

Food Code Fact Sheet #25

What you should know about the Code

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OAR 333-150-0000, CHAPTER 1-201.10

“Combination Food Service Establishment” means any food establishment located within a single structure or at a single site, and which is engaged in activities subject to licensing or inspecting requirements of both the Oregon Health Authority and the Oregon Department of Agriculture, and the regulated activities are common to the same operator.

PUBLIC HEALTH REASONS:

Specialized processes extend outside the Food Sanitation Rules and require different training and certification to evaluate. Because ODA licenses and inspects processors, the staff have already received the necessary training and certification to inspect these types of specialized processes. It is more efficient to use the resources already in place than to have county staff obtain training in order to inspect the few establishments they may have within their jurisdiction.

Special Processes in Food Service Establishments

A food service establishment may be regulated by both the Local Public Health Authority (LPHA) and the Oregon Department of Agriculture (ODA) if it is conducting a specialized process.

Many of these processes require a restaurant to maintain their current license with the county, but now they will be required to obtain a separate license from ODA as well for the specialized process.

In these establishments, ODA will only license and inspect the special process, and the LPHA will license and inspect the rest of the operation.

Mobile units may only conduct special processing in a licensed commissary.

Processes that require a variance from OHA:

- **Meat curing**— Addition of nitrites/nitrates to meats, dry fermented sausages and low water activity products like prosciutto
- **Sprouting on site**—to be served fully cooked
- **On-site acidification** of sushi rice
- **Reduced Oxygen Packaging** activities outside the Food Sanitation Rule requirements
- Other food handling activities outside the Food Sanitation Rules

For more information on the variance process, go to: www.healthoregon.org/foodsafety/Pages/variance.aspx

Processes that require an ODA license:

- **Acidified Food processing**—a low acid food to which acid or acid food are added and which has an equilibrium pH of 4.6 or below and a water activity greater than 0.85.

These are shelf stable foods such as salsa, barbecue sauces, and dressings that are bottled to extend shelf life or for retail sale. This does not include the acidification of rice.

- **Sprouting on site**— served raw in the establishment
- **Seafood processing**— packaging/selling fish/fish products to another licensed establishment or off premises sales
- **Juice processing**— packaging/selling juice and juice products to another licensed establishment or off premises sales
- **Low-Acid Canned Food processing**— any food with a pH greater than 4.6 and a water activity greater than 0.85, such as green beans. This is rarely seen in a restaurant environment because of the large size and expense of the necessary processing equipment
- **Dairy processing** —packaging/selling dairy products to another licensed establishment or off premises sales. Non-dairy frozen desserts are not required to have a separate license from ODA.

If an establishment chooses to do one of these special processes, the first step is to coordinate a meeting between the LPHA and ODA inspector. Inspectors for both agencies will talk about the special process and come to an agreement on which agency will license and inspect each part of the establishment.

LPHAs finding unlicensed and/or unauthorized special processes to be licensed by ODA in an establishment should ask the operator to stop processing and contact their local ODA partner to discuss the operation.