A food service establishment that conducts a specialized food process, as described in Section 81.06 of the New York City Health Code, must submit a Hazard Analysis Critical Control Point (HACCP) plan ("Plan") to the New York City Department of Health and Mental Hygiene (the "Department") for approval.

Specialized Processes are methods of processing food which have increased risk of foodborne illness. Specialized processes include but are not limited to:

- Reduced Oxygen Packaging (Sous Vide, Cook-Chill, Vacuum Packing)
- Curing of fish, aquatic animals, meat, and poultry<sup>i</sup>.
- Drying of Meat and Poultry
- Fermentation of foods that require refrigeration for safety or time/temperature control for safety (TCS) foods including sausages,
- Processing food in ways not specified in the health code.

Specialized processes all require a HACCP Plan approved by the Department of Health and Mental Hygiene.

Any food process that requires a HACCP plan must be prepared and consumed on the premises of the food service establishment, or off premises only if the establishment is properly permitted and wholly owned and operated by the same business entity as the food service establishment. No food products processed under a HACCP plan can be sold or distributed to any other business entities or sold packaged to consumers<sup>ii</sup>.

A HACCP Plan is a written document that outlines the principles or steps for identifying and controlling food safety hazards likely to cause illness or injury to a customer if certain controls are not put in place. These principles, or steps were developed by The National Advisory Committee on Microbiological Criteria for Foods. The Plan provides for a systematic approach to food safety and embodies seven principles aimed at reducing food safety hazards to a safe level by initiating corrective actions when any deviation from the Plan occurs.

A food service establishment may conduct more than one specialized process simultaneously, in which case each process will require its own Plan. If only one specialized process is being conducted, only one Plan is required. If preferred, the Plan may be organized by types or categories of food or by process. The process approach can best be described as dividing the many food flows into broad categories or groups based on the steps in the flow of food, then analyzing the hazards, and placing the appropriate controls on each grouping.

If you have questions at any point, please call (212) 646-1600 and ask to speak to a member of the HACCP Plan Review Team or send email to <a href="mailto:infobfscs@health.nyc.gov">infobfscs@health.nyc.gov</a> with subject 'HACCP Plan Review'.

A complete submission must include each of the following items.

#### 1. Business/ Establishment Information:

- a. Entity's Legal Business name, as it appears on the New York State Certificate of Authority and the New York City Department of Health Permit.
- b. Record/permit number. Permit must be current and valid.
- c. Complete establishment address.
- d. Name, email address, and phone number of primary contact or permit holder.
- e. Name, email address, and phone number of Plans author.
- f. Affidavit Granting Authority to Act or Power of Attorney, naming permit holder's representative if permit holder is not self-representing before the Department.
- g. Copy of government issued photo identification of permit holder, owner, shareholder, or partner.
- h. Copy of government issued photo identification of permit holder's authorized representative.
- 2. HACCP Team: Individuals responsible for developing and implementing the HACCP Plan. The team should possess adequate technical knowledge to identify relevant hazards and appropriate controls. A HACCP Team leader responsible for plan implementation and verification must be identified and the team should also include members with sufficient practical knowledge of the process to advise on the feasibility of implementing such controls.
  - a. Listing of the HACCP Team members and their assigned responsibilities.
  - b. Name, title, and business contact information, including telephone number and email address of Plan's author.
  - c. Name, title, food protection certificate number and business contact information, including telephone number and email address of HACCP Team Leader.
  - d. Name, title, and food protection certificate numbers of other HACCP team members.

#### 3. Intent of HACCP Plan:

a. The purpose of the Plan is clearly stated. Example: On-site use of Reduced Oxygen Packaging (ROP) and sous vide chicken parts.

