# Hood River County Health Department, Environmental Health Office

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Thursday, February 27, 2020

**RE: New Rules Adopted On 2/1/2020**

To all Mobile Food Establishment Operators:

The newly adopted Oregon Food Code rules are available online at:

Jueves 27 de Febrero de 2020

**RE: Nuevas Reglas Adoptadas el 2/1/2020**

A todos los Operadores de Establecimientos Móviles de Alimentos:

Las reglas del Código de Alimentos de Oregon recientemente adoptadas están disponibles en línea en:

https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/FOODSAFETY/Documents/foodsanitationrulesweb.pdf

We have attached a summary of the new rules to this letter. The summary document is titled: *'Mobile Food Unit and Temporary Restaurant Proposed Significant Rule Changes'*; it was prepared by the Oregon Health Authority, Foodborne Illness Prevention Program. The summary document is also available online at:

Adjuntamos un resumen de las nuevas reglas a esta carta. El resumen del documento se titula: '*Mobile Food Unit and Temporary Restaurant Proposed Significant Rule Changes'*; fue preparado por Oregon Health Authority, Foodborne Illness Prevention Program. El resumen del documento también está disponible en línea en:

https://www.co.hood-river.or.us/vertical/sites/%7B4BB5BFDA-3709-449E-9B16-B62A0A0DD6E4%7D/uploads/MUSignificantChangeHandout_02012020.pdf

While there are several important rule changes to consider as you prepare to operate for the 2020 season, we only highlight three of these changes in this letter. We strongly encourage everyone to review all of these changes and prepare for a successful 2020 season. If anyone has additional questions, please contact Ian Stromquist, REHS, directly.

Additionally, we wish to remind our operators that we have a new inspector working at Hood River County. Ella Campbell, REHS/T, was hired in November 2019. If anyone wishes to verify any visiting inspector's identity, feel free to contact our office at: 541-387-6885 or 541-386-1115 during regular business hours. While very rare, if anyone suspects that a person is impersonating a Health Department employee, please report it by calling the Hood River County Sheriff's Office at: 541-386-2711.

All of these rule changes are now in effect, *(see the actual Oregon Food Code by clicking the link above)*. Please do not rely exclusively on the summary document for compliance. If we see violations of these new rules, we will be documenting them on your inspection reports. Formal enforcements will only occur for issues that create potential and immanent threats to public health.

Si bien hay varios cambios importantes en las reglas para tener en cuenta a medida que se prepara para operar para la temporada 2020, solo destacamos tres de estos cambios en esta carta. Recomendamos encarecidamente a todos que revisen todos estos cambios y se preparen para una exitosa temporada 2020. Si alguien tiene preguntas adicionales, comuníquese directamente con Ian Stromquist, REHS.

Además, queremos recordar a nuestros operadores que tenemos un nuevo inspector trabajando en el condado de Hood River. Ella Campbell, REHS / T, fue contratada en Noviembre de 2019. Si alguien desea verificar la identidad de cualquier inspector visitante, no dude en comunicarse con nuestra oficina al: 541-387-6885 o 541-386-1115 durante el horario de oficina. Si bien es muy raro, si alguien sospecha que una persona se hace pasar por un empleado del Departamento de Salud, infórmelo llamando a la Oficina del Sheriff del Condado de Hood River al: 541-386-2711.

Todos estos cambios en las reglas ahora están vigentes *(Ver el actual Oregon Food Code haciendo clic en el enlace de arriba)*. No confíe exclusivamente en el documento de resumen para su cumplimiento. Si vemos violaciones de estas nuevas reglas, las documentaremos en sus informes de inspección. Las ejecuciones formales solo ocurrirán para problemas que crean amenazas potenciales e inmanentes para la salud pública.

## Significant Change: *Bulk Cooling Prohibition*

The *'bulk cooling'* of *'potentially-hazardous-foods'* is now generally prohibited onboard mobile food units unless safe cooling facilities, equipment, and procedures can be demonstrated in advance. *'Bulk cooling'* means: chilling multiple/large portions, of *'potentially-hazardous-foods'* from 'hot' to refrigerator temperature. The food passes through the temperature *'danger-zone'* (135°F → 41°F).

When *'potentially-hazardous-foods'* cool too slowly through the temperature *'danger-zone'* (135°F → 41°F), dangerous bacteria will

## Cambio significativo: *Prohibición de Enfriamiento en Grandes Cantidades*

El *"enfriamiento en grandes cantidades"* de los *"alimentos potencialmente peligrosos"* ahora está generalmente prohibido a bordo de las unidades móviles de alimentos a menos que se puedan demostrar por adelantado instalaciones, equipos y procedimientos seguros de enfriamiento. *"Enfriamiento en grandes cantidades"* significa: enfriar porciones múltiples / grandes, de *"alimentos potencialmente peligrosos"* desde *"caliente"* hasta la temperatura del refrigerador. La comida pasa a través de la temperatura *"zona de peligro"* (135°F → 41°F).

multiply inside the food. Some types of bacteria can infect people and make them sick. Other types of bacteria leave behind toxins that give people food poisoning, even after the food is re-heated. This is why it is important to rapidly cool *'potentially-hazardous-foods'*. Mobile food units typically do not have adequate equipment onboard for rapid bulk cooling.

