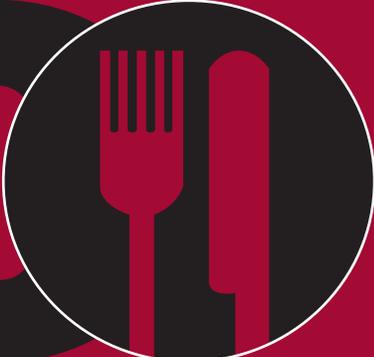


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M A T T E R S



No. 18

NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE • WINTER 2016

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*To view the newsletter in Spanish  
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[nyc.gov/health/foodservice](http://nyc.gov/health/foodservice)*

## CHANGES TO THE HEALTH CODE MAKE IT EASIER TO COMPLY WITH FOOD SAFETY RULES

The New York City Board of Health updated Article 81—the section of the Health Code that governs food safety—to make it easier for business owners to comply. Now, under the changes:

- Trash cans at hand-washing sinks no longer need to be covered or foot-operated.
- Storing garbage in a pest-proof room is no longer required—but garbage must be stored in pest-resistant containers.
- Restaurants may sanitize dishes, utensils and glasses by soaking them in a quaternary ammonium solution, in addition to the other approved sanitization methods.
- Restaurants may now wash and sanitize glassware in a two-compartment sink, one designated for washing and the other for rinsing.
- A restaurant that refills a consumer's reusable food container must either wash and sanitize the container before reuse, or create and follow a written plan to prevent contamination. The plan must be approved by the Health Department.
- Restaurants that bottle their own unpasteurized juice for direct sale to customers must label the bottle to indicate that the drink is unpasteurized.
- Restaurants must obtain game meat, such as quail, deer and rabbit, from approved sources only.

*(continued on page 2)*

CHANGES TO THE HEALTH CODE MAKE IT EASIER TO COMPLY WITH FOOD SAFETY RULES (CONT'D)

- Pork and foods containing pork may now be cooked to at least 150°F, instead of 155°F. The cooking temperature guidelines for whole-meat roasts—such as corned beef, lamb roasts, pork and cured pork roasts—are now the same as those for whole beef roasts.
- Starting January 1, 2016, restaurants must provide a written consumer warning when serving raw or undercooked foods.
- Foods removed from temperature control require labeling for Time as a Public Health Control.

To view Article 81 of the Health Code online, visit [nyc.gov/healthcode](http://nyc.gov/healthcode) and select Article Number 81.

RESEARCH SHOWS RESTAURANT GRADING HAS IMPROVED CONDITIONS

The New York City restaurant letter-grading program evaluates restaurant hygiene, food safety practices and public awareness. An evaluation of the program found notable improvements in compliance, including having a certified kitchen manager on site and being pest-free. The program has also resulted in improved sanitary conditions on unannounced inspections. Grading has led to cleaner restaurants, safer food and fewer fines.

Visit the American Journal of Public Health’s YouTube channel to view a presentation on the Impact of a Letter-Grade Program on Restaurant Sanitary Conditions and Diner Behavior in New York City: [https://www.youtube.com/watch?v=vGG7\\_xVnQUg](https://www.youtube.com/watch?v=vGG7_xVnQUg)

CONTACT THE OMBUDS OFFICE IF YOU HAVE COMPLAINTS OR CONCERNS ABOUT INSPECTIONS AND INSPECTOR CONDUCT

The Health Department’s Ombuds Office is here to listen to complaints, concerns or recommendations.

**The Ombuds Office will:**

- Investigate issues and collect information about steps taken to resolve them.
- Make recommendations to the Health Commissioner on how to improve the inspection process.

To contact the ombudsperson, email [infobfscs@health.nyc.gov](mailto:infobfscs@health.nyc.gov) or call **311**.

To learn more about your rights as a business owner, visit [nyc.gov](http://nyc.gov) and search “**Business Owner’s Bill of Rights.**”

### **Health Department Investigates Listeriosis: Orders Restaurant to Close for Three Days as Emergency Measure**

**H**ealth Department disease detectives investigated an Upper East Side restaurant when two women became sick after eating there. One woman was the mother of a newborn child and the other woman was pregnant. Test results from swabs taken at the restaurant showed a strain of *Listeria monocytogenes* in two floor drains in the back service area.

*Listeria* is a bacterium that causes fever, nausea and diarrhea. Illness is usually treated with antibiotics. Pregnant women and fetuses are particularly vulnerable. During pregnancy, a listeria infection may cause only mild signs and symptoms in the mother, but may lead to miscarriages, stillbirths and newborn deaths. People with compromised immune systems are also at risk for complications.

The Department ordered the restaurant to close for three days for cleaning and sanitation.

