

**CALIFORNIA CONFERENCE OF
DIRECTORS OF ENVIRONMENTAL HEALTH**

**GUIDELINE FOR THE PROPER USE OF
VOLUNTARY CONDEMNATION and DESTRUCTION,
AND IMPOUND**

August 2009

BACKGROUND

This guideline has been prepared by the California Conference of Directors of Environmental Health (CCDEH) Bay Area Food Technical Advisory Committee in consultation with the Southern California, Central California, and Northern California Food Technical Advisory Committees.

Ascertaining the status of a food item, and selecting the appropriate course of action when food is suspected or confirmed to be adulterated are vital steps in preventing foodborne illness. There are always potential risks for adulteration during the storage, preparation and service of food in a retail food facility. However, unforeseen circumstances and hazardous occurrences, such as sewage back-ups, floods, fires, unapproved food sources, and poor handling practices can pose imminent threats to public health.

The decision to impound, embargo, or the voluntary condemnation and destruction (VC&D) of a food item is based on the evaluation of its past and present handling. A variety of information is then taken into account, such as whether food is prepackaged, pasteurized, raw meat, ready-to-eat (RTE) food, pH level, water activity (Aw) level, labeling, code dates, acceptable preservatives, and whether tags are present.

Actions such as impound, embargo, or VC&D may be taken when the inspector has sufficient evidence or reason to believe that further distribution of the food should be prevented. There should be no hesitancy in taking these actions when there is reasonable cause to believe that a violation has occurred, creating a hazard to public health. In such situations, we may benefit from having a guideline to assist in conducting risk analysis and making decisions to take immediate action.

SCOPE

This document is intended to provide guidance to local enforcement agencies and members of the food industry in the identification and prevention of sale or service of adulterated or potentially adulterated food. Local enforcement agencies are encouraged to adopt this guideline with the hope that uniform statewide interpretation and application will benefit both regulatory and industry interests.

CRFC DEFINITIONS

1. **Adulterated** – means either of the following:
 - a. Food that bears or contains any poisonous or deleterious substance that may render the food impure or injurious to health.
 - b. Food that is manufactured, prepared, or stored in a manner that deviates from a HAACP Plan so as to pose a discernable increase in risk.
(Section 113732).

2. **Approved Source** – means a food source allowed under Article 3 (commencing with Section 114021) of Chapter 4, or a producer, manufacturer, distributor, transporter that meets the requirements of Section 113982, or food facility that is acceptable to the enforcement agency based on a determination of conformity with applicable laws, or, in the absence of applicable laws, with current public health principals and practices, and generally recognized industry standards that protect public health (Section 113735).
Note: the above section means a food from a source approved by a local, state or federal enforcement agency. In the absence of a law, the food conforms with acceptable public health practices.

3. **Critical Control Point** – means a point or procedure in a specific food system where loss of control may result in an unacceptable health risk (Section 113760).

4. **HAACP** – means a hazard analysis critical control point (Section 113799).

5. **HAACP Plan** – means a written document that delineates the formal procedures for following the hazard analysis critical control point principals developed by the National Advisory Committee on microbiological criteria for foods and complies with the requirements of Section 114419.1 (Section 113801).

6. **Hazard** – means a biological, chemical, or physical property that may cause an unacceptable public health risk (Section 113803).

7. **Impound** – means the legal control exercised by the enforcement officer over the use, sale, disposal, or removal of any food, equipment, or utensils (Section 113812).

8. **Potentially Hazardous Food (PHF)** – means a food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting the rapid and progressive growth of infectious or toxigenic microorganisms, the growth and toxin production of Clostridium botulinum, or, in raw shell eggs, the growth of Salmonella enteritidis [Section 113871(a)].

9. **Shellstock** – means raw, in-shell molluscan shellfish (Section 113911).

10. **Shucked Shellfish** – means molluscan shellfish that have one or both shells removed (Section 113912).

11. **Time as a Public Health Control (TPHC)** – means the use of time only, rather than time in conjunction with temperature, is used as a public health control for a working supply of potentially hazardous food before cooking or for ready-to-eat

potentially hazardous food that is displayed or held for service for immediate consumption [Section 114000 (a)].

12. **Transporter** – means any vehicle used to transport food from a manufacturer, distributor, retail food facility, or other approved source to a point of consumption (Section 113932).
13. **Voluntary Condemnation and Destruction (VC&D)** – means the process of denaturing (i.e., with bleach) food, that has been deemed unfit for human consumption. This action must be taken voluntarily by the food facility operator and witnessed and documented by the enforcement officer. For the correct VC&D procedure, see Appendix 3.

