

Summary of 2022 FDA *Food Code* Changes For Food Managers

In late 2022, FDA released the tenth edition of the FDA Food Code for adoption by local, state, and federal governmental jurisdictions. The updated code contains numerous changes for consistency, to correct errors, and to reflect changes due to updated science and public health guidelines.

The information below is a summary of the changes to the FDA Model *Food Code* and should not be considered all-inclusive. Consult the [full 2022 FDA Food Code](#) or the [FDA Summary of Changes](#) for more information.



The NEHA exams for CP-FS, Professional Food Manager and Professional Food Handler will continue to be based on the 2017 FDA *Food Code* until further notice.

Food Code Content Changes

Topic	Type of Change	Section	Details
Sesame	New item	1-201.1(B)	Sesame has been added as a new major food allergen.
Allergy Awareness	New item	2-103.11(O)	Employees must be able to describe major food allergens and the symptoms of an allergic reaction.
Allergen Labeling	New item	3-601.11(C)(2) 3-602.11	Allergen information is required on all labeling, including bulk food.
Food Donation	New item	3-204 8-101.1(A)	Donated foods are now addressed in the <i>Food Code</i> , with specifics on when food can be donated.
Hand Sink/Handwashing	Revision	5-202.12(A)	Instead of 100°F (38°C), water used for handwashing is now required to be 85°F (29°C).

Topic	Type of Change	Section	Details
Manufacturer Cooking Instructions	New item	3-401.15	If commercially packaged food bears manufacturer cooking instructions, those instructions must be followed prior to offering as ready-to-eat or unpackaged food (unless the instructions state otherwise). Example: frozen peas must be cooked to manufacturer's instructions prior to being offered on a salad bar.
Thawing	New item	2-103.11 3-501.13	The Person in Charge needs to ensure that employees monitor thawing temperatures throughout the day. Additional requirements for thawing manufactured foods with cross references.
Pets	New item	6-501.115	When approved by the regulatory authority, pet dogs may be allowed in outdoor dining areas. All other requirements for animals in a food establishment still apply.
Assignment	New item	2-101.11	A Person in Charge is not always needed for low-risk establishments.
Storage of Raw Animal Foods	Revision	3-302.11	Raw animal foods need to be separated from RTE food, during storage, preparation, holding and display, except when they are combined and used as ingredients.
Fruit and Vegetable Wash Chemicals	Revision	3-302.15(B)	If chemicals are used to wash fruits and vegetables, there are now requirements for chemical test kits. Regulatory agencies may choose not to enforce.
Whole-Muscle Intact Beef Steak	Revision	3-201.11	Whole-muscle intact beef steak must come from a processing plant that does not mechanically tenderize, vacuum tumble with solutions, reconstruct cube or pound the steaks. Establishments must prepare steaks in such a way that they remain intact. Additional clarification provided.
Shellstock	Code clarification		Sections 3-202.17, 3-203.11, and 3-203.12 were reorganized to clarify receiving requirements and terminology.
Equipment and ANSI Certification	Revision	4-205.10	Equipment that meets ANSI certification requirements also meets <i>Food Code</i> requirements.

Topic	Type of Change	Section	Details
Tobacco Products	New item	6-403.11	Tobacco products are not allowed to be used around FUELSS (Food, Utensils, Equipment, Linens, and Single Service items).
Toxic Chemicals	Revision	7-203.11	Containers used to hold toxic items cannot then be used to store FUELLS. Previously, this restriction applied only to food.
Variance	Revision	8-103.12	Approved variance document(s) must be maintained in the food establishment.
HACCP Contents	Revision	8-201.14	1) Requires critical hazards for each CCP, 2) highlights which documents need to be submitted separately from the plan, and 3) the <i>Food Code</i> now follows the same sequence as the HACCP Principles.
Inspection Frequency	Revision	8-401.10	If an establishment is operating under an approved HACCP plan, their inspection frequency may be extended beyond 6 months.

Food Code Definition Changes

Definition	Type of Change	Details
Certification Number	Revision	Now includes all certification and permit code found on tags or labels.
Comingle	Revision (align w/NSSP)	To align with NSSP definition, commingle now means “combining different lots of shellfish.”
In-Shell Product	New item	This term means “non-living, processed shellfish with one or both shells present.”
Intact Meat	Revision (clarification)	The definition of intact meat now excludes meats that have undergone vacuum tumbling with solutions, cubing or pounding.
Mechanically Tenderized	Revision (align w/FSIS)	This definition was changed to: “Any mechanical device which breaks up muscle fiber and tough connective tissue, to increase tenderness...includes injection.”
Molluscan Shellfish	Revision (clarification)	The definition of “Molluscan shellfish” includes shellstock, shucked shellfish and in-shell products.
Ready-to-Eat (RTE) Food	Revision(s)	1) In this definition, “fruits and vegetables” was changed to “plant foods” to include products such as rice; and 2) An example of food that is not RTE was added.

Definition	Type of Change	Details
Shellstock	Revision (clarification)	The definition of shellstock is “live molluscan shellfish in the shell.”
Shucked Shellfish	Revision (clarification)	The definition of molluscan shellfish was clarified to mean products that have both shells removed.
Tobacco Product	New Definition FD&C Act §201(rr)(21 U.S.C. 321(rr).	Means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product

