Plano City of Excellence | Memorandum

Date: February 19, 2018

To: Bruce Glasscock, City Manager
Mark Israelson, Deputy City Manager

From: Rachel Patterson, Director of Environmental Health & Sustainability

Subject: Food Code Update/Presentation

At the February 26, 2018 City Council meeting I will give a presentation on the proposed revision to the Plano Food Code. The current code is based on an outdated version of the Texas Food Establishment Rules (TFER) which was based on the 2009 FDA Model Food Code. In 2015, the State Department of Health Services updated the TFER and based the update on the 2013 FDA Model Food Code. There are a number of reasons for this proposed update.

1. The Plano Food Code should provide as much consistency as possible with other jurisdictions, the state, and the nation. This results in standardization of regulations which is easier for businesses operating in more than one state or jurisdiction, and for food handlers who may work in more than one jurisdiction.
2. Regulations for food safety should be based on scientific data/evidence-based and be significant to public health.
3. The local code should not be less restrictive than State code (TFER). There are several areas within the current Plano Food Code which would be considered less restrictive than TFER.

Based on these three philosophies, we have taken a close look at our regulations and would propose that the TFER be adopted by reference. This will include a significant number of regulations becoming less restrictive. Any regulations that are considered more restrictive due to this change will be a result of scientific evidence that is it needed based on public health significance. There are a number of neutral changes, or changes that would not significantly change the operation of an establishment. These changes are provided in the backup.

Public outreach included:

1. Meeting with the Chamber of Commerce to present the changes documents
2. Notification via mail to all permitted food establishments announcing the proposed food code changes, public meeting dates/time/place, and a link to the online proposed code, changes, and email address for comments
3. Three public meetings where each change was presented with time for Q&A
4. Online review and comment

In general, questions received during public outreach were focused on clarification of some of the new regulations. Quite frankly, many of the food establishments already follow the proposed rules simply because most restaurant chains will use the FDA food code as a standard. In fact, industry prefers for jurisdictions to use food codes based on the most recent FDA food code simply for consistency. I will review some of the ways the FDA, industry, and regulators actively work together on standardizing regulations during my presentation.

Should you have any questions prior to the presentation please feel free to contact me.