We will review each operation when we visit them before the end of June, 2020. If your facility is asked to cease *'bulk cooling'*, failure to comply may result in immediate facility closure and formal enforcement.

The updated Food Code says:

Cuando los *"alimentos potencialmente peligrosos"* se enfrían demasiado lentamente a través de la "zona de peligro" (135°F → 41°F), las bacterias peligrosas se multiplicarán dentro de los alimentos. Algunos tipos de bacterias pueden infectar a las personas y enfermarlas. Otros tipos de bacterias dejan toxinas que causan intoxicación alimentaria, incluso después de que la comida se vuelve a calentar. Por eso es importante enfriar rápidamente los *"alimentos potencialmente peligrosos"*. Las unidades móviles de alimentos generalmente no tienen equipos adecuados a bordo para un enfriamiento rápido a granel.

Revisaremos cada operación cuando la visitemos antes de finales de Junio del 2020. Si se le pide a su instalación que deje de *"enfriar el grandes cantidades"*, el incumplimiento puede resultar en el cierre inmediato de la instalación y la aplicación formal.

El Código de Alimentos actualizado dice:

***OAR: 333-150-0000 § 3-501.14 Cooling.***
*(A) Cooked potentially hazardous food (time/temperature control for safety food) shall be cooled:*
*(1) Within 2 hours from 57ºC (135ºF) to 21ºC (70°F); and*
*(2) Within a total of 6 hours from 57ºC (135ºF) to 5ºC (41°F) or less.*

***OAR: 333-150-0000 § 3-501.15(C):***
*"…Mobile food units may not cool potentially hazardous foods (TCS) unless they comply with one of the following conditions:*
*(1) The food is cooled in a licensed commissary that meets the requirements of OAR 333-150-0000;*
*(2) Commercial refrigeration equipment is provided on the unit that is capable of cooling foods in accordance with section 3-501.14; or*
*(3) Written cooling procedures are prepared and approved by the regulatory authority prior to conducting cooling on the unit. The person in charge shall maintain cooling logs and record temperature measurements to document that food is cooled in accordance with section 3-501.14. The logs must be maintained on the unit for 90 days and be available for inspection upon request.*
*(4) Units licensed prior to January 1, 2020 must meet this requirement by July 1, 2020…"*

***OAR: 333-150-0000 § 4-301.11 Cooling, Heating, and Holding Capacities.***
*Equipment for cooling and heating food, and holding cold and hot food, shall be sufficient in number and capacity to provide food temperatures as specified under Chapter 3.*

***OAR: 333-150-0000 § 1-201.10*** *Statement of Application and Listing of Terms...*
*(B) Terms Defined...* ***Potentially Hazardous Food (Time/Temperature Control for Safety Food)****.*
*(1) "Potentially hazardous food (time/temperature control for safety food)" means a food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.*
*(2) "Potentially hazardous food (time/temperature control for safety food)" includes:*
*(a) An animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts, cut melons, cut leafy greens, cut tomatoes or mixtures of cut tomatoes… or garlic-in-oil mixtures…*

For existing operations that currently perform *'bulk cooling'* and are using *'commercial'* refrigeration equipment capable of cooling food rapidly, we will allow you to continue to cool foods safely. However, if we observe any violations of § 3-501.14, or § 3-501.15, we will revoke all pre-existing approvals for *'bulk cooling'*.

If we ask you to stop *'bulk cooling'*, you will need to formally apply for permission to *'bulk cool'*. Submitting cooling plans for formal review will also require paying a plan review fee. Fees are subject to change. Contact our office for the most up-to-date fee information.

Para las operaciones existentes que actualmente realizan *"enfriamiento en grandes cantidades"* y están utilizando equipos de refrigeración *"comerciales"* capaces de enfriar alimentos rápidamente, le permitiremos continuar enfriando los alimentos de manera segura. Sin embargo, si observamos cualquier violación de § 3-501.14 o § 3-501.15, revocaremos todas las aprobaciones preexistentes para *"enfriamiento en grandes cantidades"*.

Si le pedimos que deje el *"enfriamiento en grandes cantidades"*, deberá solicitar formalmente permiso para *"enfriamiento en grandes cantidades"*. La presentación de planes de enfriamiento para una revisión formal también requerirá el pago de una tarifa de revisión del plan. Las tarifas están sujetas a cambios. Contacte nuestra oficina para obtener la información más actualizada sobre tarifas.

