A Guide to Food Safety and the Outdoor Public Serving of Food:

Understanding Philadelphia's Regulation

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The City of Philadelphia would like to thank you for your interest in serving safe food to individuals who are hungry and are in need of safe, nutritious food without charge.

On March 22, 2012, the Philadelphia Board of Health adopted a regulation to ensure the health and safety of food provided outdoors to members of the public who may be hungry or unable to purchase food.

For many years, the Office of Food Protection has regulated food sold to the public. This new regulation puts in place reasonable health and safety standards for food provided for free.

This guide was written to help you understand the regulation, learn why food safety is important, and find out what you can do to prevent foodborne illnesses when you provide food outdoors.

Understanding the Regulation

Q: What is the purpose of the regulation?

A: The purpose of the regulation is to prevent foodborne illness from being spread from eating food served outdoors to individuals who are hungry or otherwise needing food without charge. By enacting a few health and safety requirements, the regulation is intended to ensure food safety without an undue burden on those who wish to provide food outdoors to the hungry.

Q: To whom does the regulation apply?

A: The regulation applies to any person, group, or organization that distributes food free of charge to members of the public, in groups of three or more people, on any public highway, on any public sidewalk, or in any outdoor public place.

Q: When does the regulation go into effect?

A: The regulation went into effect April 5, 2012. The Department of Health will begin inspecting after June 1, 2012.

Q: What are the main requirements of the regulation?

1. Organizations that serve food to the public outdoors must have a food safety trained person on-site and in charge during the entire time that food is provided to the public.

2. If food is served within four hours from preparation, it may be prepared in a private kitchen that includes basic food safety requirements including all those attributes listed below. If food is served more than four hours after it is prepared, it must be prepared in a kitchen approved by the Department of Public Health. An acceptable home kitchen should contain:

- Running hot and cold water at the kitchen and bathroom sinks along with soap and paper towels;
- Refrigeration/freezer unit maintaining temperature of 41°F or less for the refrigerator and 0°F for the freezer;
- Vermin free home;
- One-compartment kitchen sink;
- Open top container large enough for immersing food service articles for sanitization;
- Sanitizer (for example, chlorine bleach);
- Stove/oven/range in clean and good working condition for cooking;
- Stem thermometer to measure food temperature during cooking and transport;
- Washable, insulated food containers for transportation of the food.

3. All foods must be protected from contamination during transportation, preparation, display, and service and all food must be transported and served at the proper temperature.

4. A **temporary hand washing station** must be available where food is served, and hands must be properly washed prior to food handling and between glove changes. No bare hand contact with ready-to-eat foods can occur.

5. Organizations must post an **Outdoor Public Service Food Safety Permit** during the time that food is served to the public.

Q: What information is required to get a permit, and how do I apply?

A: Along with providing contact information, the permit application asks you to provide information about the type of food you plan to serve (hot or cold food), the times you plan to serve food, and the location within a ten-block radius of where you plan to serve food. Download a permit application for information about permit requirements and the application process.

Q: Is there a charge to get a permit?

A: No.

Q: How long will it take for me to get a permit?

A: Applications will be processed within 10 business days of receipt by the Philadelphia Department of Public Health, Office of Food Protection.

Q: How do I sign up for a food safety class? Is there a fee for the food safety class?

A: The Philadelphia Department of Public Health, Office of Food Protection, provides a **free**, two-hour food safety training and certification class. The class teaches basic food safety principles and the requirements of the Outdoor Public Serving of Food regulation. Classes are provided throughout the city on a regular basis.

To sign up for a food safety class, or for more information, please call Bernard Finkel at 215-685-7497 or Palak Raval-Nelson at 215-685-7489.

Q: How often will I be inspected?

A: All permitted outdoor food-serving operations have an unannounced inspection at least annually.

Q: What happens if I don't comply with the regulation?

A: If a server is found to be in violation of the regulation, the violations will be noted on the inspection report that is issued at the time of the inspection and a reinspection will be done by the Health Department.

At the time of the reinspection, it is expected that the server will be in compliance. If not, violations will be noted on the reinspection report, a copy of which is given to the server. If, after two inspections the server is still in violation, the server's permit will be suspended and a new permit application will need to be completed, along with attendance at a food safety training. After a second violation on a second permit, repeat violators will be subject to fines per the City Code.

If a server passes a reinspection after a violation, the Department may, at its discretion, return for another unannounced inspection at any time.

Q: Are there any exceptions to the regulation?

A: The regulation is intended to address food served to members of the public. The regulation does not apply to groups of families or friends who are eating in public, for example at a picnic. In addition, the regulation does not pertain to the following: distribution of food as part of a special event recognized by the Managing Director's Office following the Mayor's Special Event Policy (Executive Order 6-93) or a permit of the Department of Parks and Recreation; a special event sponsored by a City agency the distribution of pre-packaged food as part of a time-limited promotional campaign by a commercial entity an unplanned, non-recurring distribution of food.