- 4. **Menu/Recipes:** Identifies all the ingredients and raw materials used in the preparation of the food item(s) and includes a copy of the menu.
  - a. Copy of the menu
- 5. **Food Flow Diagram:** Clearly illustrates the entire food process and provides a clear and concise understanding for all employees implementing the Plan. Food Flow Diagram shows the process flow of the food, from incoming materials to service.
  - a. Complete Food Flow Diagram listing each process step and indicating which have been identified as a Critical Control Point (CCP) by the hazard analysis.
- 6. Hazard Analysis: The hazard analysis must identify any potential hazards associated with the food product(s) or the process. These risks include biological, chemical, and physical hazards. Biological hazards are hazards produced by an organism and include bacteria, viruses, parasites, mold, etc. Chemical hazards include cleaning products, pesticides, and other pest control substances. Physical hazards pertain to instances of foreign objects being introduced into a food product such as metal, or natural physical hazards such as bones.
  - a. Identify biological, chemical, or physical hazards.
  - b. Provide control measures, e.g., cooking ground chicken to 165° F without interruption of the cooking process.
  - c. Establish critical limit(s) for each CCP. Critical limits are the parameters that must be achieved to control a food safety hazard. Critical limits are measurable, observable, and verifiable.
- 7. **Determine Critical Control Points (CCP):** Critical control points may be located at any stage in the food production/preparation process and are crucial at preventing a food safety hazard. CCPs are points in the process where control can be applied to prevent, eliminate, mitigate, or reduce food safety hazards to acceptable standards. CCPs may include, but are not limited to receiving, cold holding, hot holding, pH, water Activity (Aw), cooking and labelling. For example, the CCP in the processing/preparation of chicken breast might be the cooking step.
  - a. All process steps determined to be CCPs are clearly identified as such in the Food Flow Diagram, Hazard Analysis, and CCP Chart.
- 8. **Setting Critical Limits:** A critical limit is a maximum and/or minimum value to which a biological, chemical, or physical parameter must be controlled at a CCP to prevent, eliminate, or reduce to an acceptable level the occurrence of a food safety hazard. It is a standard that must be met to ensure that a health hazard does not occur at a Critical Control Point. For example, a Critical Limit at the cooking CCP would be cooking to a minimum specific internal temperature for a

minimum amount of time. For example: The critical limits for controlling Salmonella in chicken pieces at the cooking step (CCP) could be 165° F for 15 seconds. Both the time and temperature are critical limits, and both must be achieved.

- a. All critical limits are measurable or observable and clearly stated.
- 9. Establish Monitoring procedures: Monitoring is a planned sequence of observations or measurements to assess whether a CCP is under control and the critical limit is continuously achieved, and it produces an accurate record for future use in verification. Monitoring results should be recorded and compared with the critical limits to determine whether a corrective action should be taken.
  - a. Monitoring can be done by using physical, chemical, or microbiological methods, depending on the type of CCP and the hazard. For example, one can use thermometers, timers, pH meters, or test kits to monitor CCPs. Example: The best way to monitor the chicken is to use a cleaned and sanitized probe thermometer to record the temperature at the thickest part of the chicken breast. Each piece of chicken must meet the minimum internal temperature of 165° F for 15 seconds.
  - b. Plan includes list of procedures and frequency that will be used to monitor CCPs.
- 10. Establish Corrective Actions: A set of predetermined actions, documented in the HACCP plan, that should be taken when any deviation from a critical limit or failure to meet any associated regulatory requirement occurs. Corrective actions are based on the established critical control points and critical limits. Example, under certain conditions, reheating foods to the correct temperature after they drop below the required temperature is an appropriate corrective action.
  - a. All corrective actions to be followed in response to a deviation from a critical limit have been listed in the Plan.
- 11. **Establish Verification Procedures:** As defined by the FDA, verification means confirmation by examination and provision of objective evidence that specified requirements have been fulfilled. HACCP verification is further defined as those activities, other than monitoring, that establish the validity of the HACCP Plan and ensure that the HACCP system is operating according to the Plan. Verification is the process of checking using defined methods, procedures, tests, and other evaluations, in addition to monitoring, to determine compliance with the HACCP plan. Verification confirms that the HACCP plan if followed will produce safe food. The process of verification has three key components that must be represented in the HACCP Plan:
  - a. Validation Will the HACCP Plan ensure that safe food will be produced?
  - b. Verification Is the HACCP Plan working, is it producing safe food?
  - c. Review Is the HACCP Plan up to date?

