

DELAWARE DIVISION OF PUBLIC HEALTH
OFFICE OF FOOD PROTECTION, DOVER: 302-744-4546

ENVIRONMENTAL HEALTH FIELD SERVICES

New Castle County: 302-283-7110 Kent County: 302-744-1220 Sussex County: 302-515-3300

STATE OF DELAWARE FOOD CODE

BARE HAND CONTACT WITH READY-TO-EAT FOOD

Information for Food Establishment Permit Holders and Persons-In-Charge

Question: Does the Food Code provide a procedure which can be approved to comply with Section 3-301.11 and which will allow my food employees to contact ready-to-eat foods with bare hands?

Answer: Yes, the State of Delaware Food Code, in Section 3-301.11(E), states that “Food Employees not serving a Highly Susceptible Population may contact exposed, ready-to-eat food with their bare hands if:...”

THIS INFORMATION SHEET PROVIDES CLARIFICATION OF “MAY CONTACT EXPOSED, READY-TO-EAT FOOD WITH BARE HANDS IF:” TO ASSIST THE PERSON-IN-CHARGE TO IMPLEMENT THE PROHIBITION OF BAREHAND CONTACT THROUGH A PLAN FOR ALTERNATIVE PRACTICES CONSISTENT WITH FOOD SAFETY PRINCIPLES AND PUBLIC HEALTH CONCERNS.

Forward the completed Food Establishment Management Plan for Alternative Practices to:
Office of Food Protection

43 South DuPont Highway, Suite C, Dover, DE 19901

The public health hazard associated with bare hand contact is the possible contamination of exposed, ready-to-eat food by bacterial, viral and parasitic pathogens that are transferred to food via an infected employee's hands.

Infected food employees are the source of contamination in approximately one in five foodborne disease outbreaks reports in the United States with a bacterial or viral cause. Most of these outbreaks involve enteric, i.e. fecal-oral agents. These are organisms that employees were shedding in their stools at the time the food was prepared. Because of poor or nonexistent handwashing procedures, workers spread these organisms to the food. In addition, infected cuts, burns, or boils on hands can also result in contamination of food. Viral, bacterial, and parasitic agents can be involved.

Food regulations have traditionally required two methods of preventing the spread of foodborne disease by this mode of transfer:

- By prohibiting food workers from preparing food when they are infectious; and
- By requiring thorough and frequent handwashing.

In order to strengthen fecal-oral transmission interventions, the Food Code provides focused and specific guidance about ill workers and when hand-washing must occur. As a final barrier, bare hand contact with exposed, ready-to-eat food (food that is edible without washing or is not subsequently subjected to a pathogen kill step) is prohibited and suitable utensils such as spatulas, tongs, single-use gloves, or dispensing equipment are required to be used.

Any alternative to this requirement must address how food employees will be managed to preclude food contamination and how food establishment management will ensure that thorough handwashing occurs after employees use the toilet. The specific alternative plan requirements are described on Page 2.

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BARE HAND CONTACT WITH READY-TO-EAT FOOD

Food Establishment Management Plan for Alternative Practices

REQUIRED CONTENTS FOR DIVISION OF PUBLIC HEALTH (DPH) REVIEW AND APPROVAL

1. **EXPLAIN IN WRITING** why the food establishment permit holder is **unable to comply** with the “No Bare Hand Contact” provision, as specified in the Delaware Food Code Section 3-301.11, which states:
“(B)...Food employees may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment.”
2. **EXPLAIN IN WRITING** the reasons for complying with food safety principles in each of the following **areas of knowledge**, as specified in the Delaware Food Code Section 2-102.11:
 - a. The relationship between the prevention of foodborne disease and the **personal hygiene** of a food employee; and
 - b. The prevention of the transmission of foodborne disease by a food employee who has a **disease or medical condition** that may cause foodborne disease; and
 - c. The **symptoms** associated with the disease that are transmissible through food; and
 - d. The prevention of foodborne illness through **active managerial control** of the following:
 - (1) Cross Contamination
 - (2) Hand contact with ready-to-eat foods
 - (3) Handwashing, and
 - (4) Maintaining the food establishment in a clean condition and in good repair; and
 - e. The routine monitoring of employee **handwashing** to ensure that employees are effectively cleaning their hands.
3. **EXPLAIN IN WRITING** how the food establishment permit holder will ensure compliance with **employee health controls**, as specified in Delaware Food Code Subpart 2-201:
 - a. The food employee is required to report health information related to diseases that are transmissible through food; and
 - b. The food employee is excluded from the food establishment if the food employee is diagnosed with an infectious agent specified under Food Code Section 2-201.12; and
 - c. The food employee is restricted from working with exposed food and clean utensils when experiencing symptoms specified under Food Code Section 2-201.12; and
 - d. The food employee who is excluded or restricted is reinstated only after complying with the provisions of Food Code Section 2-201.13.
4. **EXPLAIN IN WRITING management controls** which identify the ready-to-eat foods to be contacted with bare hands, and describe procedures to ensure that food employees wash their hand before returning to their work area and cross-contamination is prevented.
5. **EXPLAIN IN WRITING** the plan for an effective **employee training program** which emphasizes not working when ill, proper handwashing, good hygienic practices, and safe food preparation techniques.
6. **EXPLAIN IN WRITING management documentation** for alternative food preparation practices and corrective actions to be available on the premises for compliance review by the Division of Public Health.