RECOMMENDATIONS

I. Observed Adulteration

The following is a series of examples of observed adulteration that require removal of the food from sale or service: (See Appendix 4[1, 4, 8, 11, 12] and Table 1)

A. **Biological Adulteration**

- Swollen cans or vacuum packaging
- Signs of spoilage (i.e. mold, discoloration or uncharacteristic odor)
- Cross contamination between raw animal foods and ready-to-eat foods
- Vermin activity (i.e., droppings and insects in food)
- Sewage contaminated food

B. **Chemical Adulteration**

- Food observed with a chemical taste or odor
- Chemicals spilled into food
- Discoloration or chemical residue observed in food

C. **Physical Adulteration**

- Glass, hair, fingernails, jewelry, bandages, metal fragments, staples, insects, or other foreign objects introduced into food products that adulterates the food or can result in an illness or a safety hazard.

D. **Disaster Adulteration**

- Food contaminated during a fire by ash, fire retardant or water
- Exposure to unsafe temperatures
- Food contaminated by flood waters
- This category may also include examples from categories A, B, and C, above

II. Suspected Adulteration

In some instances, foods may be adulterated or contaminated even though it is not apparent. When the safety of a food is under suspicion, it must be impounded until its status is determined. The following examples are environmental conditions that require VC&D or impound. (See Appendix 4[14] and Tables 2, 3 and 4)

A. **Biological Adulteration**

The following list includes some examples of biological adulteration

- **Fire**

During a fire, the food in the facility can be adulterated by the flames and/or the chemicals used to extinguish the fire. The local enforcement officer must examine the food and food packaging to determine if there is a possibility that the food was adulterated. The following is a list of situations that can lead to food adulteration during a fire:

1. **Unsafe Temperature Exposure**

The intense heat of a fire can expose food to unsafe temperatures that can also affect commercially packaged food approved for storage at room temperature. It is common for electricity to be shut-off, halting the operation of the cold holding equipment. The following are signs of food exposure to unsafe temperatures and require that action must be taken to remove the food from commerce.

- Charred packaging
- Melted food or food packaging
- Food normally held in the refrigerator or freezer are at elevated temperatures
- Foods normally held without refrigeration are at elevated temperatures

- **Sewage Adulteration**

Sewage is a source of contamination for food, equipment and hands and a vehicle for transmission of disease organisms. Exposure of food to sewage adulteration poses a serious health risk. The EHS must survey the entire facility to determine all areas where an overflow or back-up has occurred. During this survey the enforcement officer must make the following assessments to determine the impact to food, equipment, utensils, clean linens, and single-use articles.

1. **Facility Assessment and Containment**

- Determine the extent of the overflow and how it impacted the safety of the food

2. **Food Assessment**

- Identify and remove the food impacted by the overflow. The following situations should result in removal of the food from sale or service
 - Food is stored on the floor adjacent to the sewage back-up
 - Sewage is observed on food or food packaging
 - Food has a sewage odor

3. **Equipment and Utensil Assessment**

- The following are examples of suspected equipment/utensils adulteration and require impound by the local enforcement officer until they are properly cleaned:
 - Conversation with the operator revealed that sewage contaminated equipment/utensils were not washed, rinsed and sanitized prior to use.
 - Utensils and equipment are stored on the floor in sewage contaminated areas
 - Sewage splashed equipment/utensils
 - Equipment/utensils have a sewage odor

- **Customer Adulteration**

There are many opportunities for customers to adulterate food in self-service food facility operations. To prevent this from occurring, the food must be protected by sealed or covered containers, or protective equipment (i.e. buffet or salad bar sneeze guards). Some examples of when to suspect food adulteration by customers are:

1. Food observed in packaging that is torn or has broken seals
2. Customers are observed sneezing in the vicinity of the food display
3. Customer self-service operations (i.e. buffets, salad bars, bulk food displays) are without serving utensils.
4. Food returned from customers

- **Unsafe Temperatures**

Microbial growth and or toxin production can occur if PHFs remain in the temperature danger zone (temperatures >41°F to < 135°F) too long. In the log phase, the rate of microbial growth increases with an increase in temperature. The action taken when improper holding temperatures are observed is determined by the extent of the food's exposure to these temperatures and the food's hazard potential. (See Appendix 4[2])

Food facilities following an approved variance such as HACCP plans proven to prevent the growth of pathogenic micro-organisms or TPHC programs are exempted from temperature requirements only as specified in the HACCP plan or TPHC program.

The corrective action to take when improper temperatures are observed is dictated by the temperature range within which the affected food falls. The temperature ranges with the appropriate corrective actions are listed below.

1. **43°F to 50°F***

PHFs exposed to temperatures between **43°F and 50°F** for less than 4 hours require a corrective action to make the food safe for human consumption. The food can be rapidly cooled to 41°F within 4 hours and refrigerated or immediately cooked (if a raw food) and served or reheated to 165°F (if a cooked food) and either hot held or immediately served.

If the PHF is exposed to these temperatures for 4 or more hours, the food must be removed from commerce.

