

**OREGON DEPARTMENT OF AGRICULTURE - FOOD SAFETY DIVISION
2005 FOOD CODE ADOPTION - SUMMARY OF NOTES FROM 12/11/07**

ITEM #	CODE SECTION	ODA COMMENTS
CHAPTER 1 - DEFINITIONS		
1	ACCERD PROG	PROPOSE TO ADOPT- NO OBJECTIONS.
2	ACTIVELY COOLED	DAVE MARTIN, DHS, STATED THAT THIS WAS ADDED BY DHS BECAUSE IT IS DIFFICULT FOR REGULATORS TO IDENTIFY COOLING VIOLATIONS SINCE MOST RESTAURANT INSPECTIONS DO NOT LAST 6 HOURS. THIS DEFINITION CLARIFIES THAT ACTIVE COOLING IS UNDER REFRIGERATION RATHER THAN ON THE COUNTERTOP AND THAT FOOD MUST BE ACTIVELY COOLED ONCE THE TEMPERATURE DROPS BELOW THE HOT HOLDING LIMIT (135 °F IN 2005 CODE). DHS ALSO ADDED THIS TERM TO 3-501.14 (A). PROPOSE TO NOT ADOPT – NO OBJECTIONS.
3	ASSEMBLY	(USED FOR MOBILE RULES.) PROPOSE TO ADOPT- NO OBJECTIONS.
4	ASYMPTOMIC	NOT NEEDED, DO NOT ADOPT.
5	BALUT	PROPOSE TO ADOPT- NO OBJECTIONS.
6	CATERING	DHS ADDED THIS DEFINITION BECAUSE IT HAS BEEN IN THEIR CODE IN THE PAST AND IT HELPS CLARIFY THIS ACTIVITY. IT ISN'T REFERRED TO ANYWHERE ELSE IN THE CODE. PROPOSE TO ADOPT- NO OBJECTIONS.
7	CFR	PROPOSE TO ADOPT- NO OBJECTIONS.
8	CFR/CIP	PROPOSE TO ADOPT- NO OBJECTIONS.
9	CLOSE	KEEP CURRENT DEFINITION, ANOTHER OREGON LAW ADDRESSES THIS
10	CONDTL EMPLO	NOT NEEDED, DO NOT ADOPT.
11	COUNTER EQUIP	PROPOSE TO ADOPT- NO OBJECTIONS.
12	DEALER	PROPOSE TO ADOPT- NO OBJECTIONS.
13	EGG	PROPOSE TO ADOPT- NO OBJECTIONS.
14	EGG PRODCT	PROPOSE TO ADOPT- NO OBJECTIONS.
15	EMPLOYEE	PROPOSE TO ADOPT- NO OBJECTIONS.
16	E-COLI	NOT NEEDED, DO NOT ADOPT.