Q: Does this permit allow me to provide food at the new City Hall apron area?

A: No. Groups interested in serving food at the City Hall Apron area will need to complete a separate application in addition to the Outdoor Public Service Food Safety Permit**.** For more information about the application, click here.

Q: Does this regulation ban the outdoor public serving of food on the Benjamin Franklin Parkway?

A: No. This regulation is solely intended to ensure the health and safety of free food served outdoors regardless of where the food is served.

Foodborne Illnesses

Food poisoning is more serious than many people realize. Each year in the U.S., one in six people, or about 28 million people, get sick from food poisoning. Most of them will recover without any lasting effects from their illness. For some, however, the effects can be devastating and even deadly. Serious long-term effects associated with several common types of food poisoning include: kidney failure, chronic arthritis, brain and nerve damage and death.

While anyone can get sick from eating contaminated food, some people are at greater risk of getting a more serious illness or even death should let get a foodborne illness. Some people may become ill after ingesting only a few harmful bacteria; others may remain symptom free after ingesting thousands.

Foodborne Illness

(also known as food poisoning or foodborne disease) is any illness that results from eating contaminated food.

Those at greater risk of serious illness are:

- infants, and young children
- pregnant women and their unborn babies
- older adults
- people with weakened immune systems caused by as HIV/AIDS, cancer, diabetes, kidney disease, and transplant patients

The onset of symptoms may occur within minutes to weeks and often begins as flu-like symptoms, as the ill person may experience symptoms such as nausea, vomiting, diarrhea, or fever. Because the symptoms are often flu-like, many people may not recognize that the illness is caused by harmful bacteria or other germs or chemicals in food. Many people do not go to the doctor or emergency room with these symptoms, so many cases go unreported.

The Causes of Foodborne Illnesses

Harmful bacteria are the most common cause of food poisoning, but other causes include viruses, parasites, toxins and contaminants. Food usually becomes contaminated from poor sanitation or preparation. Food handlers who do not wash their hands after using the bathroom or have infections themselves often cause contamination. Improperly packaged food stored at the wrong temperature also causes contaminations.

Almost any kind of food can cause food poisoning. Some foods are more risky for you than others. In general, the foods that are most likely to cause illnesses fall into two categories:

- **Uncooked** fresh fruits and vegetables
- **Animal products**, such as unpasteurized milk, soft cheeses, raw eggs, raw meat, raw poultry, raw fish, raw seafood and their juices

The risk these foods may actually pose depends on *their origin or source* and *how they are processed, stored, and prepared*.

In the past five years, foodborne illnesses have been identified as being caused by many commonly served items including bagged spinach, peanut butter, pine nuts and canned chili sauce.

Causes of foodborne illness in 1,565 outbreaks, 2003-2008

Find out more about foodborne illnesses from the U.S. Centers for Disease Control and Prevention.

Preventing Foodborne Illnesses

The U.S. Centers for Disease Control and Prevention recommends the following simple precautions to reduce the risk of foodborne diseases:

CLEAN: Wash hands, produce, and surfaces.

- Wash your hands with soap and water before preparing food.
- Rinse fresh fruits and vegetables in running tap water to remove visible dirt and grime.
- Remove and discard the outermost leaves of a head of lettuce or cabbage.
- Because bacteria can grow well on the cut surface of fruit or vegetable, be careful not to contaminate these foods while slicing them up on a cutting board, and avoid leaving cut produce at room temperature for many hours.

SEPARATE: Do not cross-contaminate.

- Avoid cross-contaminating foods by washing hands, utensils, and cutting boards after they have been in contact with raw meat or poultry and before they touch another food.
- Put cooked meat on a clean platter, rather than back on one that held the raw meat.

COOK to the right temperature.

- Using a food thermometer to measure the internal temperature of meat is a good way to be sure that it is cooked sufficiently to kill bacteria.
- Eggs should be cooked until the yolk is firm.

CHILL: Refrigerate promptly.

- Bacteria can grow quickly at room temperature, so refrigerate leftover foods if they are not going to be eaten within 4 hours.
- Large volumes of food will cool more quickly if they are divided into several shallow containers for refrigeration.

REPORT: Report suspected foodborne illnesses to your local health department.

- The local public health department is an important part of the food safety system.
- Often calls from concerned citizens are how outbreaks are first detected.
- If a public health official contacts you to find out more about an illness you had, your cooperation is important. In public health investigations, it can be as important to talk to healthy people as to ill people.
- Your cooperation may be needed even if you are not ill.

CONTACT US!

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