

# Washington State Retail Food Code Changes



Whatcom County  
**HEALTH**  
Department



Hello and welcome to Whatcom County Health Department's (WCHD) Food Safety Program presentation, in which we will be reviewing some of the main Washington State retail food code changes.

# Rule Change: Date Marking



This video will cover the date marking rule change that went into effect on March 1, 2022.

## Why It Matters

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• *Listeria* control



Date marking is a way to control the growth of a bacteria called *Listeria*. *Listeria* can grow in cold temperatures, make people sick and is the third leading cause of death from foodborne illness in the United States.

## Seven-Day Date Marking

- Ready-to-eat, TCS foods kept >24 hrs.
- Prepared in house or in open packages.



Foods requiring Time/Temperature Control for Safety are called “TCS” Foods. Ready-to-eat TCS foods that are prepared in-house or have opened packages will need to be date marked and used within seven days. This rule applies only to foods that will be held in the establishment for more than 24 hours.

# Examples and Exemptions

Date Marking Required (if prepared in-house or in an opened package)	Date Making <u>NOT</u> Required
Milk (animal, nut, soy)	Cultured dairy products (yogurt, sour cream)
Deli meats, hot dogs, sausages	Shelf stable pepperoni or salami
Soft cheese (brie, feta, cream cheese, cottage cheese)	Hard and semi-soft cheese (cheddar, swiss, parmesan)
House-made dressings	Shellstock and preserved fish
House made salad (lettuce, macaroni, potato)	Commercially made deli salads (open packages ok)
Cut melons, tomatoes, and leafy greens	Whole melons, tomatoes, and heads of lettuce
Hard boiled eggs, cooked meats	Raw animal products (eggs, raw meats)



Here are some examples of foods that need date marking and those that do not. This list can also be found on a date marking handout made by the Food Safety Program, which is available on the WCHD website.

# Marking Containers

- Use start or end date.
- Use written labels, day dots, etc.



Mark the food container with a start or end date. If planning to freeze the food you must use the start date. Written labels, stickers, color codes, day dots or other easily trackable methods are acceptable as long as all employees use the same method.

## Recooking Foods

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- Reheat food to 165F.
- Clock starts over.



If you are reheating the food to 165°F, the seven-day clock starts over.

## Combining Foods

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- Use oldest ingredient date mark.



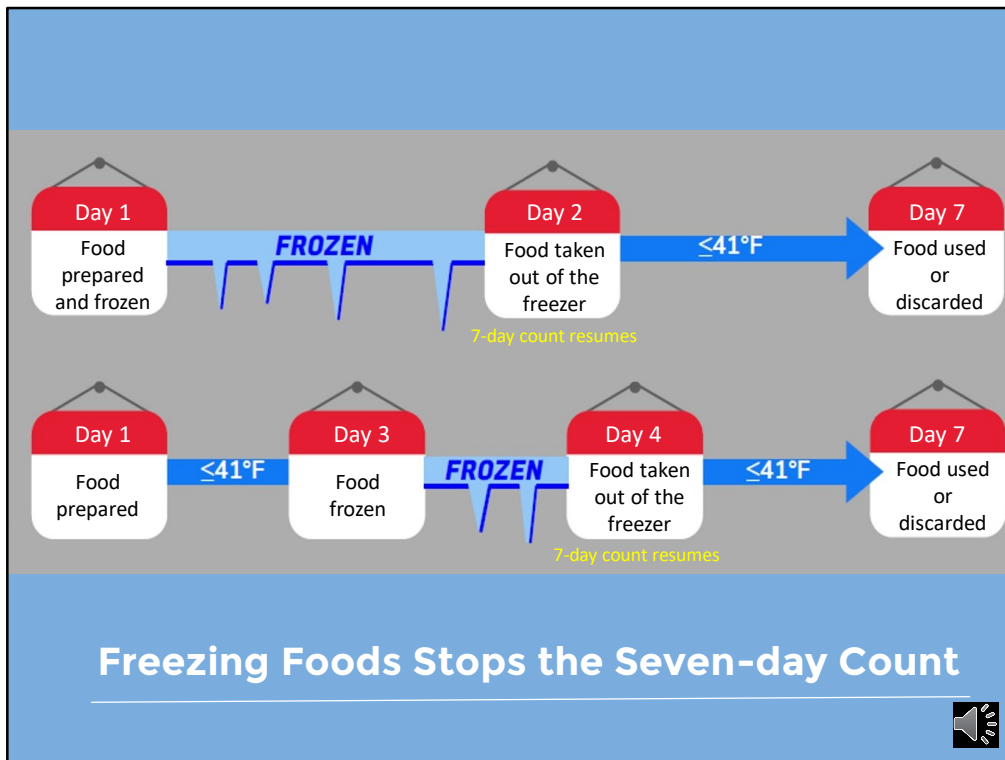
If combining foods that were opened or prepared on different dates, keep the date mark of the oldest ingredient.



