



Request for Public Comments on Proposed Updates to Article III (Food Safety Regulations)

Article III is the regulation that allows the Allegheny County Health Department (ACHD) to permit and inspect food facilities within Allegheny County. It also sets food safety standards for local food operators to protect the public from foodborne illness and ensure a healthy environment in food facilities and in their communities.

ACHD is proposing a major revision to Article III and **the Board of Health wants to hear from you!** Below is a summary of key proposed changes and instructions on how to share your thoughts with the Board.

Notable Changes:

§304 <u>Food Facility Plans and Application</u> : Clarifies requirements for food facility plan submissions.	p. 9
§306 <u>Temporary and Seasonal Event Registration</u> : Requires event organizers to notify ACHD at least 30 days prior to a planned event and to complete a form providing basic event details.	p. 12
§316 <u>Animals in Food Facilities</u> : Sets specific standards and removes the need for a variance for pet-friendly areas in retail food facilities.	p. 27
§317.2 <u>Openings</u> : Allows for flexibility in door and window closure requirements where no pests are present.	p. 29
§325 <u>Certified Food Protection Managers</u> : Requires that the Person in Charge at a food facility also be a Certified Food Protection Manager (CFPM).	p. 35
§326 <u>Responsibilities and Supervision</u> : Details role and duties of management, including the training of food workers and the creation and keeping of policies and procedures.	p. 37
§328 <u>Infected Food Worker</u> : Establishes the general process for food operators to follow when they suspect or know they have an infected food worker.	p. 41
§330 <u>Food Prepared in a Private Home</u> : Clarifies that food prepared in a private home may not be sold to the public unless the operator is registered with and meets the requirements of the PA Dept. of Agriculture.	p. 46
§335 <u>Donation of Foods</u> : Details food safety requirements and responsibilities for food operators that plan to donate unused or left-over food.	p. 59
§341 <u>Shared Kitchens</u> : Details the permitting processes and the responsibilities of owners and users of shared kitchens.	p. 73
§342 <u>Self-Service Food Facility</u> : Details equipment requirements and responsibilities of owners of self-service food facilities.	p. 75
§352 <u>Definitions</u> : New definitions added for clarity	p. 81

New Classification System: Section 302.2 (p.6) simplifies the food facilities category codes used for planning, permitting fees, and frequency of inspections. Category codes are based on the anticipated level of food safety risks. The proposed classification system is:

- Class I: facilities that only handle packaged food that does not require refrigeration for safety
- Class II: facilities that only handle packaged food requiring refrigeration for safety
- Class III: facilities that prepare food for immediate service
- Class IV: facilities that use complex food preparation steps including cooling and reheating in advance of service



Request for Public Comments on Proposed Updates to Article III (Food Safety Regulations)

The Full Article III Revision Can Be Viewed Here:



<https://bit.ly/Article3Update>

(hard copies available upon request)

How to Read the Article III Revision:

Plain text	Language that has not changed from the original Article III
Strikethrough text	Language from the original Article III proposed to be removed
<u>Bold and underline text</u>	Language that is proposed to be added to Article III. This includes revised language as well as new content.

Why ACHD is proposing to repeal and replace Article III:

The proposed revised Article III would

- Align Allegheny County food standards with those found in Commonwealth of Pennsylvania regulations
- Promote efficiency for Food Safety Program operations and permitting, including streamlining the food facility classification system
- Incorporate FDA Model Food Code language to promote clarity and consistency
- Address the regulation of new and emerging issues in the food service sector, including shared kitchens, self-service food facilities, and food donation

Share Your Thoughts by Submitting a Written Comment:

Written comments will be accepted Friday, November 12, 2021 through 11:59 PM on Monday, January 24, 2022. Comments may be submitted by email to PublicHealthComment@AlleghenyCounty.us or by mail to ACHD Administrative Offices:

Attn: Article III Comments (Food Safety)
Allegheny County Health Department
542 Fourth Ave.
Pittsburgh, PA 15219

The Board of Health will also hold a public hearing on Thursday, January 20, 2022 at 5:00pm to take testimony on the proposed repeal and replace of Article III.

- Those who wish to present testimony must register via the Public Hearing Participation form or call ACHD Administrative Offices to be added to the registered speakers list no less than 24 hours in advance of the hearing.
 - The Public Hearing Participation form can be found here: <https://bit.ly/ACHD-Public-Hearing-Participation>
 - The ACHD Administrative Offices can be contacted at 412-578-7660.
- Testimony is limited to 3 minutes.

The hearing may be held virtually in compliance with safety precautions due to the COVID-19 pandemic. Details regarding the location and how to attend or otherwise participate in the hearing will be added to the Board of Health website (and emailed to registered participants) closer to the hearing date in January 2022.

Questions? Contact the Food Safety Program at 412-578-8044 or call ACHD Administrative Offices at 412-578-7660.