

Volume R0514, Issue 1

May 2014

No Reservations

No Reservations **is a monthly newsletter published by RQA Inc. for the restaurant industry.**

Inside this issue:

Main Course— Bare Hand Contact, The Debate Lives On 1

Daily Special—*Le plat du jour* 2



Avoiding Bare Hand Contact, The Debate Lives On

The FDA Model Food Code states that foodhandlers must avoid bare hand contact with ready-to-eat (RTE) food. This requirement has provided a lot of confusion and debate. The first issue is understanding the requirement and second is applying it into your restaurant's standard operating procedures. As you know, not all 50 states have adopted the FDA Model Food Code into law, but the California State Legislature passed AB 1252 which added section 113964 to the California Retail Food Code (Cal Code), adopting the concept of no bare hand contact with ready-to-eat food, effective on January 1, 2014.

No Bare Hand Contact is the practice of preventing direct contact with bare hands while handling ready-to-eat foods. Avoiding bare hand contact with foods that do not require further cooking provides an added protection against contamination with microbial pathogens (germs) from the hands of food service employees. That said, foodhandlers need to understand when and where to wear the gloves and when to change them. This can be achieved with proper training and supervision. Please consider the below article from Betty Hallock, Los Angeles Times:

The gloves are off! But they should be on, says the state of California. Many chefs are up in arms about having to wear gloves while cooking, in accordance with a new food safety law that goes into effect over the next six months. The new law bans bare-handed contact with many kinds of foods, but some chefs say the law is confusing, ineffective, bad for the environment and can compromise a final dish.

"The band-aid of a blanket glove regulation is potentially dangerous," says Neal Fraser, chef-owner of BLD restaurant and Fritzi Dog. "People get into the tendency to not wash their hands. And environmentally it's very unfriendly. It's funny that at the same time L.A. institutes a plastic bag ban, there's this."

Gov. Jerry Brown signed legislation that made changes to the California Retail Food Code in an effort to curtail foodborne illnesses, and those changes include a law that says "food employees shall not contact exposed, ready-to-eat food with their bare hands."

That means cooks must wear single-use gloves or use utensils when handling food such as sushi, bread, fresh fruit and vegetables and any cooked components of dishes that will be plated for customers.

"For the most part I use gloves throughout my whole preparation process," said Niki Nakayama, the chef of N/naka who makes sushi as part of her Japanese *kaiseki*-like meals, "and I have no problem wearing gloves for plating something. I'm on the fence about the cleanliness of gloves all the time."

But most important for her, "making sushi is incredibly hard to do with gloves on. No. 1, the rice is so sticky, the rice would stick to the gloves undoubtedly. Plus you lose that sense of feel, which is everything in sushi making. You have to know exactly the right pressure to put on ingredients. Wearing a glove would hurt the product."

Continued

Others have welcomed the new regulations. "I think it's a good thing," said Mary C. Fitzgerald of Safe & Sound food safety consultants. "It both raises awareness and raises the bar that everyone's responsible to prevent foodborne illness."

The use of gloves and utensils during cooking was formerly a suggestion in the food safety code and is now a requirement. So "I don't think [the law] was unexpected," said Angelica Pappas, a spokeswoman for the California Restaurant Assn. "Other states have similar rules, and a lot of restaurants are already practicing this, especially the bigger companies and multi-chain operators. It wasn't anything unforeseen."

But it is also confusing. "A law intended to regulate employees at a Subway is now being applied to fine dining, which operates at a different capacity with a different approach to training and a different caliber of employees," said Jordan R. Bernstein, an attorney at Michelman & Robinson who provides general counsel for restaurant clients and recently notified them of the new law.

"I've spoken to some chefs that I work with who have a lot of questions," Bernstein said. "They're restaurant managers and operators who have many employees contacting food and have been doing it in a certain manner for a long time, and -- other than 'everybody wear gloves' -- don't know how to comply with the new law."

Food safety experts note that there are guidelines for using gloves properly, and the CRA pushed for a six-month rollout so restaurants would have time to become informed and comply.

Restaurants can apply for an exemption by fulfilling strict requirements for training and written guidelines. But it's not clear how the Los Angeles County health department will enforce the new regulations or how it would allot exemptions. No one at the health department was available for comment late Friday.

"When I heard about it, I thought, 'No, you're joking.' This is terrible," said Roxana Jullapat, pastry chef at Cooks County. "Who's saying gloves can't cause cross-contamination or can't get dirty? Outside or inside. Nothing good is happening in there where it's warm and sweaty. And I bet it's three months before a glove shows up in a salad."

