

4626.0400 3-501.17 READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD; DATE MARKING.*

A. Except as specified in item E, refrigerated, ready-to-eat potentially hazardous food prepared and held refrigerated for more than 24 hours in a food establishment shall be marked with the date of preparation to indicate the date by which the food shall be consumed, which is seven calendar days or less from the day of preparation, including the day of preparation, if the food is maintained at 5 degrees C (41 degrees F) or less.

B. Except as specified in item E, a ready-to-eat, potentially hazardous food prepared in a food establishment and subsequently frozen shall be clearly marked:

(1) when the food is thawed, to indicate that the food shall be consumed within 24 hours; or

(2) at both of the following times:

(a) when the food is placed into the freezer, to indicate the length of time before freezing that the food is held refrigerated, which is limited to seven calendar days or less from the day of preparation, including the day of preparation, if the food is maintained at 5 degrees C (41 degrees F) or less; and

(b) when the food is removed from the freezer, to indicate the date by which the food shall be consumed, which is seven calendar days or less after the food is removed from the freezer, minus the time before freezing that the food is held refrigerated if the food is maintained at 5 degrees C (41 degrees F) or less before and after freezing.

C. Except as specified in items E and F, a container of refrigerated, ready-to-eat potentially hazardous food prepared and packaged by a food processing plant shall be clearly marked at the time the original container is opened in a food establishment to indicate the date by which the food shall be consumed, which is seven calendar days or less after the original container is opened including the day the original container is opened, if the food is maintained at 5 degrees C (41 degrees F) or less.

D. Except as specified in items E and F, a container of refrigerated, ready-to-eat, potentially hazardous food prepared and packaged by a food processing plant and subsequently opened and frozen in a food establishment shall be clearly marked:

(1) when the food is thawed, to indicate that the food shall be consumed within 24 hours; or

(2) at both of the following times:

(a) to indicate the time between the opening of the original container and freezing that the food is held refrigerated, which is limited to seven calendar days or less after opening the original container, including the day the original container is opened, if the food is maintained at 5 degrees C (41 degrees F) or less; and

(b) when the food is removed from the freezer, to indicate the date by which the food shall be consumed, which is seven calendar days, minus the time before freezing that the food is held refrigerated if the food is maintained at 5 degrees C (41 degrees F) or less before and after freezing.

E. Items A to D do not apply to individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.

F. Items C and D do not apply to whole, unsliced portions of a cured and processed product with the original casing maintained on the remaining portion, including bologna, salami, or other sausage in a cellulose casing.

Statutory Authority: *MS s 31.101; 31.11; 144.05; 144.08; 144.12; 157.011*

History: *23 SR 519*

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