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**Health Inspection Program**

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December 27, 2017

To: Eating Establishment Licensees

Re: Policy Change to the 2013 Maine Food Code, section 3-502.12 Reduced Oxygen Packaging

Dear Licensee:

The Department of Health and Human Services has become aware that the 2013 FDA Food Code has relaxed some of the storage time and temperature requirements for section 3-502.12 Reduced Oxygen Packaging (ROP) without a variance. The current 2013 Maine Food Code section 3-502.12 would require an establishment to apply for a variance if they wanted to follow these updated requirements. The 2013 Maine Food Code is based on the 2009 FDA Food Code and 2011 Supplement.

Significant changes in the 2013 FDA Food Code for section 3-502.12 are:

- A HACCP plan is not required for foods placed in ROP and subsequently removed from ROP within 48 hours provided these foods are labeled with the production date and time and held at 41 F or lower during storage.
- The shelf life on ROP foods without a variance (at 41F) has been extended from 14 days to 30 days.
- Cook chill and sous vide foods may be held for 7 days at 41F after cooling to 41F.

After reviewing the 2013 FDA Food Code section 3-502.12, the Department approves of the above changes to the 2013 Maine Food Code effective immediately. Should you have any questions regarding these changes, please contact your district health inspector or our offices at 207-287-5671.

Sincerely,

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