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17	EXCLUDE	<p>IN MULTI DEPARTMENT FACILITIES (LIKE FRED MEYER) COULD THIS PERSON BE WORKING IN THE GARDEN DEPARTMENT? DISCUSSION- IT IS DIFFICULT TO DEFINE A NON-FOOD DEPARTMENT (MIGHT MEAN BEER/WINE SECTION) AND ILL EMPLOYEES MIGHT WALK THROUGH THE FOOD DEPARTMENTS AND WOULD STILL BE USING THE COMMON RESTROOM. THIS MAY ALSO BE AN ISSUE IF AN EMPLOYEE NEEDS TO BRING A DOCTOR'S NOTE TO WORK OR COME IN TO TALK TO A SUPERVISOR.</p> <p>PROPOSE TO ADOPT 2005 CODE LANGUAGE- NO OBJECTIONS.</p>
18	FOOD ESTABLISHMENT	KEEP CURRENT DEFINITION, ANOTHER OREGON LAW ADDRESSES THIS
19	FOOD PRCNG EST.	KEEP CURRENT DEFINITION, ANOTHER OREGON LAW ADDRESSES THIS
20	HNDWSHING SINK	PROPOSE TO ADOPT- NO OBJECTIONS.
21	HLTH PRACTNR	PROPOSE TO ADOPT- NO OBJECTIONS.
22	HIGHLY SUSCEPTIBLE POPULATIONS	<p>DHS DOESN'T REGULATE SCHOOLS AND NURSING HOMES, BUT THESE FACILITIES DO REFER TO DHS RULES.</p> <p>PROPOSE TO ADOPT - NO OBJECTIONS.</p>
23	JUICE	PROPOSE TO ADOPT- NO OBJECTIONS.
24	MAJ FD ALERGEN	PROPOSE TO ADOPT- NO OBJECTIONS.
25	MBLE FOOD UNIT	<p>DEFINITION WAS ADDED BY DHS BECAUSE THE MOBILE FOOD UNIT RULES WERE FOLDED INTO THEIR FOOD CODE.</p> <p>PROPOSE TO ADOPT- NO OBJECTIONS.</p>
26	POTENTIALLY HAZARDOUS FOOD/TIME CONTROLLED FOR SAFETY FOOD	<p>PROPOSE TO CHANGE PHF TO TCS. THIS CAME UP AS A CFP ISSUE- IFT TOOK A LOOK AT IT AND THEY SUGGESTED THIS NAME, AS IT IS MORE REFLECTIVE OF SOME ORGANISMS SUCH AS LISTERIA. SOME FOODS HAVE HISTORICALLY BEEN STORED OUT OF REFRIGERATION AND THE INTENTION OF THIS NEW DEFINITION IS NOT TO REEVALUATE ALL FOODS (LIKE BREAD) AND REQUIRE A PRODUCT ASSESSMENT ON EVERY SHELF STABLE PRODUCT. KATEY KENNEDY, FDA, STATED THAT THIS IS A TRAINING ISSUE FOR INSPECTORS AND IT IS DESIGNED FOR INDUSTRY SO IF THEY DON'T THINK THEY NEED TO REFRIGERATE A PRODUCT, IT PROVIDES SOME GUIDANCE.</p> <p>PROPOSE TO ADOPT- NO OBJECTIONS.</p>
27	POULTRY	PROPOSE TO ADOPT- NO OBJECTIONS.

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28	PREPERATION	(USED FOR MOBILE RULES.) PROPOSE TO ADOPT- NO OBJECTIONS.
29	RATITE	PROPOSE TO ADOPT- NO OBJECTIONS.
30	RAW TO FINISH	(USED FOR MOBILE RULES.) PROPOSE TO ADOPT- NO OBJECTIONS.
31	READY TO EAT	(ADDS MORE DETAIL.) PROPOSE TO ADOPT- NO OBJECTIONS.
32	R O P	ADDS LISTERIA AND OXYGEN CONTENT AT SEA LEVEL. PROPOSE TO ADOPT- NO OBJECTIONS.
33	COOK/CHILL	PROPOSE TO ADOPT – NO OBJECTIONS.
34	RE-SERVICE	PERTAINS TO HIGHLY SUSCEPTIBLE POPULATIONS. PROPOSE TO ADOPT – NO OBJECTIONS.
35	SHIGA TOXIN	NOT NEEDED, DO NOT ADOPT.
36	TRNSPRT VEHCL	PROPOSE TO ADOPT – NO OBJECTIONS.
37	UTENSIL	PROPOSE TO ADOPT – NO OBJECTIONS.
CHAPTER 2 - MANAGEMENT AND PERSONNEL		
38	2-101.11(B)	PROPOSE TO ADOPT – NO OBJECTIONS.
39	2-102.11(A)	PROPOSE TO ADOPT – NO OBJECTIONS.
40	2-102.11(C)(9)	DEMONSTRATION OF KNOWLEDGE AS IT RELATES TO MAJOR FOOD ALLERGENS. PROPOSE TO ADOPT 2005 LANGUAGE – NO OBJECTIONS.
41	2-102.11(C)(17)	THIS IS A PROBLEM BECAUSE WE DON'T HAVE CONDITIONAL EMPLOYEE DEFINED. 2-201.14 REPLACES "CONDITIONAL EMPLOYEE" WITH "APPLICANT" AS IS STATED IN 2-201.14 OF DHS'S CODE. OR, WE CAN ADD THIS TO 2-102.11 C (2). PROPOSE THAT 2-102.11(C) (17) READS "PERSON IN CHARGE AND FOOD EMPLOYEES" IN PLACE OF "PERSON IN CHARGE, FOOD EMPLOYEES, AND CONDITIONAL EMPLOYEES". ALSO, THE WORD "APPLICANT" NEEDS TO BE REMOVED FROM THE HEADER OF 2-201.14 (FROM DHS RULES). NO OBJECTIONS.
42	2-102.20	PROPOSE TO ADOPT 2005 LANGUAGE WITH THE ADDITION OF OTHER OREGON APPROVED CERTIFICATION PROGRAMS.
43	2-103.11 (H)	WE DO NEED 2-103.11(B) AS THIS IS NOT COVERED ELSEWHERE.
44	2-103.11 (K)	PROPOSE TO ADOPT 2005 LANGUAGE, EXCEPT DELETE "CONDITIONAL
45	2-103.11 (M)	EMPLOYEES" FROM (M). ONLY 2-103.11(B) WILL APPEAR AS A VIOLATION. NO OBJECTIONS.

