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**New Code Changes**

[**Washington updated its Food Code**](https://doh.wa.gov/sites/default/files/legacy/Documents/4400/FoodCodeRuleRevision-WAC246215-EffectiveMarch12022.pdf)**on March 1, 2022.**

Revisions include changes from:

* [2017 U.S. Food and Drug Administration Food Code](https://www.fda.gov/food/fda-food-code/food-code-2017).
* Washington stakeholders.

**You have more time to learn the new code.**

**Sept. 1–Dec. 31.** We have extended the education period for Date Marking and the Vomit and Diarrhea Clean-up Plan to help you adjust to the changes and provide additional tools. During this time, we will help you correct any food safety risks. We will not cite these 2 new violations and there will be no points for these 2 new violations until Jan. 1, 2023.

**All other new code items are now in effect as of Sept. 1, 2022.**

**New rules and updates.**

**Update—New Name:**[**Time/Temperature Control for Safety (TCS) Food**](https://tpchd.org/wp-content/uploads/2023/12/Washington-State-Food-Worker-Manual-1.pdf)

Potentially Hazardous Foods (PHF) is now Time/Temperature Control for Safety (TCS) food. There is no change to the types of foods you need to keep hot or cold for safety:

* Meat.
* Poultry.
* Cooked starches.
* Sliced melons.
* Sprouts.
* Dairy products.
* Cut leafy greens.
* Cut tomatoes.
* Fresh herb and garlic in oil.
* Cooked produce.

**New—**[**Active Managerial Control**](https://tpchd.org/wp-content/uploads/2023/12/Washington-State-Food-Worker-Manual-1.pdf)

Active Managerial Control helps correct and prevent food safety issues before an inspection. Managers create procedures, train employees, and monitor to keep food safe. The Person in Charge (PIC) ensures food workers follow food safety practices like:

* Check food temperatures with a thermometer.
* Properly wash hands when required.
* Use tongs or other barriers when preparing ready-to-eat foods.
* Cook meats to proper temperatures.
* Wash produce before cutting.
* Prevent cross contamination.

**New—**[**Date Marking**](https://tpchd.org/wp-content/uploads/2023/12/Washington-State-Food-Worker-Manual-1.pdf)

Ready-to-eat, refrigerated TCS food kept for more than 24 hours must be date marked and used or frozen within 7 days. Date mark food prepared in-house or after opening the commercial package. Serve, freeze or discard food within 7 days after you open it.

You can date mark in many ways like written labels on the container or day dots. The system must track the expiration date of foods.

* Start with the day you open or prepare the food and add 6 days.
* Serve or discard food within 7 days after you open it.
* If you combine food with different dates, use the date mark of the oldest ingredient.

**Helpful tools:**[Date marking infographic](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking.pdf), also available in [Kmher](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Kmher.pdf), [Korean](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Korean.pdf), [Russian](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Russian.pdf), [Samoan](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Samoan.pdf), [Spanish](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Spanish.pdf), [Tagalog](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Tagalog.pdf), [Ukrainian](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Ukrainian.pdf) and [Vietnamese](https://tpchd.org/wp-content/uploads/2024/04/Date-Marking-Vietnamese.pdf).

**New—**[**Vomit and Diarrhea Clean-up Plan**](https://tpchd.org/wp-content/uploads/2023/12/Vomit-and-Diarrhea-Clean-Up-Plan.pdf)

You need written procedures to safely clean up any vomit and diarrhea spills. Food workers must know and follow these procedures to keep germs from spreading to people, equipment, or food. Your plan must include:

* Type of disinfectant to use.
* Location of the clean-up kit.
* How to clean the different surfaces in the facility.

**Helpful tools:** [Vomit and Diarrhea Clean-up Plan template](https://tpchd.org/wp-content/uploads/2023/12/Vomit-and-Diarrhea-Clean-Up-Plan.pdf).

**New—**[**Employee Health**](https://tpchd.org/wp-content/uploads/2023/12/Washington-State-Food-Worker-Manual-1.pdf)

The PIC must train workers on when not to work if they feel sick. Workers must know to stay home and report their illness to the PIC when they have:

* Diarrhea, vomiting, or jaundice.
  + Do not work until vomiting and diarrhea are gone for at least 24 hours.
* Norovirus, Salmonella, E. coli, Shigella, or hepatitis A.
  + Healthcare provider must approve return to work.