2. **50°F to 124°F**

PHF exposure to temperatures in the range of **50°F to 124°F**, provides the opportunity for rapid and progressive growth of pathogenic spore forming bacteria that survive the cooking process. If the food is exposed to these temperatures for less than 2 hours, a corrective action can be taken, such as reheating the food to 165°F and holding it hot at 135°F until service, reheating and properly cooling and cold holding the food or immediately serving the food after reheating.

If the PHF is exposed to these temperatures for 2 or more hours, the food must be removed from commerce.

3. **125°F to 133°F***

PHF exposure to temperatures in the range of **125°F to 135°F** for less than 4 hours can be rendered safe by rapidly reheating the food to 165°F, followed by either hot holding at 135°F or immediate service following the reheating process.

If the PHF is exposed to these temperatures for 4 or more hours, the food must be removed from commerce.

* This accounts for thermometers' accuracy within +/- 2 °F

- **Equipment**

When equipment cannot maintain its original characteristics it may become difficult to clean, allowing the harborage of pathogenic micro-organisms, insects and rodents.

The following are examples of deteriorated or unapproved equipment:

1. Cracked or soft wood cutting boards
2. Uncleanable block knife holder
3. Food prepared on or stored in unsanitized equipment

- **Food from unknown sources**

Food offered for sale to the public must be from a known and approved source to ensure that food is safe, wholesome and

complies with all applicable food related laws. Illegally vended food has a high probability for adulteration due to the propensity for unsafe production, handling and storage. In some cases, personnel from other agencies may be part of an investigation, forming an investigative team. This is likely to occur when multiple illegal activities are suspected, such as combined retail and wholesale operations or processing of meat, poultry, or dairy products; when building, zoning, or other local codes are being violated; or when other illegal activities are suspected (see Appendix #1). The following categories are examples of food from unknown sources: (See Appendix 4[1,4])

1. Undocumented food (i.e. unlabeled packaged food products and food such as meat, poultry, produce, or shellfish without documentation or certification tags).

When undocumented food is found at licensed food facilities, it can indicate production, harvesting, processing or selling from an illegal location. The immediate action to take when undocumented food is observed is to impound the food and then take steps to identify its source. The food facility must provide adequate documentation to verify the food's safety, such as approved labels, invoices or certification tags. Once the food facility provides the documentation that proves that the food is from an approved source (i.e. manufacturer, distributor), the food can be confirmed as safe and released from impound by the enforcement officer. If the food facility fails to provide the proper documentation, the food must be removed from commerce. (See Appendix 4[5, 6, 7, 16])

2. Illegal vendor sales

Illegal vendors usually operate out of mobile food facilities or peddle food on foot, during irregular operational hours, which makes it difficult to track them down. If an outbreak is caused by these vendors, finding the culprit to close their operation could be quite a challenge. When illegally vended food is observed, it must be removed from sale and service. (See Appendix 4[15])

3. Sale from a private residence

Local enforcement agencies are usually made aware of food sales from a private residence through complaints from the public. The challenge in investigating this type of complaint is in gaining access into the private residence. Investigations should be conducted jointly with a co-worker, a senior, or a supervisor. For the keys to verify sales from a private residence (see Appendix #2). (See Appendix 4[14])

B. Chemical Adulteration

The following series of examples illustrate types of chemical adulteration: (See Appendix 4[11])

- **Fire**

1. **Chemical and Water Exposure**

Food stored in the fire affected areas, are prone to adulteration by fire retardant and extinguishing chemicals (i.e. ansul systems and other fire extinguishers) and chemicals and water used by fire fighters. When foods are observed under the following conditions they must be removed from sale or service.

- Any unpackaged food
- Packaged food observed under the following conditions
 - Food stored in permeable or semi-permeable packaging (i.e. plastic, cardboard)
 - Food in torn or open packaging
 - Food with chemical or vapor odors

2. **Smoke and Fume Exposure**

One of the most dangerous elements of a fire is sometimes not the fire itself, but toxic fumes released from burning materials. Toxic fumes are lethal; they can also contaminate food. Any type of food stored in permeable packaging should be thrown away. Toxic fumes can permeate the packaging and contaminate the food. Refer to the previous section (section 1) for examples when food should be removed from sale or service when smoke and fume adulteration is suspected.

Note: Some refrigeration units do not have air tight seals, which may allow the migration of smoke, chemicals or fumes into the interior, resulting in food contamination

- **Accidental Chemical Adulteration**

Accidental chemical contamination of food or food contact surfaces can cause serious illness. Prominent, distinct and truthful labeling helps ensure that poisonous and toxic materials are properly stored and used. Look for evidence of chemical contamination, such as:

1. An open chemical container toppled over on a shelf above food products or equipment
2. Unapproved or excessive levels of chemicals are used on food contact surfaces
3. Acidic foods (≤ 6 pH) stored on unstable metal (i.e. copper, galvanized metal) or low fired ceramic ware
4. Re-use of chemical containers to store food
5. Unapproved lubricants used on equipment food contact surfaces.