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ITEM #	CODE SECTION	ODA COMMENTS
46 47 48	2-201.11 2-201.12 2-201.13	<p>EMPLOYEE HEALTH - DHS FOUND THE FDA LANGUAGE DIFFICULT TO IMPLEMENT AND THERE WAS SOME CONFUSION WITH THE EPIDEMIOLOGICAL RULES BECAUSE THE TWO DON'T TOTALLY MATCH. DHS'S NEW RULE MAINTAINS THE INTENT OF THE FDA LANGUAGE WHILE ELIMINATING CONFLICT BETWEEN THE FDA AND EPIDEMIOLOGY'S LANGUAGE. ALSO, 201.13 (B)(1)(A) SHOULD SAY, "IS FREE OF THE SYMPTOMS SPECIFIED UNDER 2-201.12(B)" RATHER THAN "2-201.11(B)". ADAM JOHNSON, ALBERTSONS, NOTED THAT IN 2-201.12, DIARRHEA AND VOMITING ARE RESTRICTED SYMPTOMS AND IN THE EPIDEMIOLOGY RULES THIS IS EXCLUSION. DAVE MARTIN, DHS, WILL DISCUSS THIS WITH EPIDEMIOLOGY BEFORE THE NEXT FOOD CODE MEETING.</p> <p>PROPOSAL: ADOPT 2-201.12 AS DHS HAS DONE BUT RATHER THAN MAKE REFERENCE TO THEIR OAR, INSERT THE 333-019-0010 LANGUAGE AND LEAVE OFF ANY ILLNESS ACCOMPANIED BY DIARRHEA OR VOMITING AND ADD NOROVIRUS. DHS DELETED 2-201.11 AND ADDED 2-201.14 AND 2-201.15. THE SENTENCE STRUCTURE OF 333 WILL BE REVIEWED PRIOR TO INSERTIONS. NO OBJECTIONS TO THIS PROPOSAL. SEE MEETING NOTES FOR 1-29-08.</p>
49	2-301.12	<p>PROVIDES MORE DETAIL INCLUDES PROSTHETIC DEVICES. PROPOSE TO ADOPT 2005 LANGUAGE – NO OBJECTIONS.</p>
50	2-301.13	<p>PROPOSE TO DELETE THIS DOUBLE HAND WASHING SECTION BECAUSE IT IS ALREADY UNDER 3-301.11(6) (A)- NO OBJECTIONS.</p>
51	2-301.14(H)	<p>HAND WASHING IS NOT REQUIRED WHEN CHANGING TASKS. WHAT IS A DIFFERENT TASK? ONE CUSTOMER MIGHT WANT ROAST BEEF AND ONE MIGHT WANT HAM OR CHEESE – IS THIS CHANGING TASK? IT NEEDS TO BE CLEAR THAT GLOVE CHANGES ARE ONLY REQUIRED WHEN CONTAMINATION HAS OCCURRED.</p> <p>TABLED FOR MORE DISCUSSION. ON 1-29-08 PROPOSE TO ADOPT 2005 LANGUAGE- NO OBJECTIONS IF WE CAN ADD LANGUAGE THAT CLARIFIES WHAT IT MEANS TO CHANGE TASKS. ADAM JOHNSON, ALBERTSONS, SUGGESTED THAT EVERYONE SUBMIT SUGGESTIONS TO HELP CLARIFY SECTION (H).</p>
52	2-301.16	<p>PROPOSE TO ADOPT- NO OBJECTIONS.</p>

