

**1. Q. Will a Restaurant with a full menu that also prepares sushi rice (requiring acidification) be classified as a Risk type 3 or Risk Type 4 food establishment?**

**A.** Both.

- The Restaurant is classified as a Risk type 3 establishment and therefore requires a certified food safety professional.
- The sushi rice acidification is risk type 4 and requires approval under Specialized Processing methods.

**2. Q. How many Food Managers (PICs) per Food Establishment must be a Certified Food Protection Manager?**

**A.** One Certified Food Protection Manager per establishment will be required In Risk Type 3 Establishments Only by January 2, 2010

**3. Q. How does a food manager become a Certified Food Protection Manager?**

**A.** A person may become Certified Food Protection Manager in New Jersey by successfully passing an examination given by one of the following Conference for Food Protection approved organizations:

- National Registry of Food Safety Professionals
  - [www.nrfsp.com](http://www.nrfsp.com)
- Educational Foundation NRA (ServSafe)
  - [www.servsafe.com](http://www.servsafe.com)
- Thompson Prometric
  - [www.prometric.com/foodsafety](http://www.prometric.com/foodsafety)

**4. Q. Does the Certified Food Protection Manager need to be on premises at all times?**

**A.** The Certified Food Protection Manager need not be present on premises at all times, however, a designated Person-in-Charge (PIC) is required to be present at all times. This PIC must be knowledgeable of food safety and must be familiar with all aspects of the operation.

**5. Q. Regarding Bare Hand contact with Ready-to-Eat foods, does the rule say “Should” or “Shall not”?**

**A.** The rule says [3.3(a)2] that “food employees may NOT contact exposed ready-to-eat food with their bare hands...” This means that any food product that will be consumed by the patron without

further treatment to kill pathogens (sandwiches, baked goods, hot or cold foods etc.) must be handled with single use gloves, deli tissue or utensils.

**6. Q. Does “no bare hand contact with ready to eat foods” apply for all retail food establishments, including “Mom & Pop’s”?**

**A.** Yes. This rule applies for all food preparation and service in every food establishment.

**7. Q. How will the inspectors be enforcing this?**

**A.** Inspectors will be using education before enforcement.

**8. Q. Should ‘Time as a Public Health Control’ requirements as specified under 3.5(g) be applied to establishments that serve pizza?**

**A.** Although this portion of Chapter 24 was not intended to become a “Pizza Rule”, several local health departments are having success in enforcing Time as a Public Health to pizza. Judgment concerning is matter is in the hands of the local health departments.

**9. Q. Many small local establishments are involved in the preparation of ethnic specialty foods such as smoked meat products such as kielbasa, sausages or home-made mozzarella cheese. If they do not have access to food science lab for testing, how can they obtain approval for their special processes?**

**A.** Approval from the Health Authority is necessary before retail establishment can perform their own special processing procedure. A HACCP Plan or other procedural or laboratory documentation may be required for:

- Reduced Oxygen Packaging
- Smoking, Curing, Canning, Acidification, etc
- Molluscan Shellfish Tanks

This documentation must be submitted to the local health department for approval.

**10. Q. Will the NJDHSS provide additional information regarding the requirements for specialized processing?**

**A.** NJDHSS will be available to help the local health departments in determining whether or not a special processing plan is satisfactory. Information regarding Special Processing procedures will be forthcoming. NJDHSS in conjunction with FDA will be discussing Special Processing procedures and what a REHS should look for in a

retail food establishment, during a presentation at the New Jersey Environmental Health Association Conference in Atlantic City in March 2008. We plan to repeat this presentation throughout 2008.

**11. Q. How are the Chapter 24 rules enforced on Farmer's Markets?**

- A.** A chart compiled by NJDHSS Food and Drug Safety Program and the NJDA entitled, "Minimum Food Safety Requirements for Product Sales Farm Markets and Community Farmers' Markets gives guidance to local health departments regarding food for sale at Farmer's Markets. The guidance document is located on the NJDHSS website: <http://www.state.nj.us/health/eoh/foodweb/>.

**12. Q. Are "Home prepared" baked goods or other food permitted to be sold from a Farmer's Market?**

- A.** Not in any instance.

**13. Q. When will the Risk-based inspection check sheet become official?**

- A.** The Risk-based inspection check sheet will become 'official' by May 1, 2008. Local health departments will be notified through the lincs website as well as other means of communication to be determined..

**14. Q. Will it be necessary to complete the Risk-based Inspection Check Sheet for every inspection?**

- A.** Yes. Although the risk based check sheet is specifically for Risk 3 type retail food establishments, it will be the official inspection form for all retail food inspections.

**15. Q. What should be done before it becomes official?**

- A.** Inspectors should complete the Check Sheet by marking every item in the Risk Based portion of the Check Sheet (items 1-24) and mark any other items (25-52) as applicable. The completed check sheet should be handed to the Person in Charge (PIC) at the completion of the inspection, along with the detailed data sheet. The inspector should explain the check sheet to the operator. In this way, both the inspector and the operator will have a working knowledge of the new form.