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**PROGRAM MEMO**

TO: AREA AGENCY ON AGING DIRECTORS	NO.: PM 10-08(P)
SUBJECT: Changes to the California Retail Food Code	DATE ISSUED: April 5, 2010
REVISED	EXPIRES: Until superseded
REFERENCES: California Health and Safety Code, Division 104. Environmental Health, Part 7 California Retail Food Code, Effective January 1, 2009 and October 11, 2009. California Code of Regulations, Title 22. Social Security, Division 1.8 California Department of Aging, Vol. 28, Article 5, Title IIIC -Elderly Nutrition Program.	SUPERSEDES:
PROGRAMS AFFECTED: <input type="checkbox"/> All <input type="checkbox"/> Title III-B <input checked="" type="checkbox"/> Title III-C1/C2 <input type="checkbox"/> Title III-D <input type="checkbox"/> Title III-E <input type="checkbox"/> Title V <input type="checkbox"/> CBSP <input type="checkbox"/> MSSP <input type="checkbox"/> Title VII <input type="checkbox"/> ADHC <input type="checkbox"/> Other: _____	
REASON FOR PROGRAM MEMO: <input checked="" type="checkbox"/> Change in Law or Regulation <input type="checkbox"/> Response to Inquiry <input type="checkbox"/> Other Specify: _____	
INQUIRIES SHOULD BE DIRECTED TO: Assigned AAA-Based Team Public Health Nutrition Consultant	

This Program Memo (PM) provides guidance to Area Agencies on Aging (AAA) on changes to the California Retail Food Code (CRFC). The CRFC was revised on October 11, 2009 to include Senate Bills (SB) 1420 (Padilla, Chapter 600, Statutes of 2008), SB 241 (Runner, Chapter 571, Statutes of 2009) and Assembly Bills (AB) 97 (Mendoza, Chapter 207, Statutes of 2008), 2168 (Jones, Chapter 447, Statutes of 2008), and 2588 (Calderon, Chapter 139, Statutes of 2008) amendments. Attached is a chart that summarizes the revisions. A full text version of the CRFC and the summary chart are available on the California Department of Aging (CDA) website at:

http://www.aging.ca.gov/laws_regs_policies/california_food_retail_code.pdf.

This revision impacts the Title IIIC Elderly Nutrition Program (ENP) and its administration in California. AAAs must update their Title IIIC ENP Registered Dietitian (RD) and ENP provider Requests for Proposal (RFP), contracts, and monitoring tools to reflect these changes to the CRFC. CDA will revise its Title IIIC ENP monitoring tools and immediately begin monitoring AAAs compliance with the new CRFC requirements.

AAAs should contact each County Environmental Health Services Department within their Planning and Service Area (PSA) for further clarification about changes to the CRFC and enforcement within their jurisdiction.

Significant CRFC Changes that Impact the Title IIIC ENP

AAAs should focus particular attention to the CRFC's new requirements regarding food safety training, food labeling, and trans fat use.

Food Safety Certification

The RD or persons, who provide food safety training to paid and volunteer ENP staff, must have a current food safety certificate. Changes to the CRFC require the owners and food employees with food safety certificates issued pursuant to Section 113947.1 to instruct all food employees about the relationship between personal hygiene and food safety. This includes the association between foodborne illness and hand contact, personal habits and behaviors, and food employee health [see CRFC §113949.2].

Trans Fats – Effective January 1, 2010

- **Mandatory maintenance of labels for all food/food additives containing any fat, oil, or shortening.**

Every food facility shall maintain on premises the label for all food or food additive that is, or includes, any fat, oil, or shortening for as long as the food is stored, distributed, served, or used in the preparation of food within a food facility [see CRFC §114377(a)].

- **Ban of oil, shortening, or margarine containing artificial trans fat.**

No oil, shortening, or margarine containing artificial trans fat for use in spreads or frying may be stored, distributed, served, or used in the preparation of any food within a food facility. [see CRFC §114377(b) (1)].

Subdivision (b) shall not apply to food sold or served in a manufacturer's original, sealed package [see CRFC §114377(c)]. Examples of a manufacturer's original, sealed package include single serving margarine or other condiments.

A food contains artificial trans fat if the food contains vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil, unless the label required on the food pursuant to applicable federal and state law lists the trans fat content as less than 0.5 grams per serving [see CRFC §114377(d)].



Lynn Daucher
Director

Attachment