

(Effective until March 1, 2022.)

WAC 246-215-03200 Sources—Compliance with food law (2009 FDA Food Code 3-201.11). (1) FOOD must be obtained from sources that comply with LAW.

(2) FOOD prepared in a private home may not be used or offered for human consumption in a FOOD ESTABLISHMENT.

(3) PACKAGED FOOD must be labeled as specified under LAW, including chapter 69.04 RCW; 21 C.F.R. 101 Food Labeling; 9 C.F.R. 317 Labeling, Marking Devices, and Containers; 9 C.F.R. 381 Subpart N Labeling and Containers; and as specified under WAC 246-215-03265 and 246-215-03270.

(4) FISH, other than those specified under WAC 246-215-03425(2), that are intended for consumption in raw or undercooked form and allowed as specified under WAC 246-215-03400(4) may be offered for sale or service if they are obtained from a supplier that freezes the FISH as specified under WAC 246-215-03425; or if they are frozen on the PREMISES as specified under WAC 246-215-03425 and records are retained as specified under WAC 246-215-03430.

(5) WHOLE-MUSCLE, INTACT BEEF steaks that are intended for consumption in an undercooked form without a CONSUMER advisory as specified under WAC 246-215-03400(3) must be:

(a) Obtained from a FOOD PROCESSING PLANT that, upon request by the purchaser, PACKAGES the steaks and labels them, to indicate that the steaks meet the definition of WHOLE-MUSCLE, INTACT BEEF; or

(b) Deemed acceptable by the REGULATORY AUTHORITY based on other evidence, such as written buyer specifications or invoices, that indicates that the steaks meet the definition of WHOLE-MUSCLE, INTACT BEEF; and

(c) If individually cut in a FOOD ESTABLISHMENT:

(i) Cut from WHOLE-MUSCLE, INTACT BEEF that is labeled by a FOOD PROCESSING PLANT as specified in (a) of this subsection or identified as specified in (b) of this subsection;

(ii) Prepared so they remain intact; and

(iii) If PACKAGED for undercooking in a FOOD ESTABLISHMENT, labeled as specified in (a) of this subsection or identified as specified in (b) of this subsection.

(6) MEAT and POULTRY that is not a READY-TO-EAT FOOD and is in a PACKAGED form when it is offered for sale or otherwise offered for consumption, must be labeled to include safe handling instructions as specified in LAW, including 9 C.F.R. 317.2(I) and 9 C.F.R. 381.125(b).

(7) EGGS that have not been specifically treated to destroy all viable salmonellae must be labeled to include safe handling instructions as specified in LAW, including 21 C.F.R. 101.17(h).

[Statutory Authority: RCW 43.20.050 and 43.20.145. WSR 13-03-109, § 246-215-03200, filed 1/17/13, effective 5/1/13.]

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(2) FOOD prepared in a private home may not be used or offered for human consumption in a FOOD ESTABLISHMENT except as otherwise provided in this chapter.

(3) PACKAGED FOOD must be labeled as specified under LAW, including chapter 69.04 RCW; 21 C.F.R. 101 Food Labeling; 9 C.F.R. 317 Labeling, Marking Devices, and Containers; 9 C.F.R. 381 Subpart N Labeling and Containers; and as specified under WAC 246-215-03265 and 246-215-03270.

(4) FISH, other than those specified under WAC 246-215-03425 (2)(a) through (f), that are intended for consumption in raw or undercooked form and allowed as specified under WAC 246-215-03400(4) may be offered for sale or service if they are obtained from a supplier that freezes the FISH as specified under WAC 246-215-03425; or if they are frozen on the PREMISES as specified under WAC 246-215-03425 and records are retained as specified under WAC 246-215-03430.

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(7) EGGS that have not been specifically treated to destroy all viable *Salmonellae* must be labeled to include safe handling instructions as specified in LAW, including 21 C.F.R. 101.17(h).

[Statutory Authority: RCW 43.20.050 and 43.20.145. WSR 21-01-122, § 246-215-03200, filed 12/15/20, effective 3/1/22; WSR 13-03-109, § 246-215-03200, filed 1/17/13, effective 5/1/13.]