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ITEM #	CODE SECTION	ODA COMMENTS
53	2-303.11	
CHAPTER 3 - FOOD		
54	3-201.11(B)	PROPOSE TO CURENT FOOD CODE LANGUAGE- NO OBJECTIONS.
55	3-201.11 (E)(1)	PROPOSE TO ADOPT- NO OBJECTIONS.
56	3-201.11 (E)(2)	PROPOSE TO ADOPT- NO OBJECTIONS.
57	3-201.11(G)	PROPOSE TO ADOPT- NO OBJECTIONS.
58	3-201.11 (H)	PROPOSE TO ADOPT- NO OBJECTIONS.
59	3-201.11(J)	PROPOSE TO ADOPT- NO OBJECTIONS.
60	3-201.16	QUESTION HAS BEEN ABOUT WHAT IS AN "APPROVED MUSHROOM IDENTIFICATION EXPERT" AND WHERE DO YOU FIND THEM? IN THE FOOD CODE ANNEX THERE ARE SOME UPDATES THAT REPLACE THIS PHRASE WITH "WRITTEN BUYER SPECIFICATIONS". USE OF WILD MUSHROOMS IS NOT MUCH OF AN ISSUE IN OUR FACILITIES. ELLEN LAYMON, ODA, WILL CHECK WITH OTHER JURISDICTIONS TO SEE WHAT LANGUAGE THEY ARE USING. ODA WILL LOOK AT THE OPTIONS AND FORM A PROPOSAL - NO OBJECTIONS.
61	3-202.11 (C)	PROPOSE TO ADOPT- NO OBJECTIONS.
62	3-202.13	PROPOSE TO ADOPT- NO OBJECTIONS.
63	3-202.14	TABLED FOR MORE DISCUSSION
64	3-202.16	PROPOSE TO CURENT FOOD CODE LANGUAGE- NO OBJECTIONS.
65	3-202.18(A)	PROPOSE TO ADOPT- NO OBJECTIONS.
66	3-202.18 (A)(1)	PROPOSE TO ADOPT- NO OBJECTIONS.
67	3-202.18(2)(C)	LANGUAGE CHANGE ALLOWS HARVESTER TAGS TO GO FORWARD THROUGH DISTRIBUTION TO THE RETAILER AS LONG AS THERE IS A PLACE FOR THE DEALER INFO (IN OREGON, THE HARVESTER CANNOT SELL DIRECTLY TO THE RETAILER- THEY MUST GO THROUGH A SHELLFISH SHIPPER WHICH IS THE DEALER).
68	3-202.18(D)	PROPOSE TO ADOPT 2005 LANGUAGE- NO OBJECTIONS.

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69	3-203.11(A)	PROPOSE TO ADOPT- NO OBJECTIONS.
70	3-203.11 (B)	PROPOSE TO ADOPT- NO OBJECTIONS.
71	3-203.11(D)	SHUCKED SHELLFISH ARE ALLOWED TO BE REPACKAGED IF ALL SPECIFIED INFORMATION IS KEPT ON FILE AND PROVIDED. SOME MANUFACTURERS ARE SUPPLYING ADDITIONAL TAGS TO MAKE IT EASIER TO KEEP ADEQUATE RECORDS. PROPOSE TO ADOPT- NO OBJECTIONS.
72	3-203.12(C)(2)(A-B)	PROPOSE TO ADOPT- NO OBJECTIONS.
73	3-301.11	NO BARE HAND CONTACT OF READY TO EAT FOODS. NO OBJECTION TO THE 2005 LANGUAGE, BUT WE WOULD LIKE TO CHECK IN WITH NWGA. PROPOSE TO REMOVE (C) REGARDING MINIMIZING CONTACT FOR NON-READY TO EAT FOODS. IF WE KEEP THE VARIANCE SECTION, WE WILL DISCUSS INCLUDING A VARIANCE FOR LOW RISK ACTIVITIES. WE WOULD NEED TO REMOVE REFERENCE TO “CONDITIONAL EMPLOYEES” FOUND IN 3-301.11(3)(A) AND 3-301.11(3)(B). PROPOSE TO TABLE UNTIL THE NEXT MEETING- NO OBJECTIONS. ON 1-29-08 SHAWN MILLER, NW GROCERS ASSOCIATION, REPORTED THAT HE SENT A MEMO TO MEMBERS WITH AN EXPLANATION OF THE NO BARE HAND CONTACT PROPOSAL AND INFORMATION REGARDING NOROVIRUS - ALL OF THE RESPONSES WERE IN FAVOR OF THE PROPOSAL TO ADOPT THIS SECTION AND MANY SAID THEY ALREADY PRACTICE NO BARE HAND CONTACT. THE MEMBERS DID WANT TO CLARIFY IF THERE ARE ANY CHANGES TO THE READY TO EAT DEFINITION WHICH THE GROUP CONFIRMED THERE ARE NOT. PROPOSE TO ADOPT - NO OBJECTIONS