- C. **Physical Adulteration**

The following list of examples describe physical adulteration:
(See Appendix 4[8, 9, 10, 12])

- **Equipment**
Equipment must be designed and constructed so that the parts do not break and end up in food as foreign objects or cause injury hazard to consumers. The following are examples of deteriorated or unapproved equipment:
 1. Severely dented or pitted metal utensils
 2. Chipped dishware

- **Fire**
Ashes produced during a fire can adulterate food and food contact surfaces.

In summation, for any of the situations listed above, when the food facility refuses to VC&D the food or if there are questions of food safety that can't be resolved during the site inspection, the enforcement officer must impound the suspected food until its safety is verified.

APPENDICES

Appendix 1

Referrals may be made to the following agencies when appropriate, to address food from unknown sources:

- United States Department of Agriculture (USDA) if meat or poultry items are packaged for wholesale
- California Department of Public Health, Food and Drug Branch (DPH-FDB), if foods other than meat and poultry are sold at wholesale
- California Dept of Food and Agriculture (CDFA) if dairy products are involved
- Alcoholic Beverage Control Department if alcoholic beverages are being sold
- Appropriate local building, zoning, fire, and/or code enforcement agency if building, zoning, fire, or other local ordinances appear to be violated
- Appropriate local law enforcement agency if other activities such as drugs or animal fighting are suspected or any indication of danger is observed

Appendix 2

Following are keys to verifying that retail food sales operation exists in a private home:

- Customers leaving with bags or boxes of food
- Number of refrigerators and freezers
- Size and number of pots, pans, crock pots, and other utensils
- Large amounts of bulk foods, e.g., bags of rice, beans, flour; large cans or plastic containers of cooking oil or sauces
- Specialized equipment, e.g., rice cookers, deep fryers, large barbecues
- Commercial equipment
- Excessive food soil or grease in kitchen areas
- A separate, perhaps larger cooking or preparation area, possibly outdoors or in a garage or other room
- Money, cash register
- Take-out food containers and packaging
- Odor of foods allegedly sold
- Ordering slips, menus, advertising flyers

Appendix 3

Note: When carrying out a VC&D, the EHS must do the following:

- Obtain samples of the product labeling and advertising as evidence, if available
- Completely fill out a VC&D notice, leaving no spaces blank
- Clearly note the amount, number and/or size of each item that is VC&D'd
- Clearly note the method of destruction on the notice
- Be sure the owner or an authorized representative of the firm signs the form
- Supervise the destruction of the commodity. The destruction must be sufficient to denature the food so it is not consumable by humans. The EHS must not physically take part in the actual destruction, but must be present during the entire destruction process. Take photographs of the destruction process, if possible

Appendix 4- Excerpts from the California Health and Safety Code (effective 1/1/2009)

1- 113980.

All food shall be manufactured, produced, prepared, compounded, packed, stored, transported, kept for sale, and served so as to be pure and free from adulteration and spoilage; shall have been obtained from approved sources; shall be protected from dirt, vermin, unnecessary handling, droplet contamination, overhead leakage, or other environmental sources of contamination; shall otherwise be fully fit for human consumption; and shall conform to the applicable provisions of the Sherman Food, Drug, and Cosmetic Law (Part 5 (commencing with Section 109875)).

2- 113996.

(a) Except during preparation, cooking, cooling, transportation to or from a retail food facility for a period of less than 30 minutes, or when time is used as the public health control as specified under Section 114000, or as otherwise provided in this section, potentially hazardous food shall be maintained at or above 135°F, or at or below 41°F.

3- 114000.

(a) Except as specified in subdivision (b), if time only, rather than time in conjunction with temperature, is used as the public health control for a working supply of potentially hazardous food before cooking or for ready-to-eat potentially hazardous food that is displayed or held for service for immediate consumption, the following shall occur:

(1) The food shall be marked or otherwise identified to indicate the time that is four hours past the point in time when the food is removed from temperature control.

(2) The food shall be cooked and served, served if ready-to-eat, or discarded within four hours from the point in time when the food is removed from temperature control.

(3) The food in unmarked containers or packages or marked to exceed a four-hour limit shall be discarded.

(4) Written procedures shall be maintained in the food facility and made available to the enforcement agency upon request, that ensure compliance with this section and Section 114002, for food that is prepared, cooked, and refrigerated before time is used as a public health control.

(b) Time only, rather than time in conjunction with temperature, may not be used as the public health control for raw eggs in the following food facilities:

(1) Licensed health care facilities.

(2) Public and private school cafeterias.

4- 114021.

(a) Food shall be obtained from sources that comply with all applicable laws.

5- 114039.