**New—**[**Certified Food Protection Manager**](https://tpchd.org/wp-content/uploads/2023/12/Washington-State-Food-Worker-Manual-1.pdf)

Beginning March 2023, you need access to a Certified Food Protection Manager (CFPM). The CFPM does not always need to be present. But, a copy of a valid certificate must be available during inspection. The CFPM makes sure each PIC is trained and able to control food safety in the establishment. You must take [ANSI-accredited training](https://doh.wa.gov/community-and-environment/food/food-worker-and-industry/food-worker-card/additional-food-safety-training) to become a CFPM.

**Update—**[**Molluscan Shellfish Tag**](https://tpchd.org/wp-content/uploads/2023/12/Washington-State-Food-Worker-Manual-1.pdf)

Write both the first and last dates of service on shellstock tags. Keep them in an organized system for at least 90 days after the shellfish sells out.

*The previous rule did not include the first date of service on the tag.*

**Update—Partially-Cooked Fish & Parasite Destruction**

If fresh finfish is on your approved menu, you can serve it partially cooked when a customer requests it. Like fresh-caught salmon or halibut. You must include an updated consumer advisory on all menus.

**Note:** Fresh fish served raw must still have proper parasite destruction.

**Update—**[**Cooking Temperature for Eggs and Ground Meat**](https://tpchd.org/wp-content/uploads/2023/12/Washington-State-Food-Worker-Manual-1.pdf)

Cook the following to 158°F:

* Scrambled eggs made in a batch for more than 1 person.
* Ground meat, such as hamburger and sausage.

**Exception:** If you want to continue cooking to 155°F, you must have a plan approved by the Health Department. The cooking process must hold these foods at 155°F for at least 17 seconds.

*The previous rule required cooking ground meats to 155*°*F and holding for 15 seconds.*

**Update—Pet Dogs in Food Establishments**

You may allow pet dogs:

* Indoors—If your establishment does not prepare food. Like a brewery serving beverages and individually pre-packaged, commercially prepared foods.
* Outdoor dining areas—Submit a plan to the Health Department for approval.

**Note:** Working service animals (a dog or in some cases a miniature horse) are not the same as pets. They train to do a task for a person with a disability. They can go in any customer areas within a food establishment.

*The previous rule did not allow pets in food establishments.*

**Update—Refilling Reusables**

You may allow refills in customer’s containers. Create a written plan and submit it for Health Department approval.

*The previous rule did not allow you to refill most consumer-owned containers.*

**New—Food Establishments without Permanent Plumbing**

All permitted food establishments must connect to public water and sanitary sewer or septic. This change doesn’t affect mobile food units that move daily.

* **Existing facilities—**You don’t need to do anything if you currently operate with holding tanks. But, if you make a change to your facility, you need to submit a variance application. This includes plan review to change your menu or processes or if a change of ownership occurs.
* **New facilities**—You may submit a variance application with your plan review. Applying for a variance does not guarantee approval.

**With a variance you can operate with a limited menu, such as coffee or commercially made foods.**

You must use a commissary to support the operations of the food establishment, like:

* Filling and emptying holding tanks.
* Employee restroom access.
* Mop sink for cleaning the food establishment.

**Resources**

* [Washington State Food Worker Manual](https://tpchd.org/healthy-places/food-safety/food-worker-card/manual/).
* [Retail Food Code, Chapter 246-215 WAC – Effective March 1, 2022](https://doh.wa.gov/sites/default/files/legacy/Documents/4400/FoodCodeRuleRevision-WAC246215-EffectiveMarch12022.pdf).
* [Vomit and Diarrhea Clean-up Plan template](https://tpchd.org/wp-content/uploads/2023/12/Vomit-and-Diarrhea-Clean-Up-Plan.pdf).

**Questions?**

Ask your inspector or contact [food@tpchd.org](mailto:food@tpchd.org) or (253) 649-1417.