



Pennsylvania Department of Agriculture

December 10, 2024

Dear Food Facility Operator:

On November 4, 2024, the U.S. Food and Drug Administration (FDA) announced the release of the Supplement to the 2022 edition of the FDA Food Code. Under 7 Pa. Code, Chapter 46, the Commonwealth adopts the current, and subsequent versions of the FDA Model Food Code as its regulations.

Changes to the regulations are communicated to facilities as food inspectors conduct inspections, and through our partner trade associations. Department staff will continue to provide educational material and handouts. As done with past practice, until January 1, 2026, the Department will not cite violations nor conduct enforcement relative to the new provisions.

This summary provides a synopsis of the changes made from the 2022 FDA Food Code and the Supplement to the 2022 Food Code edition. The primary focus of this document is to capture the intent of the major changes rather than to identify every word or editing change. This record should not be relied upon as an absolute comparison that identifies every change.

Changes to the 2022 Food Code include the following:

Chapter 1 - Purpose and Definitions

- Added a new defined term ACTIVE MANAGERIAL CONTROL to clarify and provide consistency in application and understanding of the term.
- Added a new defined term DISINFECTION to make clear its distinction from sanitizers.
- Added a new defined term FOOD SAFETY MANAGEMENT SYSTEM that promotes a preventative strategy that can help manage and control factors that can contribute to foodborne illness.

Chapter 2 Management and Personnel

- **2-102.11** Amended to include an additional area of knowledge of food defense.
- **2-103.11** Added new paragraph that addresses employee training on food defense.
- **2-201.13** Amended to revise the requirement for “2 consecutive negative stool culture tests” with the requirement for “2 consecutive negative laboratory test results from a validated test, using a laboratory accredited or certified to handle clinical specimens”. ** Note-This change adds lab methods for reinstating ill food employees. It replaces mandatory use of stool cultures and allows for additionally using culture-independent diagnostic test (CIDTs) results such as molecular or enzyme-based methods for reinstating ill food employees.

Chapter 3 Food

- **3-304.17** Amended to clarify when containers may be refilled with food by a food employee or consumer and clarify how containers may be refilled with food to prevent contamination of the food and premise.
- **3-305.12** Amended to align with 2024 International Fire Code requirements and new defined term WATER-BASED FIRE PROTECTION SYSTEMS.

Chapter 4 Equipment, Utensils, and Linens

- **4-302.14** Amended to add in testing kits or other devices to measure disinfecting solution.
- **4-501.116** Amended to include the term “DISINFECTANT” and to indicate when a test kit is used to determine the concentration of a SANITIZING solution, it shall be used in accordance with the manufacturer’s label instructions.



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Chapter 8 Compliance and Enforcement

- **8-201.15** Added new section titled When a Food Safety Management System is Required to establish requirements for a FOOD SAFETY MANAGEMENT SYSTEM.

Annex 2 – References, Supporting Documents:

- **AA.** Guidance for Retail Food Establishments in Developing their Food Safety Management Systems.
- **BB.** Major Food Allergen Framework.
- **CC.** Guidance for Safe Use of Reusable Containers.
- **DD.** Guidance Document for Retail Sushi HACCP Standardization.

Annex 3 – Public Health Reasons

- **2-102.10** Replaced the term “American National Standards Institute (ANSI)” with new name “ANSI National Accreditation Board (ANAB)”
- **2-301.16** Amended to clarify the intent of hand antiseptics.
- **2-501.11** Amended to include reference to EPA-registered DISINFECTANTS.
- **3-301.11** Amended to introduce additional control measures, describing what a double handwash is and to include information on fingernail brushes.
- **3-305.12** Amended to add pipes, tubes, and hoses to be inclusive of all water carrying piping and correlates to health and plumbing codes.

Annex 6 Food Processing Criteria

- Added new Section 4 Acidification (Sushi Rice) to include further explanation in critical limits associated with sushi rice.

Please refer to the [FDA Supplement to the 2022 Food Code](#) for a complete list of revisions.

At this time the provisions outlined in the Food Employee Certification Act with respect to Food Protection Manager Certification requirements remain as written and the Department is in the process of promulgating regulations to reflect the 2017 FDA Food Code changes. For reference, the original release of the 2017 FDA Food Code on February 12, 2018, revised Sections 2-102.12(A) and 2-102.20(B) requiring the Person in Charge (PIC) to be a Certified Food Protection Manager (CFPM). Further details will be provided by the Department to affected retail food facilities prior to any regulatory changes taking effect.

Please contact the Bureau of Food Safety at the Pennsylvania Department of Agriculture at 717-787-4315 with any questions you have about the changes.

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Bureau of Food Safety & Laboratory Services