- 12. **Record-keeping and Documentation Procedures:** HACCP plans require extensive documentation. Every monitoring, revision, deviation, corrective action record, sampling system, layout, employee training record, certificate, calibration record, and verification report must be properly documented. Individuals responsible for record-keeping are required to keep all these documents for at least a minimum of 90 days after service or consumption of the food for future verification and review.
  - a. Receiving Log
  - b. Food Storage Log (Hot or Cold)
  - c. Cooking Log
  - d. Reheating log
  - e. Cooling Log
  - f. pH Log
  - g. Thermometer Calibration Log
  - h. Refrigeration and Calibration Log
  - i. Other identified CCP

#### 13. Food Supplier(s):

- a. List of food suppliers including business name, address, and contact information, telephone number and email address.
- 14. **Equipment List:** All equipment must meet standards established by the National Sanitation Foundation (NSF)<sup>1</sup> or other American National Standards Institute (ANSI) accredited agency.
  - a. List of all the equipment used in the preparation of food(s) in Plan, including its manufacturer, make and model number.
  - b. Link to or documentation verifying that all equipment used in the process meets NSF or equivalent safety and sanitation standards as described in Section 81.17 of the New York City Health Code.
- 15. **Standard Operating Procedure (SOP):** If your operation is conducting a specialized food process, as described in Section 81.06 (3)(iii) of the New York City Health Code an appropriate Standard Operating Procedure (SOP) is required along with the HACCP Plan. The SOP comprises written procedures that describe the activities specific to your menu and operation; it is aimed at ensuring compliance with the New York City Health Code, New York State Sanitary Code, other applicable law, and the production of safe food. The SOP is a key component of your overall food safety program and must provide clear and consistent instructions to staff on how to carry out specific tasks and processes; it is a set of instructions meant to guide employees to perform the day-to-day operations. SOPs include specific details of how a policy will be implemented including who will perform the task, and when and how that task will be

conducted. The SOP should be used to train the staff responsible for the activities.

a. Standard Operating Procedure (SOP) signed and dated by the permit holder, or the individual charged with managing or supervising the establishments' operations.

#### 16. Is your HACCP Plan Complete:

- a. HACCP Plan includes a statement that all records and logs will be maintained by the permit holder for at least 90 days after consumption of the food prepared pursuant to the Plan to demonstrate that the HACCP Plan has been properly implemented.
- b. HACCP Plan signed and dated by the permit holder, or the individual charged with managing or supervising the establishments' operations. Signature signifies that the establishment accepts and will implement the HACCP plan.

#### Resources

FDA HACCP Principles and Application Guidelines

Use of HACCP Principles for Operators of Food Service and Retail Establishments

General Information for NYC Food Service Operators

FDA 2022 Food Code

Article 81 of the New York City Health Code

Plans may be submitted in person at, or by mail to: NYC Department of Health and Mental Hygiene Bureau of Food Safety and Community Sanitation 125 Worth Street, CN-59A, 10<sup>th</sup> floor, Room 1020 New York, NY 10013-4006

Or by email to: infobfscs@health.nyc.gov

<sup>&</sup>lt;sup>i</sup> Cured food means food preserved by drying, salting, smoking, or pickling, or a combination of such methods. Aquatic animal means fresh or saltwater finfish, crustaceans, and other forms of aquatic life (including but not limited to alligator, frog, aquatic turtle, jellyfish, sea cucumber, and sea urchin and the roe of such animals) other than birds or mammals, and all mollusks, if such animal life is intended for human consumption.

<sup>&</sup>lt;sup>ii</sup> Packaged means bottled, canned, cartoned, securely bagged, or securely wrapped, and does not include a wrapper, carry out box, or other non-durable container used to containerize food for the purpose of facilitating food protection during service and receipt of the food by the consumer.