



**Public Health**  
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## FDA Food Code New Classifications for Food Establishments

Public Act 17-93 includes new definitions for classifying retail food establishments. Class 2, 3 & 4 establishments will require a Certified Food Safety Manager (formerly called Qualified Food Operator). The certified food safety manager must have a food manager certificate from an approved testing organization.

**Class 1 Food Establishment:** A retail food establishment that does not serve a population that is highly susceptible to foodborne illnesses and only offers (A) commercially packaged processed food that (i) is time or temperature controlled for safety and may be heated for hot holding, but (ii) is not permitted to be cooled, or (B) food prepared in the establishment that is not time or temperature controlled for safety.

**Class 2 Food Establishment:** A retail food establishment that does not serve a population that is highly susceptible to food-borne illnesses and offers a limited menu of food that is prepared, cooked and served immediately, or that prepares and cooks food that is time or temperature controlled for safety and may require hot or cold holding, but that does not involve cooling.

**Class 3 Food Establishment:** A retail food establishment that (A) does not serve a populations that is highly susceptible to food-borne illnesses, and (B) has an extensive menu of foods, many of which are time or temperature controlled for safety and require complex preparation, including, but not limited to, handling of raw ingredients, cooking, cooling and reheating for hot holding.

**Class 4 Food Establishment:** A retail food establishment that serves a population that is highly susceptible to food-borne illnesses, including, but not limited to, preschool students, hospital patients and nursing homes patients or residents, or that conducts specialized food processes, including, but not limited to, smoking, curing or reduced oxygen packaging for the purposes of extending the shelf life of the food.

**Definition of Highly Susceptible Population (FDA Food Code section 1-201 page 11):** PERSONS who are more likely than other people tin the general population to experience foodborne disease because they are:

- (1) Immunocompromised; preschool age children, or older adults; and
- (2) Obtaining FOOD at a facility that provides services such as custodial care, health care, or assisting living, such as a child or adult daycare center, kidney dialysis center, hospital or nursing home, or nutritional or socialization services such as a senior center.