(a) Raw shucked shellfish shall be obtained in nonreturnable packages that bear a legible label that identifies the name, address, and certification number of the shucker-packer or repacker of the molluscan shellfish, and a "sell by" date or a "best if used by" date for packages with a capacity of less than one-half gallon, or the date shucked for packages with a capacity of one-half gallon or more.

(b) A package of raw shucked shellfish that does not bear a label or that bears a label that does not contain all the information required by subdivision (a) shall be subject to impound pursuant to Section 114393.

6- 114039.1.

(a) Shellstock shall be obtained in containers bearing legible source identification tags or labels that are affixed by the harvester or each dealer that depurates, ships, or reships the shellstock. Except as specified by subdivision (c), on the harvester's or dealer's tag or label, the following information shall be listed in the following order:

- (1) The harvester's or dealer's name and address.
- (2) The harvester's certification number as assigned by the authority and the original shellstock shipper's certification number.
- (3) The date of harvesting.
- (4) The most precise identification of the harvest location or aquaculture site that is practicable based on the system of harvest area designations that is in use by the shellfish control authority and including the abbreviation of the name of the state or country in which the shellfish are harvested.
- (5) The type and quantity of shellfish.
- (6) The following statement in bold, capitalized type: "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY OR RETAGGED AND THEREAFTER KEPT ON FILE FOR 90 DAYS."
- (7) The dealer's tag or label shall also indicate the original shipper's certification number, including the abbreviation of the name of the state or country in which the shellfish are harvested.

(b) A container of shellstock that does not bear a tag or label or that bears a tag or label that does not contain all the information required under subdivision (a) shall be subject to impound pursuant to Section 114393.

7- 114089.

(a) Food prepackaged in a food facility shall bear a label that complies with the labeling requirements prescribed by the Sherman Food, Drug, and Cosmetic Law (Part 5 (commencing with Section 109875)), 21 C.F.R. 101-Food Labeling, 9 C.F.R. 317-Labeling, Marking Devices, and Containers, and 9 C.F.R. 381-Subpart N Labeling and Containers, and as specified under Sections 114039 and 114039.1.

8- 114130.1.

Materials that are used in the construction of utensils and food-contact surfaces of equipment shall not allow the migration of deleterious substances or impart colors, odors, or tastes to food and under normal use conditions shall be safe, durable, corrosion-resistant, and nonabsorbent, sufficient in weight and thickness to withstand repeated warewashing, finished to have a smooth, easily cleanable surface, and resistant to pitting, chipping, crazing, scratching, scoring, distortion, and decomposition.

9- 114133.

(a) Except as specified in subdivision (b), copper and copper alloys such as brass may not be used in contact with a food that has a pH below six, such as vinegar, fruit juice, or wine, or for a fitting or tubing installed between a backflow prevention device and a carbonator.

10- 114141.

Lubricants shall be applied to food-contact surfaces that require lubrication in a manner that does not contaminate food or food-contact surfaces. Equipment shall be reassembled after lubrication so that food contact surfaces are not contaminated. Only approved food grade lubricants shall be used for this purpose.

11- 114254.2.

(a) Except as specified in subdivision (b), poisonous or toxic materials shall be stored or displayed so they can not contaminate food, equipment, utensils, linens, and single-use articles by separating the poisonous or toxic materials by spacing or partitioning and locating the poisonous or toxic materials in an area that is not above food, equipment, utensils, linens, and single-use articles.

(b) Equipment and utensil cleaners and sanitizers may be stored in warewashing areas for availability and convenience if the materials are stored to prevent contamination of food, equipment, utensils, linens, and single-use articles.

12- 114254.3.

A container previously used to store poisonous or toxic materials shall not be used to store, transport, or dispense food, utensils, or single-use articles.

13- 114256.2.

Medicines that are in a food facility for the employees' use shall be labeled and stored so as to prevent the contamination of food, equipment, utensils, linens, and single-use articles. This section does not apply to medicines that are stored or displayed for retail sale.

14- 114285.

(a) Except as specified in subdivision (b), a private home, a room used as living or sleeping quarters, or an area directly opening into a room used as living or sleeping quarters shall not be used for conducting food facility operations.

(b) (1) Nonperishable, prepackaged food may be given away, sold, or handled from a private home. No food that has exceeded the labeled shelf life date recommended by the manufacturer shall be deemed to be nonperishable food.
(2) For purposes of this subdivision, "nonperishable food" means a food that is not a potentially hazardous food, and that does not show signs of spoiling, becoming rancid, or developing objectionable odors during storage at ambient temperatures.

(c) Restricted food service facilities are exempt from subdivision (a) provided that no sleeping accommodations shall be allowed in any area where food is prepared or stored.

15- 114381.

(a) A food facility shall not be open for business without a valid permit.

16- 114393.

