WAC 246-215-03200 Sources—Compliance with food law (2009 FDA Food Code 3-201.11). (1) Food must be obtained from sources that comply with law.

(2) Food prepared in a private home may not be used or offered for human consumption in a food establishment.

(3) Packaged food must be labeled as specified under law, including chapter 69.04 RCW; 21 C.F.R. 101 Food Labeling; 9 C.F.R. 317 Labeling, Marking Devices, and Containers; 9 C.F.R. 381 Subpart N Labeling and Containers; and as specified under WAC 246-215-03265 and 246-215-03270.

(4) Fish, other than those specified under WAC 246-215-03425(2), that are intended for consumption in raw or undercooked form and allowed as specified under WAC 246-215-03400(4) may be offered for sale or service if they are obtained from a supplier that freezes the fish as specified under WAC 246-215-03425; or if they are frozen on the premises as specified under WAC 246-215-03425 and records are retained as specified under WAC 246-215-03430.

(5) Whole-muscle, intact beef steaks that are intended for consumption in an undercooked form without a consumer advisory as specified under WAC 246-215-03400(3) must be:

(a) Obtained from a food processing plant that, upon request by the purchaser, packages the steaks and labels them, to indicate that the steaks meet the definition of whole-muscle, intact beef; or

(b) Deemed acceptable by the regulatory authority based on other evidence, such as written buyer specifications or invoices, that indicates that the steaks meet the definition of whole-muscle, intact beef; and

(c) If individually cut in a food establishment:

(i) Cut from whole-muscle, intact beef that is labeled by a food processing plant as specified in (a) of this subsection or identified as specified in (b) of this subsection;

(ii) Prepared so they remain intact; and

(iii) If packaged for undercooking in a food establishment, labeled as specified in (a) of this subsection or identified as specified in (b) of this subsection.

(6) Meat and poultry that is not a ready-to-eat food and is in a packaged form when it is offered for sale or otherwise offered for consumption, must be labeled to include safe handling instructions as specified in law, including 9 C.F.R. 317.2(I) and 9 C.F.R. 381.125(b).

(7) Eggs that have not been specifically treated to destroy all viable salmonellae must be labeled to include safe handling instructions as specified in law, including 21 C.F.R. 101.17(h).

[Statutory Authority: RCW 43.20.050 and 43.20.145. WSR 13-03-109, § 246-215-03200, filed 1/17/13, effective 5/1/13.]