### **Sushi Restaurant Patrons Develop Gastrointestinal Illness: Food Handlers Were Infected with Norovirus**

**T**he Health Department ordered a Brooklyn sushi restaurant to close temporarily for sanitation after two food handlers tested positive for norovirus. The two workers prepare sushi, sashimi and various salads at the restaurant. Investigators concluded that the food handlers likely contaminated food that patrons consumed.

The Health Department investigated the restaurant when about a dozen patrons filed 311 complaints after eating at the restaurant

last year. The patrons reported classic norovirus symptoms, including nausea, vomiting, diarrhea and abdominal pain. Some patrons also reported lethargy, weakness, muscle aches, headache and low-grade fever. Three of the patrons sought medical attention.

A team of Health Department physicians, communicable disease specialists and restaurant inspectors went to the restaurant to evaluate food safety practices. The team also interviewed patrons who reported illnesses through 311 and others who posted on the Yelp website.

Of the 24 patrons interviewed, 20 experienced norovirus symptoms. Laboratory testing of stool samples submitted by eight diners confirmed the infection.

Once the restaurant reopened, the Health Department conducted trainings about food safety practices required by the Health Code and critical to protecting customers from foodborne illness.

### **How to Prevent Outbreaks in Your Food Service Establishment:**

- Make sure employees wash hands and avoid bare-hand contact with ready-to-eat food (use gloves or other measures to prevent bare-hand contact).
- Implement a sick employee policy and send food handlers who are sick home. Make sure your employees know they have a right to paid sick days.
- Sanitize all surfaces frequently and use color-coded cutting boards to avoid cross-contamination. Remember to disassemble slicers and other equipment before sanitizing.

## FOOD SAFETY SPOTLIGHT: SINKS

**To avoid the transfer of harmful bacteria, food safety regulations require foods to be washed in one of the following:**

- A single-compartment culinary sink
- A sink compartment reserved specifically for food washing and prep
- A food-grade container or colander

Restaurants must also have a separate sink for washing hands and another for washing dishes and silverware. Clearly label sinks to remind employees of appropriate use and steps.

### Food Prep Sinks

Clean and sanitize food prep sinks before use and after washing raw meat. Never use a food prep sink as a slop or utility sink, or for washing hands. Keep raw and cooked foods separate to reduce the risk of transferring bacteria.

### Hand-Washing Sinks

Proper hand hygiene can remove harmful germs that contaminate food and cause food poisoning.

The Health Department requires that hand washing sinks be located within 25 feet of food preparation areas, food service areas, and dish and silverware washing areas. Hand washing sinks must also be located in or adjacent to employee and patron bathrooms.

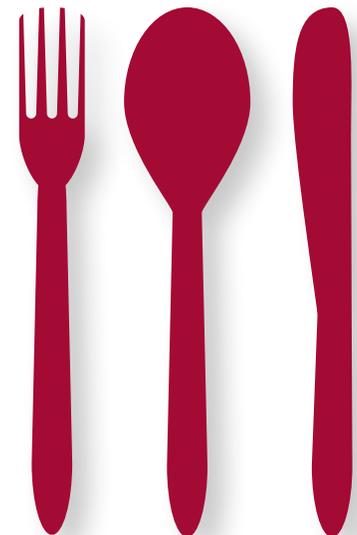
Food service workers must have a clear path to a hand washing sink without having to pass through a door. Equipment and other materials should not block the path to a hand washing sink.

### Dish and Silverware Washing Sinks

Restaurants must use a three-compartment sink when hand washing dishes and utensils. The compartments must all be deep enough for the dishes and utensils to be completely submerged.

#### Remind your employees to:

1. **Wash** the items in the first compartment in detergent solution.
2. **Rinse** the items in the second compartment using clean hot water.
3. **Sanitize** the items in the third compartment with hot water or a chemical solution.



**Meat, fish and poultry rank as potentially hazardous foods because their high moisture and protein content allow a variety of germs to thrive.**

Restaurants can reduce these hazards by properly managing the flow—from the second a delivery comes off the truck, through storage, holding, preparation and serving.

Follow these three steps to make sure the meat and fish you serve are safe:

1. **Make sure your vendors are licensed and have the necessary equipment to deliver the food at proper temperatures. Request to check the trucks to find out if the refrigeration is turned on.**
2. **Check the product upon delivery. Make sure to check:**
  - ◆ The temperature of meat, fish and poultry at time of receipt. If the meat is packaged, slip the thermometer between two packages. If the temperature is in the danger zone, refuse to accept the product.
  - ◆ The color. Beef should be bright red, lamb should be light red, and pork should be light-colored with white fat.
  - ◆ That fish have clear, bulging eyes, bright red gills and firm, elastic flesh
  - ◆ That shellfish are alive with unbroken shells
  - ◆ That there are no offensive odors
3. **Train your staff to refuse the delivery if the above requirements are not met.**