(a) Based upon inspection findings or other evidence, an enforcement officer may impound food, equipment, or utensils that are found to be, or suspected of being,

unsanitary or in such disrepair that food, equipment, or utensils may become contaminated or adulterated, and inspect, impound, or inspect and impound any utensil that is suspected of releasing lead or cadmium in violation of Section 108860. The enforcement officer may attach a tag to the food, equipment, or utensils that shall be removed only by the enforcement officer following verification that the condition has been corrected.

(b) No food, equipment, or utensils impounded pursuant to subdivision (a) shall be used unless the impoundment has been released.

(c) Within 30 days, the enforcement agency that has impounded the food, equipment, or utensils pursuant to subdivision (a) shall commence proceedings to release the impounded materials or to seek administrative or legal remedy for its disposition.

VCD & IMPOUND GUIDE
SITUATIONS THAT REQUIRE VOLUNTARY DISCARD OR CONDEMNATION

Evidence of microbial contamination

- Swollen cans, vacuum packaging or MAP packaging
- Moldy food
- Food with discoloration or bad odor
- Raw animal meat liquid observed dripping into ready to eat food stored below

Chemical contamination

- Acidic foods (≤ 6 pH) stored in unstable metal or low fired ceramic wares
- Chemicals spilled in food
- Food stored in containers that were used for chemicals

Physical contamination

- Glass, hair, fingernails, jewelry, band aids, rodent droppings, metal fragments, staples, insects etc, in food

Disaster contamination

- Food contaminated during a fire by ash, fire retardant, water or exposure to unsafe temperatures
- Food contaminated by a flood

Sewage contamination

- Food observed in direct contact with sewage debris
- Food observed in direct contact with sewage contaminated surfaces

Foodhandler contamination and cross contamination

- Accidentally or intentionally adding a contaminant to food
- Not washing their hands before touching ready-to-eat food
- Touching utensil/equipment without first washing their hands
- Not washing, rinsing and sanitizing equipment after use with raw meat poultry, or fish
- Touching food after using the restroom, mopping, coughing, or sneezing into their hands, or smoking without first washing their hands
- Sores, cuts, burns, that are not covered by a bandage and gloves come into contact with food or food contact surfaces
- Handling food with acute gastroenteritis

Voluntarily discard the contaminated food
 or
 If the operator refuses,
 - Impound the food in a secure place
 ○ If the food is a PHF, label and refrigerate the food

