

TEMPORARY NONPROFIT FOOD SERVICE  
O.C.G.A. 26-2-390 – 393, Article 14

GUIDELINES FOR APPROVING A HAZARD CONTROL PROGRAM  
FOR THE PREPARATION OF CERTAIN POTENTIALLY HAZARDOUS FOODS

*In the event that the county health department's staff are the county agents inspecting temporary nonprofit food service operations, these guidelines may be used in determining whether a hazard control program is acceptable.*

O.C.G.A. 26-2-392, Article 14

“(b) The preparation of the following potentially hazardous foods is prohibited unless the organization has an established hazard control program:

- (1) Pastries filled with cream or synthetic cream;
- (2) Custards;
- (3) Products similar to the products listed in paragraph (1) and (2) of this subsection; or
- (4) Salads containing meat, poultry, eggs, or fish.”

In temporary food service, defined within the definition of “food service establishment,” O.C.G.A. 26-2-370 and enforceable under the Rules and Regulations for Food Service, Chapter 290-5-14, it is not allowable for the potentially hazardous foods stated above to be prepared on-site. The reason for this has always been due to limited preparation space, cooling facilities and general sanitation. The current law which changes the definition of “food service establishment” and both defines and gives rules for the operation of temporary nonprofit food service, allows the preparation of these potentially hazardous foods if a hazard control program has been established.

The following sanitation precautions should be in place in an established hazard control program.

- (1) All menu items should be submitted to the health authority along with the application for “Temporary Nonprofit Food Service Permit”. Any potentially hazardous foods to be prepared on-site and included within Article 14 as needing an established hazard control program, should be highlighted. Details should be included describing where individual ingredients are bought or prepared, i.e. a HACCP plan. (see attached example of HACCP plan)
- (2) Basic equipment and construction needs may include the following:
  - ⇒ Adequate preparation space. (Evaluate size of pots/pans/utensils to be used, number of staff needed for preparation process and general flow of work.)

- ⇒ Are three compartment sink or basins going to be on-site for proper washing and sanitizing of all utensils? Will there be some way to heat water for washing utensils? What sanitizing chemical will be used?
- ⇒ Are test strips or other testing devices available for testing sanitizer strength? Will there be thermometers in cooling facilities to monitor temperatures at less than 45°F? Will there be adequate thermometers for testing internal temperatures of cooked foods? (note: A bimetallic coil thermometer is not adequate for measuring the internal temperature of meats. A thermistor or thermocouple is needed for accuracy.)
- ⇒ Adequate handwashing facilities. (An insulated  $\geq$  three gallon size cooler with self-draining spout will keep water warm for a long period of time. A bucket for waste water can be set on the ground directly underneath the spout. Soap and paper towels should be kept close to the handwashing station.)
- ⇒ Adequate cooling and/or heating facilities. (Are facilities sufficiently large enough for holding the number and size of container used? Are facilities adequate for maintaining foods  $\leq 45^\circ\text{F}$  or  $\geq 140^\circ\text{F}$ ? How does the operation plan to rapidly cool hot foods to 45°F? How does the operation plan to rapidly reheat foods to 140°F?)
- ⇒ Will foods be adequately protected during preparation? (Adequate protection may need to include an enclosed area for food preparation; i.e. in a beach area, you may have a constant breeze where blowing sand is a problem, hence screening would not be sufficient to keep sand out. In other areas, you may have an insect problem. The health authority needs to use their professional judgment as to the protection needed.)
- ⇒ After potentially hazardous foods are prepared, how will they be served; i.e., by pre-filling single service containers or upon customer order? If pre-filling in advance, are there enough cooling facilities to store quantity desired?

Informing staff of the proper use of all of the above is imperative to preparing safe food. The operator should be willing to sign his written hazard control program and agree that his staff will be informed of the proper use of all of the above sanitation measures in order to ensure the production of a safe product. Article 14 allows the county board of health to provide food safety instruction.

These guidelines are in no way inclusive of all requirements that may become necessary based on individual situations. The health authority must use professional judgment based on scientific facts and the given situation when determining the acceptability of a hazard control program.