## Significant Change: *Off-Unit Water Tanks*

It is common for mobile food units to utilize off-unit water tanks, particularly accessory wastewater tanks. The Oregon State Health Authority has adopted rules that will prohibit all off-unit water tanks by 1/1/2023. Within 3 years, mobile units using accessory (off-unit) tanks will need to find a different way to operate.

The Oregon Food Code and other Oregon State DEQ rules say:

## Cambio significativo: *Tanques de Agua Fuera de la Unidad*

Es común que las unidades móviles de alimentos utilicen tanques de agua fuera de la unidad, particularmente tanques accesorios de aguas residuales. El Oregon State Health Authority ha adoptado reglas que prohibirán todos los tanques de agua fuera de la unidad antes del 1/1/2023. Dentro de 3 años, las unidades móviles que utilizan tanques accesorios (fuera de la unidad) deberán encontrar una forma diferente de operar.

El Oregon Food Code y otra reglas de Oregon State DEQ dicen:

***OAR: 333-150-0000 § 1-201.10(B) Terms Defined...***
*…"**Integral**" means that all equipment associated with a mobile unit must be rigidly and physically attached to the unit without restricting the mobility of the unit while in transit…*
*…"**Priority foundation item**" means a provision in this code whose application supports, facilitates or enables one or more priority items... Priority foundation item includes items that relate to the design and operation of a mobile food unit that are fundamental to maintaining them as a vehicle as defined in ORS chapter 624, such as mobility and integral operations…*

***OAR: 333-150-0000 § 5-305.11 Water System Requirements...***
*(C)… All mobile food units must be designed with integral potable and waste water tanks on board the unit. A mobile unit may connect to water and sewer if it is available at the operating location, however, the tanks must remain on the unit at all times. A mobile unit may not connect to a fresh water system without also connecting to an approved sewer system...*
*(D) Mobile food units that utilize potable and waste water storage tanks that are not integral to the unit must discontinue the use of these tanks by January 1, 2023.*

***OAR: 333-162-0020 Mobile Food Units, General Requirements…***
*... Mobile food units must be designed and constructed to move as a single piece. Mobile food units may not consist of multiple components that are assembled at the operating location… all operations and equipment shall be an integral part of the mobile food unit. A mobile food unit may use folding shelves or small tables that are integral to the unit for display of non-potentially hazardous condiments and customer single use articles. The shelves or small tables must be designed and installed so that they do not impede the mobility of the unit when retracted...*

***OAR: 340-071-0340[1] Holding Tanks***
*"…(5) Portable holding tanks may be temporarily placed at sites having limited duration events such as county fairs or construction projects or at temporary restaurants if the following requirements are met.*
*(a) The tanks must be owned and serviced by a licensed sewage disposal service with sewage pumping equipment having a 550-gallon or larger tank and meeting all other requirements in OAR 340-071-0600(11).*
*(b) Tank placement and use must comply with all local planning, building, and health requirements.*
*(c) Only domestic sewage may be discharged into the tank.*
*(d) The tank must be maintained in a sanitary manner to prevent a health hazard or nuisance.*
*(e) The tank must not be buried.*
*(f) A person may not use the tank to serve a dwelling, recreation vehicle, or any other structure having sleeping accommodations, except that a portable holding tank may be used temporarily to serve a contractor's job shack or night watchman's trailer…"*

This significant change may result in several of our existing mobile food establishment facilities being non-licensable in 2023. We strongly encourage our mobile unit operators to begin planning now. We will review each unit as we perform inspections between now and the end of June, 2020. If we have concerns, we will document them on your inspection report.

Este cambio significativo puede dar como resultado que varias de nuestras instalaciones móviles de establecimientos de alimentos no tengan licencia en 2023. Recomendamos encarecidamente a nuestros operadores de unidades móviles que comiencen a planificar ahora. Revisaremos cada unidad a medida que realicemos inspecciones desde ahora hasta finales de Junio del 2020. Si tenemos dudas, las documentaremos en su informe de inspección.

[1] OAR: 340-071 may be viewed online at: https://www.deq.state.or.us/regulations/docs/d071rules.pdf

## Significant Change: *Scoring Inspections*

Beginning on 2/1/2020, mobile food unit inspections will be scored (out of 100 points). Higher scores are best. *'Priority'* violations will deduct 5 points; '*Priority Foundation'* violations will deduct 3 points. Repeat violations will double demerit points. Scores of less than 70 points result in additional enforcement actions. Only *'Semi-Annual'* & *'Complete'* inspections are scored. Look for the 'P' and the 'Pf' markers in the Food Code:

## Cambio significativo: *Inspecciones de Puntaje*

A partir del 2/1/2020, se puntuarán las inspecciones de la unidad móvil de alimentos (de 100 puntos). Los puntajes más altos son los mejores. *'Priority'* las infracciones deducirán 5 puntos; '*Priority Foundation'* Las infracciones deducirán 3 puntos. Las violaciones repetidas duplicarán los puntos de demérito. Los puntajes de menos de 70 puntos resultan en acciones de cumplimiento adicionales. Solamente *'Semi-Annual'* & *'Complete'* se puntúan las inspecciones. Busque los marcadores 'P' y el 'Pf' en el Código de Alimentos:

**3-501.14 Cooling. .**
(A) Cooked potentially hazardous food (time/temperature control for safety food) shall be cooled:
(1) Within 2 hours from 57ºC (135ºF) to 21ºC (70°F); P and
(2) Within a total of 6 hours from 57ºC (135ºF) to 5ºC (41°F) or less. P
(B) Potentially hazardous food (time/temperature control for safety food) shall be cooled within 4 hours to 5ºC (41ºF) or less

'Priority' & 'Priority Foundation' violation markers

**3-501.15 Cooling Methods.**
(A) Cooling shall be accomplished in accordance with the time and temperature criteria specified under § 3-501.14 by using one or more of the following methods based on the type of food being cooled:
(1) Placing the food in shallow pans; Pf
(2) Separating the food into smaller or thinner portions; Pf
(3) Using rapid cooling equipment; Pf
(4) Stirring the food in a container placed in an ice water bath; Pf
(5) Using containers that facilitate heat transfer; Pf
(6) Adding ice as an ingredient; Pf or

*Oregon Food Code Adopted 2/1/2020. Page 37. / Código de Alimentos de Oregon, adoptado el 2/1/2020. Página 37.*

We also need to give each mobile unit new stickers:

- *'Compliance'* – Indicates a score 70 points or greater; or
- *'Failure to Comply'* – Indicates a score less than 70 points.

También debemos dar a cada unidad móvil nuevas calcomanías:

- *'Compliance'* – Indica una puntuación de 70 puntos o más; o
- '*Failure to Comply'* – Indica una puntuación inferior a 70 puntos.

*Compliance Stickers for Restaurants and Mobile Food Units. / Calcomanías de cumplimiento para restaurantes y unidades móviles de alimentos.*

Please note that removing these stickers is a serious violation of Oregon Statute. Hood River County Health Department will pursue formal enforcement actions if stickers are removed by operators ***(particularly the 'Failed to Comply' stickers)***.

This is the same scoring system used at restaurants already. Inspection reports will continue to be posted online at:

Tenga en cuenta que quitar estas calcomanía es una violación grave del Estatuto de Oregon. El Departamento de Salud del Condado de Hood River llevará a cabo acciones formales de cumplimiento si los operadores quitan las calcomanías ***(en particular las calcomanías "No se pudo cumplir")***.

Este es el mismo sistema de puntuación ya utilizado en los restaurantes. Los informes de inspección continuarán publicándose en línea en:

https://healthspace.com/Clients/Oregon/hoodriver/Web.nsf/home.xsp.

This scoring system is meant to motivate operators to fix problems that make people sick. The score is not meant to accurately reflect the actual dangers of visiting one facility versus another because even one 'priority' violation could result in a severe illness, and even cause a death.

Este sistema de puntuación está destinado a motivar a los operadores a solucionar problemas que enferman a las personas. El puntaje no pretende reflejar con precisión los peligros reales de visitar una instalación versus otra porque incluso una violación de 'priority' podría provocar una enfermedad grave e incluso causar la muerte.

We will strive to protect the publics' health, regardless of a facility's inspection score, or inspection history. If you have any additional questions, please contact Ian Stromquist, REHS directly.

Nos esforzaremos por proteger la salud del público, independientemente del puntaje de inspección de la instalación o el historial de inspección. Si tiene alguna pregunta adicional, comuníquese directamente con Ian Stromquist, REHS.

## Conclusion:

Significant rule changes were adopted on 2/1/2020. We only reviewed 3 of these changes in this letter. We encourage everyone to review all of these new rules immediately. If anyone has any questions, or requires this letter in another format, please contact our office at: 541-387-6885 and/or Ian Stromquist, REHS, directly at: 541-387-7130; ian.stromquist@co.hood-river.or.us.

Regards,

**Ian Stromquist, REHS**
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## Conclusión:

Se adoptaron cambios significativos en las reglas el 2/1/2020. Solo revisamos 3 de estos cambios en esta carta. Animamos a todos a revisar todas estas nuevas reglas de inmediato. Si alguien tiene alguna pregunta o necesita esta carta en otro formato, comuníquese con nuestra oficina al: 541-387-6885 y / o Ian Stromquist, REHS, directamente en: 541-387-7130; ian.stromquist@co.hood-river.or.us.

Saludos,