Copyright © 2014, Los Angeles Times

Bakery, New York City, NY. April 2014

The Health Department closed the bakery that makes the trendy pastries for a "severe mouse infestation." The department investigated after a video posted on YouTube by a bakery patron showed a little mouse scurrying across the floor of the store as employees kneaded dough and prepared orders behind the counter. The bakery was closed Friday afternoon for a "severe mouse infestation that requires professional pest control services," according to the Health Department. The bakery plans to reopen Monday after extermination, said the spokeswoman. She said any hole larger than a ballpoint pen is considered "not vermin proof. The bakery patron stated that the mouse "ran all over the place in plain view for a good 20 seconds" before he started shooting the video. He said the employees seemed to be aware of the mouse, but kept working. He told the website he tried to show the critter to a couple waiting in line behind him, but they didn't believe him. When he showed them the video he took, he said they left the store. An official statement from the bakery says: "As a small one-shop bakery, we often feel like we're being looked at under a tremendous microscope. The news was dramatically sensationalized. A lot of time people don't see the larger ramifications of their actions and how a tiny video of a mouse running across the screen for 3 seconds can cause harm and damages to an honest, small business that people's livelihood depends on. "The spokeswoman told NBC 4 New York that staff spent seven hours cleaning the store Thursday and found just the one mouse. She said cleanliness is of utmost importance and the shop has received nothing but A's on its health inspections in the nearly three years it's been open.

http://www.nbcnewyork.com

Asian Restaurant, West Valley City, UT. April 2014

The Salt Lake County Health Department closed the restaurant in West Valley City earlier this week for creating an "imminent health hazard." The following violations were listed on the Health Department website:

Cooked noodles on the counter are measuring 79 degrees Fahrenheit; Raw bean sprouts on the counter are measuring 51 degrees Fahrenheit; Raw cut lettuce on the counter is measuring 56 degrees Fahrenheit; Cooked meat on the counter is measuring 84 degrees Fahrenheit; Cooked rice on the counter is measuring 60 degrees Fahrenheit; Potentially hazardous and ready-to eat foods that are prepared on-site and held for more than 24 hours are not date-marked; Raw beef is stored above raw shrimp in the walk-in cooler; Food in the walk-in cooler is not covered to prevent contamination from various foods; Food in the dry storage room is not covered to prevent contamination; A food container of red pepper corns is stored on the floor; An employee used the same single-use gloves to handle raw meat and then ready-to-eat food; An employee washed hands without using soap; An employee used a cloth wiping towel to dry gloved hands; An employee did not wash hands before putting on gloves; An employee went into the toilet room with gloves on and came out of the toilet room with the same gloves on then the employee went into the kitchen and began food preparation; An employee touched raw meat with gloves and subsequently dipped gloved hands in a container of water and dried them with a cloth towel; An employee used the mop sink to get water and soap on a sponge that was used to wipe a food preparation surface; Exterior surfaces of food containers are dirty; The person-in-charge was unable to demonstrate adequate knowledge of proper hot and cold holding temperature for potentially hazardous foods; The person-in-charge was unable to demonstrate adequate knowledge of the relationship between the prevention of foodborne illness and control of cross contamination; The person-in-charge was unable to demonstrate adequate knowledge of the relationship between the prevention of foodborne illness and management of hand washing; There is no certified or registered food safety manager; Not all food employees have current food handler cards; Wet wiping cloths are not stored in sanitizer solution; Clorox wipes are stored on top of clean dishes; Window cleaner is stored next to food and clean dishes; The can opener is unclean to sight and touch; The interior of the ice machine is unclean; The meat slicer is unclean to sight and touch; Surfaces of the stand mixer above the bowel are unclean; Cooked noodles are stored in a garbage bag; A pencil box is used to cook food in the microwave; A non-food container is used to hold cooked eggrolls; Food containers are not labeled with the common name of the food; The mop is not hung to allow for air drying; Items that are unnecessary to the operation of the food establishment are stored on the premises; The dumpster lids are not closed; The dumpster area is not maintained.

http://oquirrhobserver.com

For more information about these topics and others, please contact:

Dan Cahill
RQA, Inc.
Phone: 602-331-9151
Email: d.cahill@rqa-inc.com

Please visit: www.rqa-inc.com

RQA® Providing Solutions from Concept to Consumption

Insurance Contact:

Ian Hughes

Phone: 914-242-7812

Email: crisismanagement@catlin.com