### QUIZ

**1. Which of the following foods can be handled with bare hands?**

- A** Green salad
- B** Turkey sandwich
- C** Sushi
- D** Pizza dough

**2. Which of the following is true about trans-fat in food?**

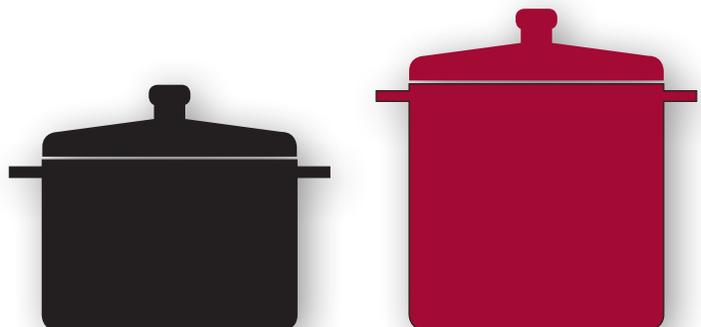
- A** It raises HDL (good cholesterol)
- B** It lowers LDL (bad cholesterol)
- C** It raises LDL
- D** It raises both HDL and LDL

**3. When using Time as Public Health Control, you must throw out hot foods not served after:**

- A** 6 hours
- B** 2 hours
- C** 4 hours
- D** 8 hours

**4. Which of these are key components of Integrated Pest Management, an effective approach to safer pest control?**

- A** Starving them
- B** Blocking them out
- C** Destroying them
- D** All of the above



QUIZ (CONT'D)

5. Which of the following bacteria are commonly associated with raw chicken?

- A Bacillus cereus
- B Clostridium perfringens
- C Salmonella enteritidis
- D Hepatitis A

6. Which method is not an acceptable way to thaw (defrost) frozen foods?

- A Under cold running water
- B In a refrigerator
- C In a clean container filled with cold water
- D In a microwave oven, when it is part of a continuous cooking process

7. The New York City Health Code requires that all food service establishments have hand washing sinks:

- A Within 25 feet of all food prep, food service and dish- and utensil-washing areas, and in or next to toilet facilities
- B Within 25 feet of all food storage areas and in all toilet facilities
- C Within 25 feet of all toilet facilities
- D Within 25 feet of all food areas

8. When preparing a recipe in which the eggs are not cooked or are only partially cooked (for example: Caesar dressing, Hollandaise sauce, tiramisu, etc.), it's safest to use:

- A Clean and unbroken eggs
- B Pasteurized eggs
- C Sanitized eggs



Answer Key: 1. D 2. C 3. C 4. D 5. C 6. C 7. A 8. B

**GOVERNOR SIGNS LAW MAKING ASSAULT AGAINST A HEALTH INSPECTOR A FELONY**

**O**n November 20, 2015, Governor Cuomo signed an amendment to the New York State penal law stating that assaulting a New York City public health sanitarian

can result in a felony criminal charge.

Visit [nypdcrime.com/search](http://nypdcrime.com/search) and search for Article 120 (section 120.05) to learn more.

**AVOID PERMIT APPLICATION DELAYS WITH THE HELP OF NYC BUSINESS ACCELERATION**

**T**he NYC Business Acceleration (NYCBA) program can help you navigate the restaurant permit application process by:

- Fast-tracking your application
- Providing advice on how to operate a small business
- Assisting with recovery from disasters or emergencies

NYCBA services include free client management, plan reviews and consultations with inspectors from the New York City Buildings, Fire, Environmental Protection, Consumer Affairs and Health and Mental Hygiene Departments.

For more information, call the NYCBA Hotline at **212-618-8819** or visit [nyc.gov/nbat](http://nyc.gov/nbat)

**ARE YOU REGISTERED TO VOTE?**

**V**oting is essential to a healthy democracy. If you are not registered to vote yet, call 311 to obtain a voter registration form or visit [www.nycfb.info/registertovote](http://www.nycfb.info/registertovote)

To check the status of your registration and locate your New York polling place, visit [voterlookup.elections.state.ny.us](http://voterlookup.elections.state.ny.us)

For more information, contact the New York Board of Elections at **800-367-8683**.



If you have questions or comments regarding this newsletter, please call the Health Academy. Important telephone numbers are listed below.

**General Information ☎ 311**

**OATH HEALTH TRIBUNAL**

66 John Street, 11th floor  
New York, NY 10038  
☎ 212-361-1000

**BUREAU OF FOOD SAFETY & COMMUNITY SANITATION**

125 Worth Street, 10th Floor  
Box CN59A  
New York, NY 10013  
☎ 212-676-1600

**CITYWIDE LICENSING CENTER**

42 Broadway, 5th Floor  
New York, NY 10004  
☎ 212-487-4436

**INSPECTOR GENERAL**

80 Maiden Lane  
New York, NY 10005  
☎ 212-825-2141

**HEALTH ACADEMY**

The Riverside Health Center  
160 West 100th Street, 2nd Floor  
New York, NY 10025  
☎ 646-364-0770

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