

## 8:24-3.2(q)2

2. Shellstock may be removed from the container in which they are received, displayed on drained ice, or held in a display container, and a quantity specified by a consumer may be removed from the display or display container and provided to the consumer only if:

i. The source of the shellstock on display is identified as specified under (o) above and recorded as specified under (r) below and

ii. The shellstock are protected from contamination.

3. Shucked shellfish may be removed from the container in which they were received and held in a display container from which individual servings are dispensed upon a consumer's request only if:

i. The labeling information for the shellfish on display as specified under (n) above is retained and correlated to the date when, or dates during which, the shellfish are sold or served; and

ii. The shellfish are protected from contamination.

(r) Requirements for maintaining identification of shellstock include the following:

1. Shellstock tags shall remain attached to the container in which the shellstock are received until the container is empty.

2. The identity of the source of shellstock that are sold or served shall be maintained by retaining shellstock tags for 90 calendar days from the date the container is emptied by using a recordkeeping system acceptable to the health authority that keeps the tags in chronological order correlated to the date when, or dates during which, the shellstock are sold or served; and ensures that shellstock from one tagged container are not commingled with shellstock from another container before being ordered by the consumer.

### 8:24-3.3 Protection from contamination after receiving

(a) Requirements for preventing contamination from hands include the following:

1. Food employees shall wash their hands as specified under N.J.A.C. 8:24- 2.3.

2. Food employees may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment, except when washing

fruits and vegetables as specified under N.J.A.C. 8:24-3.3(g); provided that food employees may contact exposed, ready-to-eat foods with their bare hands after meeting the requirements set forth in N.J.A.C 8:24-2.3(b) through (e), and in (a)4 below.

3. Food employees shall minimize bare hand and arm contact with exposed food that is not in a ready-to-eat form.

4. Food employees not serving a highly susceptible population may contact exposed, ready-to-eat food with their bare hands if the retail food establishment maintains written procedures that can be made available to the health authority upon request that include:

i. For each bare hand contact procedure, a listing of the specific ready-to-eat foods that may be touched by bare hands;

ii. Diagrams and other types of information showing that properly equipped handwashing facilities are provided in an easily accessible location and in close proximity to the work station where the bare hand contact procedure is conducted; and

iii. Documentation that food employees acknowledge that they have received training in:

(1) The risks of contacting the specific ready-to-eat foods with bare hands;

(2) Proper handwashing as specified in N.J.A.C. 8:24-2.3(b) and (c);

(3) When to wash their hands as specified in N.J.A.C. 8:24-2.3(f);

(4) Where to wash their hands as specified in N.J.A.C. 8:24-2.3(b); and

(5) Proper fingernail maintenance as specified in N.J.A.C. 8:24-2.3(i).

(b) Limitations for glove use include the following:

1. Single-use gloves shall be used for only one task such as working with ready-to-eat food or with raw animal food, used for no other purpose, and discarded when damaged or soiled, or when interruptions occur in the operation.

2. Slash-resistant gloves that are used to protect the hands during operations requiring cutting shall be used in direct contact only with food that is subsequently cooked such as

frozen food or a primal cut of meat, except as specified in (b)3 below.

**3.** Slash-resistant gloves may be used with ready-to-eat food that will not be subsequently cooked if the slash-resistant gloves have a smooth, durable, and nonabsorbent outer surface; or if the slash-resistant gloves are covered with a smooth, durable, nonabsorbent glove, or a single-use glove.

**4.** Cloth gloves may not be used in direct contact with food unless the food is subsequently cooked such as frozen food or a primal cut of meat.

**(c)** Separation, packaging and segregation requirements for packaged and unpackaged food include the following:

**1.** Food shall be protected from cross contamination by:

**i.** Separating raw animal foods from any ready-to-eat foods during storage, preparation, holding, and display;

**ii.** Separating types of raw animal foods such as beef, fish, lamb, pork, and poultry from each other during storage, preparation, holding, and display, except when combined as ingredients. This separation of raw animal foods shall be accomplished by using separate equipment for each type of food, arranging each type of food in equipment so that cross contamination of one type with another is prevented, and preparing each type of food at different times or in separate areas;

**iii.** Cleaning and sanitizing equipment and utensils;

**iv.** Cleaning hermetically sealed containers of food of visible soil before opening;

**v.** Protecting food containers that are received packaged together in a case or overwrap from cuts when the case or overwrap is opened;

**vi.** Storing damaged, spoiled, or recalled food being held in the retail food establishment as specified under N.J.A.C. 8:24-6.4;

**vii.** Separating fruits and vegetables, before they are washed, from ready-to-eat food; and

**viii.** Storing the food in packages, covered containers, or wrappings, except:

**(1)** Whole, uncut, raw fruits and vegetables and nuts in the shell, that require peeling or hulling before consumption;

**(2)** Primal cuts, quarters, or sides of raw meat or slab bacon that are hung on clean, sanitized hooks or placed on clean, sanitized racks;

**(3)** Whole, uncut, processed meats such as country hams, and smoked or cured sausages that are placed on clean, sanitized racks;

**(4)** Food being cooled; or

**(5)** Shellstock.

**(d)** Working containers holding food or food ingredients that are removed from their original packages for use in the retail food establishment, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar, shall be identified with the common name of the food, except that containers holding food that can be readily and unmistakably recognized such as dry pasta need not be identified.

**(e)** Pasteurized eggs or egg products shall be substituted for raw shell eggs in the preparation of foods such as Caesar salad, hollandaise or Bearnaise sauce, mayonnaise, meringue, eggnog, tiramisu and egg-fortified beverages that are not cooked to safe cooking temperatures.

**(f)** Requirements for protection from unapproved additives requirements include the following:

**1.** Food shall be protected from contamination that may result from the addition of the following, as specified in N.J.A.C. 8:24-3.2(g):

**i.** Unsafe or unapproved food or color additives; and

**ii.** Unsafe or unapproved levels of approved food and color additives.

**2.** A food employee shall not:

**i.** Apply sulfiting agents to fresh fruits and vegetables intended for raw consumption or to a food considered to be a good source of vitamin B1; or

**ii.** Serve or sell food intended for raw consumption that is treated with sulfiting agents before receipt by the retail food establishment, except that grapes need not meet the requirement in this subparagraph.