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74	3-302.11 (A)(2)(D)	<p>THIS SECTION WAS ADDED BY DHS FOR UNPACKAGED MEATS IN THE WALK IN COOLER TO FURTHER CLARIFY (B) WHICH COVERS CROSS CONTAMINATION. STEVE RAMSEY, SAFEWAY, SAID THIS WOULD BE A CHANGE FOR SAFEWAY AND ASKED WHAT ABOUT FROZEN MEAT? ALSO, IN A DISPLAY CASE, WHEN PULLING UNPACKAGED MEAT FROM THE FRONT OF THE CASE TO THE BACK OF THE CASE, IS IT OKAY TO DRIP OVER MEAT ON THE WAY OUT OF THE CASE? IT WAS ALSO RECOMMENDED THAT (D) SAY "UNPACKAGED". VANCE BYBEE, ODA ADMINISTRATOR, SAID (D) IS IN THE WRONG PLACE. IT WOULD BE BETTER AS A NUMBERED PARAGRAPH OR AS 2(B)(1). THE LIST UNDER (A) "FOOD SHALL BE PROTECTED FROM CROSS CONTAMINATION BY:" ENDS WITH "AND" (AFTER (7)) WHICH MEANS WHERE APPLICABLE YOU HAVE TO DO ALL OF THESE THINGS, OTHERWISE IT WOULD SAY "OR". ADAM JOHNSON, ALBERTSONS, RECOMMENDED THAT WE LEAVE (D) OUT AS IT WAS DEVELOPED FOR A DIFFERENT INDUSTRY AND IS NOT PART OF THE 2005 FOOD CODE.</p> <p>PROPOSE TO LEAVE (D) OUT – NO OBJECTIONS.</p>
75	3-302.11(A)(4)	<p>INDUSTRY FEELS PACKAGING IS ADEQUATE PROTECTION EVEN IF IT IS LEAKING ONTO ANOTHER PACKAGE AS LONG AS THE PACKAGE IT IS LEAKING ONTO IS INTACT. THIS IS IN CONFLICT WITH FDA'S GUIDANCE IN THE FOOD CODE ANNEX. KATEY KENNEDY, FDA- IF THE PACKAGE HAS OBVIOUSLY FAILED, DO WE HAVE A MECHANISM FOR DEALING WITH THE CONTAMINATION ON ANOTHER PACKAGE? SHOULD WE ADD SOMETHING ABOUT PACKAGING COULD BE DAMAGED AND IT IS NOT ENOUGH IN OF ITS OWN TO PROTECT THE FOODS? FDA WANTS SEPARATION OF THE PRODUCT IN ADDITION TO THE PACKAGING.</p> <p>ODA WILL DECIDE IF FURTHER SEPARATION IS NEEDED AND WILL PROPOSE HOW TO HANDLE THIS</p>
76	3-302.12	PROPOSE TO ADOPT- NO OBJECTIONS.
77	3-302.13	PROPOSE TO ADOPT- NO OBJECTIONS.
78	3-304.11	PROPOSE TO ADOPT- NO OBJECTIONS.

