**Rule Revision Update:**

The Washington State Board of Health approved the revised food service regulations at its September 8, 2004 meeting.

The rule changes go into effect May 2, 2005.

**Rule Revision Background**

- Washington’s food service rules were last revised in 1992.
- In 2001, the State Board of Health initiated the major revision of the food rules.
- RCW 43.20.145 mandated that the most recent (2001) FDA Food Code be considered for the food service rule.
- The FDA Food Code serves as the basis for food service rules in 45 states.
- The new code will provide Washington with rules that are more consistent with national food safety standards.

**Temperature Danger Zone**

The “Danger Zone” is the temperature range in which most bacteria are able to grow in potentially hazardous foods. The Danger Zone currently used in Washington is 45°F-140°F.

Because several bacteria that cause foodborne illness have been shown to grow at 45°F, the new code will lower the required cold holding temperature.

The revised Danger Zone will be 41°F to 140°F.

**What if your refrigerated units can’t keep food at 41°F?** If your current equipment is able to keep food 45°F but unable to keep food 41°F, you will have until May 2010 to replace the cooler with compliant equipment.

**Two Notes:**

1. The five-year grace period is only for machines unable to meet the requirement—if your cooler is mechanically able to keep foods 41°F, you will be required to adjust it to meet the required temperature.
2. If your cooler is unable to keep your foods 45°F or colder, it must not be used for potentially hazardous foods.

**Why isn’t the new colder temperature required for eggs?** Shell eggs can still be stored at an ambient temperature of 45°F or colder because the bacteria of concern [Salmonella Enteritidis] is inhibited at 45°F. This temperature is also consistent with the USDA temperature requirement for eggs during transport.

**Potentially Hazardous Foods**

With the new food code, *cooked* fruits and vegetables will be added to the list of Potentially Hazardous Foods.

**Potentially Hazardous Foods include:**

**Animal products:**
- meat, fish, and poultry
- dairy products, including custard pies
- eggs (except for air-dried, hard cooked eggs with an intact shell)

**Fruits and vegetables:**
- raw seed sprouts
- sliced melons
- garlic and other fresh herbs in oil
- cooked fruits or vegetables

**Cooked starches:**
- potatoes, legumes, beans, rice

**Why were cooked fruits and vegetables added to the list of PHF?** Because a plant’s natural defenses are often destroyed with cooking, cooked plant foods may allow disease-causing bacteria to grow.

Although fresh, frozen or canned fruits and vegetables are ready to eat at any temperature, they must be cooked to 140°F if they will be hot-held. The hot holding temperature for cooked plant foods will also be 140°F to prevent the growth of disease-causing bacteria that might be present.