## Date Mark is NOT a Sell-By Date



Keep in mind that a date mark is not the same as a sell by date, which is set by the manufacturer for quality. The date mark is set by the establishment for food safety and compliance with state food code.



If you are freezing your food, freezing stops the date marking clock but does not reset it. The day you freeze the food is the day the clock stops. The clock continues the day the food is thawed. This means you must mark the dates the food was prepared and kept in the refrigerator, the date the food was put in the freezer and the date the food was removed from the freezer. The total frozen time is not counted, but refrigeration time cannot exceed seven days.

# Date Marking Resources

- WCHD handout w/ list of required cheeses
- WA Department of Health DOH toolkit
- Both available here: [whatcomcounty.us/3232/Food-Safety](http://whatcomcounty.us/3232/Food-Safety)

### 7-DAY Date Marking

**WHY?**  
The Food Code requires that some foods must be used or discarded within seven days from when they are prepared or opened. This will help prevent food from growing of *Listeria monocytogenes*, a bacteria that grows at cold temperatures and can make people sick.

**3 CRITERIA FOR DATE MARKING**

- ✓ "Use-by" foods. Tick is short for time/temperature control for safety.
- ✓ Ready-to-eat foods.
- ✓ Food is kept for more than 24 hours.

**HOW TO DO IT**


- Use start or end date for labeling food.
- Use written labels, dry sticks, stickers or other easily trackable methods.
- Make sure all employees use the same method.

**FAQs**

- **Reheating:** If you reheat food to 165°F, the seven-day clock starts over.
- **Combining:** Foods from different dates. Use the date of the oldest ingredient.
- **Freezing:** Freezing food stops the date marking clock, **but does not reset it!** Put the freezing and thawing dates on the container along with the preparation date to indicate how many of the original seven days have elapsed.

<span style="color: green;">✔</span> <b>Date Marking Required</b> <small>(if prepared in-house or in an opened package)</small>	<span style="color: red;">✘</span> <b>Date Marking NOT Required</b>
<ul style="list-style-type: none"> <li>• Milk (canned, not soy)</li> <li>• Deli meats, hot dogs, sausage</li> <li>• Soft cheese (brie, feta, cream cheese, cottage cheese)</li> <li>• Frozen ready-to-eat (spaghetti, macaroni, pizzas)</li> <li>• Cut melons, tomatoes, and early greens</li> <li>• Hard-boiled eggs, cooked meats</li> <li>• House-made sausage</li> </ul>	<ul style="list-style-type: none"> <li>• Cultured dairy products (yogurt, sour cream)</li> <li>• Shelf-stable prepared or salad</li> <li>• Hard and semi-soft cheese (cheddar, Swiss, parmesan)</li> <li>• Commercially made deli salads (open packages ok)</li> <li>• Whole melons, tomatoes, and heads of lettuce</li> <li>• Fine animal products (pigs, raw meats)</li> <li>• Chilled and preserved fish</li> </ul>

Please contact the Food Safety Team at the Whatcom County Health Department with any questions.  
[FoodSafetyProgram@co.whatcom.pa.us](mailto:FoodSafetyProgram@co.whatcom.pa.us)  
 717-860-1100 M-F 9:00 a.m. - 4:30 p.m.





WCHD has created a date marking handout. The back of the handout has a list of cheeses that require date marking and those that are exempt. Additionally The Washington Department of Health created a date marking toolkit establishments can use. Both of these resources are available on our food safety webpage.

**Thanks for Watching!**