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ITEM #	CODE SECTION	ODA COMMENTS
79	3-304.14	STORING SANITIZER BUCKETS OFF OF THE FLOOR. KATEY KENNEDY, FDA, HAS NOT GOTTEN A CLEAR EXPLANATION ON THIS ONE. NEEDS FURTHER DISCUSSION. ON 1-29-08 ADAM JOHNSON, ALBERTSONS, STATED THAT ENFORCEMENT IN THE PAST HAS BEEN TO NOT ALLOW BUCKETS OF SANITIZER ON THE COUNTER NEXT TO THE SLICER OR OTHER WORK SURFACES. PROPOSE TO ADOPT 2005 LANGUAGE AND TRAIN INSPECTORS THAT STORING THE SANITIZER CONTAINER ON THE COUNTER OR SHELF IS NOT A VIOLATION – NO OBJECTIONS.
80	3-4011.(B)	PROPOSE TO ADOPT- NO OBJECTIONS.
81	3-402.11(A)(3)	PROPOSE TO ADOPT- NO OBJECTIONS.
82	3-402.11(B)(3)	PROPOSE TO ADOPT- NO OBJECTIONS.
83	3-402.12	PROPOSE TO ADOPT- NO OBJECTIONS.
84	3-403.11 (D)	PROPOSE TO ADOPT- NO OBJECTIONS.
85	3-403.11(E)	PROPOSE TO ADOPT- NO OBJECTIONS.
86	3-404.11	THIS IS A HACCP REQUIREMENT FOR PACKAGED JUICE TO HAVE A 5 LOG REDUCTION OR BE LABELED WITH A WARNING STATEMENT. CAROLYN RAAB, OSU EXTENSION COMMENTED THAT PREGNANT WOMEN ARE NOT INCLUDED IN THE WARNING STATEMENT. ODA WILL CHECK WITH CFSAN REGARDING THIS OMISSION. PROPOSE TO ADOPT 2005 LANGUAGE- NO OBJECTIONS.
87	3-501.13	PROPOSE TO ADOPT- NO OBJECTIONS.
88	3-501.14(A)	PROPOSE TO ADOPT- NO OBJECTIONS.
89	3-501.14(D)	PROPOSE TO ADOPT- NO OBJECTIONS.
90	3-501.16(A)(1)	PROPOSE TO ADOPT- NO OBJECTIONS.
91	3-501.16 (B)	PROPOSE TO ADOPT- NO OBJECTIONS.

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ITEM #	CODE SECTION	ODA COMMENTS
92	3-501.17(D)	ALLOWS MORE FLEXIBILITY IN DATE MARKING. STEVE RAMSEY, SAFEWAY, AND ADAM JOHNSON, ALBERTSONS, ASKED IF DATE MARKING WILL REMAIN A CRITICAL VIOLATION? KATEY KENNEDY, FDA - THE CRITICALITY OF THIS VIOLATION WILL COME FORWARD AGAIN AT CFP THIS YEAR. PROPOSE TO ADOPT 2005 LANGUAGE (ADOPT (D) AND DELETE (C)) - NO OBJECTIONS.
93	3-501.17(C)	
94	3-501.18(A)	PROPOSE TO ADOPT- NO OBJECTIONS.
95	3-501.18(B)	PROPOSE TO ADOPT- NO OBJECTIONS.
96	3-501.19(A)	PROPOSE TO ADOPT- NO OBJECTIONS.
97	3-501.19(B)	NEW LANGUAGE ALLOWS 6 HOURS OUT OF TEMPERATURE CONTROL WITH CERTAIN RESTRICTIONS. THERE ARE DIFFERENT ORGANISMS OF CONCERN DEPENDING ON WHERE YOU ARE ON THE GROWTH CURVE. LISTERIA IS THE CONCERN AT COLDER TEMPERATURES AND IT GROWS SLOWLY AND C. PERFRINGENS IS THE CONCERN AT WARMER TEMPERATURES AND IT GROWS RAPIDLY. PROPOSE TO ADOPT 2005 LANGUAGE- NO OBJECTIONS.
98	3-501.19(C)	
99	3-502.11	SEE MEETING NOTES FOR 1-29-08: ODA WILL DISCUSS AND COMMUNICATE THEIR POSITION TO THE GROUP AT A LATER DATE.

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100	3-502.12	SEE MEETING NOTES FOR 1-29-08. ODA WILL FURTHER REVIEW - TABLED.
101	3-502.13	DELETE CURRENT FOOD CODE LANGUAGE - NO OBJECTIONS
102	3-602.11 (B)(5)	ALLERGEN LABELING. PROPOSE TO ADOPT- NO OBJECTIONS. WOULD LIKE TO HAVE TRAINING FOR INDUSTRY.
103	3-602.11 (B)(7)	ALTHOUGH THIS IS NOT A FOOD SAFETY ISSUE, IT IS IN THE CFRS WHICH IS WHY IT IS INCLUDED IN THE FOOD CODE. WE THINK THIS MEANS THAT "CANTHAXANTHIN" WOULD HAVE TO BE ON THE LABEL IN ADDITION TO "COLOR ADDED". KATEY WILL CHECK ON THE MEANING. THE CUSTOMERS WON'T KNOW WHAT CANTHAXANTHIN IS. PROPOSE TO ADOPT 2005 LANGUAGE IF "COLOR ADDED" IS ADEQUATE AND "CANTHAXANTHIN" DOES NOT HAVE TO BE USED. ALSO PROPOSE TO ADD THE CFR LANGUAGE TO THE DEFINITION FOR ADDITIVE - NO OBJECTIONS.
104	3-603.11	TO SUSHI AND OYSTERS SOLD THROUGH THE SEAFOOD CASE (ALTHOUGH OYSTERS HAS BEEN REMOVED AS AN ISSUE IF THEY ARE NOT ADVERTISED FOR RAW CONSUMPTION). DAVE MARTIN, DHS, DOESN'T FEEL THAT ODA'S ADOPTION OF CONSUMER ADVISORIES WOULD CAUSE A PROBLEM WITH THE RESTAURANT INDUSTRY. PROPOSE TO ADOPT - NO OBJECTIONS.
105	SECTION 3-8	ADOPT THIS SECTION WITH THE 2005 FOOD CODE - NO OBJECTIONS

