical and Noncritical violations:
- Priority Item: contributes directly to the prevention of hazards associated with foodborne illness.
- Priority Foundation Item: supports Priority Items (i.e. cooling methods, calibrated thermometers);
- Core Items: relates to cleaning, design and maintenance of buildings and equipment.

Chapter 2 Management and Personnel:

A Person In Charge (PIC) must be able to Demonstrate Knowledge of Food Safety by:
1. Being a Certified Food Protection Manager or
2. Having no Priority or Priority Foundation violations or
3. Correctly answering food safety questions.

Employee Health Policy
An employee health policy is required where food employees must report certain symptoms and diagnoses to the PIC.
The PIC is responsible for ensuring food service employees are excluded or restricted from work if ill with the following symptoms:
- Vomiting
- Diarrhea
- Jaundice
- Sore throat with fever
- An infected lesion or infection on the hands, wrists, or exposed areas of the arm
Or Diagnosed with:
- Norovirus
- Hepatitis A
- Shigella
- Shiga Toxin-Producing E.coli
- Salmonella typhi
- Nontyphoidal Salmonella

The FDA Employee Health and Personal Hygiene Handbook contains helpful information:
Chapter 3 Food

Bare Hand Contact with ready-to-eat (RTE) Foods
Food handlers shall not touch RTE foods with their bare hands. The proper use of tongs, scoops, deli paper and single-use gloves will be required to handle food which will not be cooked or cooked again before serving.

Bare Hand Contact with RTE foods requires prior approval of a variance from the Department of Health. Specific procedures, policies and documentation per 3-301.11 (D) of the 2009 Food Code must be submitted in a variance request.

Date Marking
RTE, TCS foods, once opened or prepared (if held more than 24 hours) are required to be date marked. These foods must be used, sold or discarded within 7 days when held at or below 41°F.

Cooling Procedures
Potentially Hazardous/Time Temperature Control for Safety (TCS) foods must be cooled from 135°F to 41°F within six hours or less according to the following parameters:

- From 135°F to 70°F within two hours
- From 70°F to 41°F within four hours

Chapter 4 - Equipment, Utensils & Linens
After being cleaned, equipment food-contact surfaces and utensils shall be sanitized in:

- Hot water manual - immersion for at least 30 seconds, or
- Hot water mechanical - achieving a UTENSIL surface temperature of 71°C (160°F) as measured by an irreversible registering temperature indicator, or
- Chemical manual or mechanical operations
  1. A contact time of at least 10 seconds for a chlorine solution
  2. A contact time of at least 7 seconds for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 38°C (100°F) or a pH of 8 or less and a temperature of at least 24°C (75°F)
  3. Contact time of at least 30 seconds for other chemical sanitizing solutions, or
  4. A contact time used in relationship with a combination of temperature, concentration and pH that, when evaluated for efficacy, yields sanitization.

Consumer Advisory
When animal foods are served raw, undercooked or without processing to eliminate pathogens, an advisory must be posted informing the consumer(s) of the health risk associated with consuming raw or undercooked animal foods.

Advisories must include:

1. A Disclosure that identifies which food items are offered raw or undercooked, and
2. A Reminder: Such as:
   Consuming raw or undercooked meats, poultry, seafood or eggs may increase your risk of foodborne illnesses, especially if you have certain medical conditions.