Table 1

**Vcd & Impound Guide
Food From Unknown
Sources**

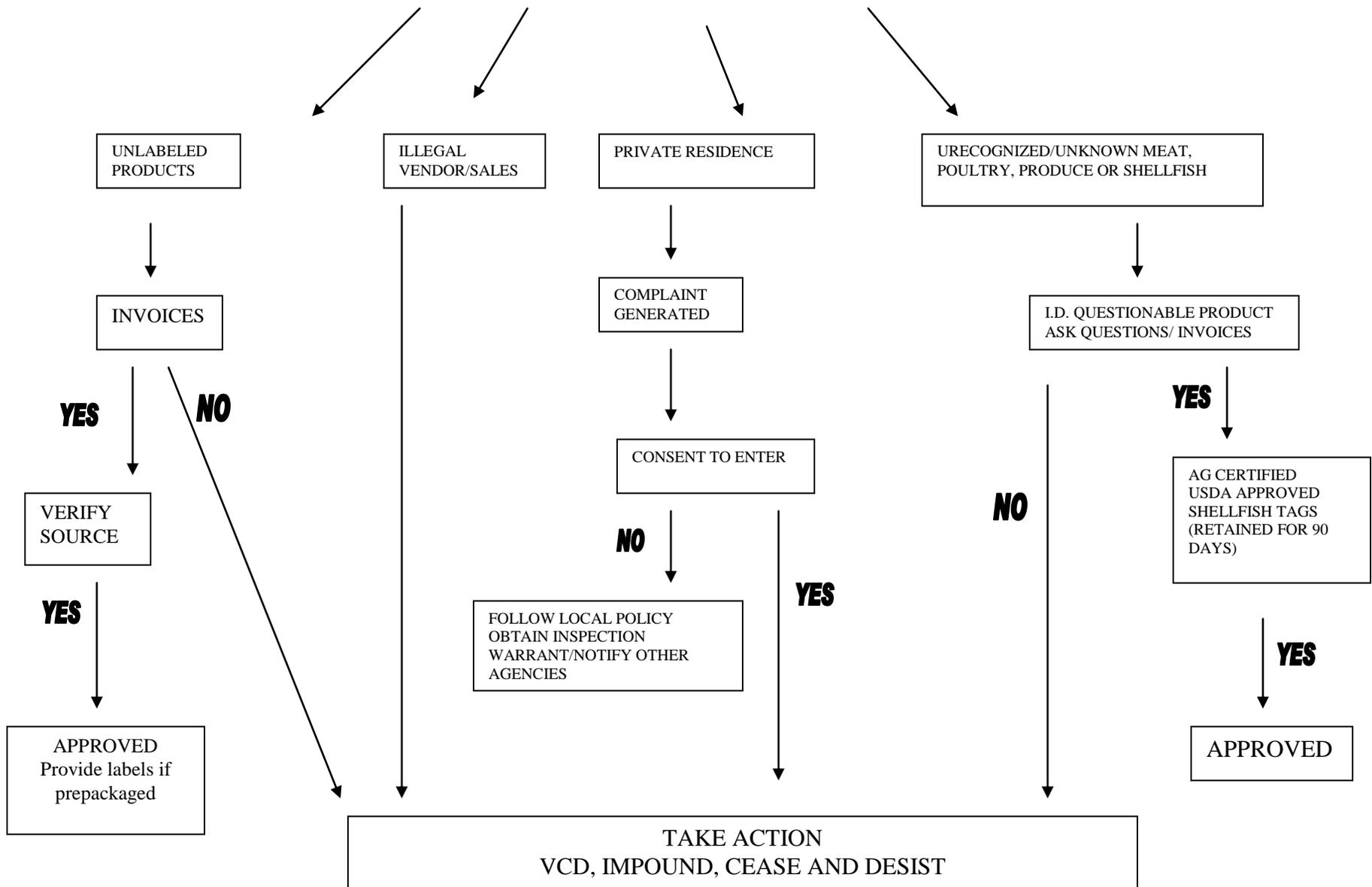


Table 2

VCD and Impound Guidelines Assumed Adulteration or Contamination

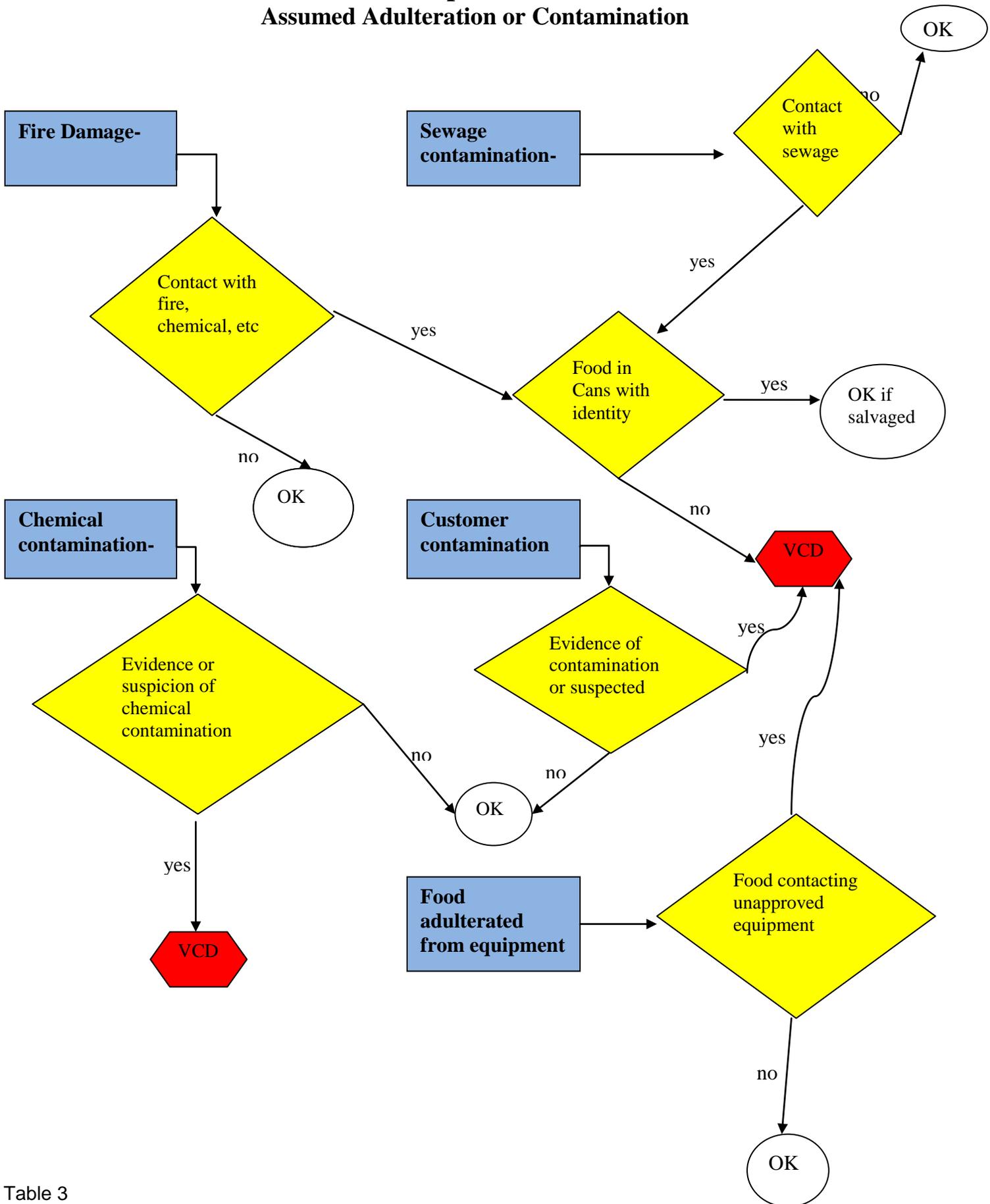
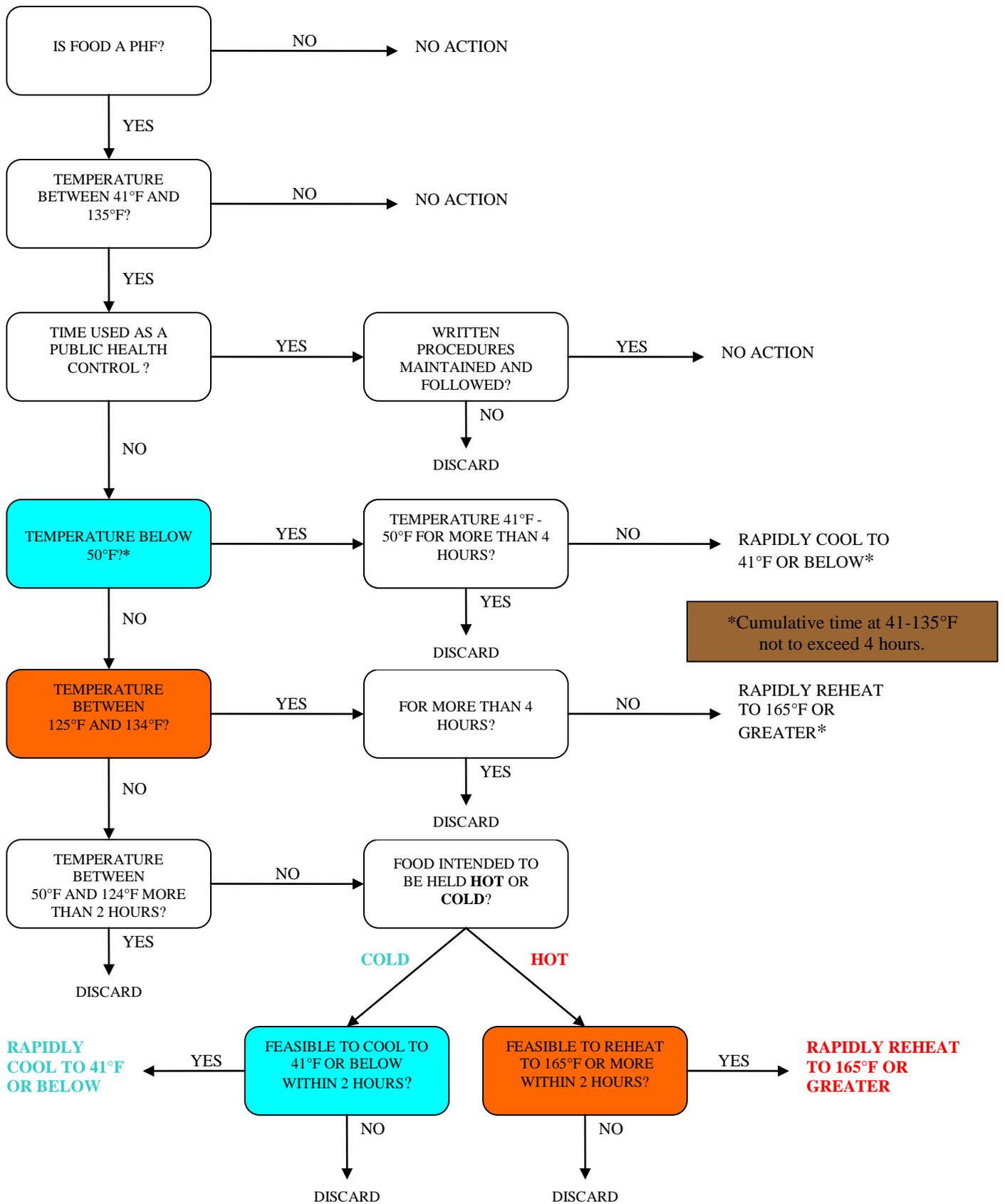


Table 3

IMPROPER HOLDING TEMPERATURES



Raw shell eggs, unshucked live molluscan shellfish, and pasteurized milk products in original sealed containers may be held up to 45°F. PHF at salad bars and buffets may be held at 45°F for up to 12 hours in any 24-hour period.

Table 4