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CHAPTER 4 - EQUIPMENT, UTENSILS AND LINENS		
106	4-103.13	PROPOSE TO ADOPT- NO OBJECTIONS.
107	4-203.13	PROPOSE TO ADOPT- NO OBJECTIONS.
108	4-204.13	PROPOSE TO ADOPT- NO OBJECTIONS.
109	4-204.122	PROPOSE TO ADOPT- NO OBJECTIONS.
110 111 112	4-301.12(C) (5) 4-301 12(D) 4-301 12(E)	ALLOWS FOR NON-PLUMBED CONTAINERS TO BE USED IN THREE-STEP DISHWASHING. ALLOWS FOR A TWO -COMPARTMENT SINK. PROPOSE TO ADOPT 2005 LANGUAGE AND ADD SOMETHING SIMILAR TO 4-301.12 (C)(7) IN ODA'S CURRENT CODE, "MECHANICAL WAREWASHING EQUIPMENT", SO THAT A FACILITY CAN HAVE A DISHWASHER OR A THREE-COMPARTMENT SINK RATHER THAN BEING REQUIRED TO HAVE A THREE-COMPARTMENT SINK AND A DISHWASHER - NO OBJECTIONS.
113	4-402.11	PROPOSE TO ADOPT- NO OBJECTIONS.
114	4-501.113	PROPOSE TO ADOPT- NO OBJECTIONS.
115	4-501.114	PROPOSE TO ADOPT- NO OBJECTIONS.
116	4-501.115	ADOPT THIS SECTION WITH THE 2005 FOOD CODE - No OBJECTIONS
117	4-901.11	PROPOSE TO ADOPT- NO OBJECTIONS.
118	4-902.11	PROPOSE TO ADOPT- NO OBJECTIONS.
CHAPTER 5 - WATER, PLUMBING AND WASTE		
119	5-104.12	(USED FOR MOBILE RULES.) PROPOSE TO ADOPT- NO OBJECTIONS.
120	5-402.11(A)	PROPOSE TO ADOPT- NO OBJECTIONS.
121	5-402.11 (B)	PROPOSE TO ADOPT- NO OBJECTIONS.
122	5-501.14	PROPOSE TO ADOPT- NO OBJECTIONS.
CHAPTER 6 - PHYSICAL FACILITIES - (NO CHANGES)		
CHAPTER 7 - POISONOUS OR TOXIC MATERIALS		

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123	7-204.11	PROPOSE TO ADOPT- NO OBJECTIONS.
CHAPTER 8 - COMPLIANCE AND ENFORCEMENT		
124	8-301.11	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
125	8-302.11	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
126	8-302.13	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
127	8-302.14	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
128	8-303.20	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
129	8-304.11(D)	PROPOSE TO ADOPT- NO OBJECTIONS.
130	8-304.11(E)	REFERENCES 8-404.11 WHICH WE ARE NOT INCLUDING BECAUSE THIS INFO IS IN STATUTE. PROPOSE ADDING A PERIOD AFTER "EXIST" AND LINE OUT "AS SPECIFIED UNDER 8-404.11". DELETE (F) SINCE IT IS ALREADY SPECIFIED IN STATUTE. NO OBJECTIONS.
131	8-304.11(F)	PROPOSE TO ADOPT- NO OBJECTIONS.
132	8-304.11(K)	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
133	8-304.20	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
134	SECTION 8-4	DO NOT ADOPT - ADDRESSED IN OREGON STATUE
135	8-501.40	PROPOSE TO ADOPT- NO OBJECTIONS.