

**Maryland Department of Health and Mental Hygiene  
Epidemiology and Disease Control Program  
Office of Food Protection and Consumer Health Services  
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**Guidelines for the Prevention of Foodborne and Waterborne Outbreaks for  
Nonprofit Organizations Who Operate as “Excluded Organizations”**

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**Background**

Foodborne and waterborne illnesses are caused by a variety of bacteria, viruses, and parasites or the toxins they produce. Some of these diseases include salmonellosis, hepatitis A, viral gastroenteritis ("stomach flu"), and botulism or *Staphylococcus* ("staph") food poisoning. Common symptoms of foodborne illness include vomiting, cramps, diarrhea, and fever. These foodborne or waterborne agents or toxins can be found in the raw food products (such as *Salmonella* in raw chicken, beef, or eggs) or can be present in the people who handle the food (such as *Salmonella*, Norwalk virus, or hepatitis A virus in feces or *Staphylococcus* in a cut or boil on the skin). Rarely, these agents can be present in water.

Nonprofit organizations, such as churches and firehalls, may host food-related events for the benefit of others. Nonprofit organizations can operate as either a licensed food service facility or an excluded organization without a license. Please note that some local health departments require licensure on nonprofit organizations and therefore these guidelines as it relates to excluded organizations may not apply; it is important to know the specific requirements of the county health department.

Illness attributed to food or water following an event can be devastating for the host of the event and those who attend and may lead to medical expenses and legal liability.

**Purpose**

Foodborne and waterborne diseases can be prevented by safe food handling and assuring a safe water supply. Keeping prevention in mind, the purpose of these guidelines is:

- to outline procedures that should be followed to prevent foodborne and waterborne outbreaks at events sponsored by excluded organizations;
- to list procedures that must be followed if an outbreak occurs; and
- to outline laws and regulations that govern food service facilities and to define “excluded organization” and “food service facility.”

## Definitions

A *food service facility* is defined as a:

1. A restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, retail market, or retail bakery outlet;
2. A food operation in an industry, institution, hospital, club, school, camp, church, catering kitchen, commissary, or a similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; or
3. Any other operation where food is served or provided for the public with or without charge.

A *food service facility* does **not** include a:

1. Kitchen in a private home where food is prepared for no charge for guests in the home, for guests at a social gathering, or for service to unemployed, homeless, or any other disadvantaged populations; or
2. Food preparation or serving area where only nonpotentially hazardous food is prepared or served only by an excluded organization.

A "*temporary food service facility*" means a:

Food service facility which operates during a period of time of not more than 14 consecutive days at a fixed location in conjunction with a fair, carnival, public exhibition, construction project, recreational facility, or similar gathering.

A "*special food service facility*" means a:

Temporary food service facility or a mobile food service facility belonging to one of four classes (Class I, II, III, IV-see COMAR 10.15.03.02.B(62) for definitions).

An "*excluded organization*" is defined as:

A volunteer fire company or bona fide nonprofit fraternal, civic, war veterans', religious or charitable organization or corporation that does not serve food to the public more often than 4 days per week, except that once a year an organization may serve food to the public for up to 14 consecutive days. Note: **"Excluded" does NOT mean that excluded organizations are exempt from the COMAR 10.15.03 sections that pertain to safe food storage, handling, preparation, cooking, and serving when they serve food to the public.** See below and Attachment 3: Minimum Standards of COMAR 10.15.03 Required for Excluded Organizations.

"*Catering services*" means:

The preparation or provision and the serving of food or drink by a food service facility for service at the provider's premises or elsewhere in connection with a specific event or a business or social function or affair.

A "*caterer*" means:

A food service facility that offers catering services or identifies itself as a caterer.

A "*foodborne outbreak*" is defined as:

Two or more epidemiological related cases of illness following consumption of a common food item or items, or one case of botulism, cholera, mushroom poisoning,

trichinosis, or fish poisoning (e.g., ciguatera poisoning, scombroid poisoning, paralytic shellfish poisoning, and other neurotoxic shellfish poisoning).

A "waterborne disease outbreak" is defined by U.S. Centers for Disease Control and Prevention as: Two or more persons must have experienced a similar illness after either ingestion of drinking water or exposure to water used for recreational purposes. The exceptions are single cases of laboratory-confirmed primary amebic meningoencephalitis and single cases of chemical poisoning if water-quality data indicate contamination by the chemical. Also, epidemiologic evidence must implicate water as the probable source of the illness.

## **Excluded Organizations May Operate With or Without a License**

Nonprofit organizations may operate either as a licensed food service facility, or an excluded organization without a license. **It is important that you check with your local health department for specific requirements regarding licensure in your jurisdiction and proof of nonprofit status.**

**"Excluded" does NOT mean, however, that excluded organizations are exempt from the regulations that pertain to safe food storage, handling, preparation, cooking, and serving when they serve food to the public.** If unlicensed, excluded organizations may be exempted from certain provisions of the regulations (Attachment 3) that require certain industrial kitchen equipment. Additionally, excluded organizations may be considered temporary or special food service facilities where certain additional regulations may apply and, therefore, they shall be inspected as such.

## **Procedures for Excluded Organizations When Planning a Food Service Event**

In planning any event involving food:

- contact the local health department ahead of the event (at least 2 weeks) to allow local health department enough time to review
- refer to the attached table for a listing of local health departments in Maryland and a telephone number for each
- check with the local health department regarding proper equipment and menu planning
- follow procedures for safe food handling and preparation (see General Prevention Guidelines section that follows)

The proper equipment should be available for food preparation. This includes equipment such as refrigerator, oven, three compartment sink and/or dishwasher (with proper sanitizer and sanitizer test kit), thermometers for food and equipment monitoring, hand sink with warm running water along with soap, paper towels, and waste receptacle, and adequate bathroom facilities. The health department can review specific recommendations regarding the available equipment such as refrigerators.

## **General Prevention Guidelines: Highlights for Safe Food Handling**

Following recommended procedures for the safe handling and serving of foods is of utmost importance in preventing problems associated with foodborne illness. The following list provides some useful recommendations for food preparation, handling, and storage; **be sure to check with your local health department for additional recommendations.** Also, refer to the attached fact sheet for general food safety tips.

### ***Preparation***

- Have bathroom facilities available for the people preparing food
- Have hot water, soap and paper towels available for hand washing during food preparation and serving
- Wash hands well before preparing food, after touching any raw foods, and after going to the bathroom
- Keep utensils, dishes, drains, and cutting boards clean
- Keep raw foods away from cooked foods
- Obtain food from approved sources
- Wash all raw fruits and vegetables before cooking or serving
- Restrict any ill person with infection or diarrhea from direct contact with food

### ***Cooking***

- Cook foods to the proper temperatures; minimum standards are:
  - Shell eggs: 155°F for at least 15 seconds
  - Stuffing, poultry, and stuffed meats and poultry: 165°F for at least 15 seconds
  - Pork: 155°F for at least 15 seconds
  - Ground meat or fish: 155°F for at least 15 seconds
  - Meat/Seafood: 145°F for at least 15 seconds
- Reheat previously cooked food rapidly to 165°F for at least 15 seconds

### ***Service***

- Use approved utensils and equipment
- Do not reserve food that has been previously served
- Hold hot foods hot (140°F or above)
- Hold cold foods cold (45°F or less)

### ***Cooling and Storage***

- Maintain refrigeration of foods at 45°F or less and freezers at 0°F or less
- Cool foods in shallow pans not over 3 inches in food depth (140 to 70°F in 2 hours or less and 70 to 45 °F in 4 additional hours or less)
- Discard foods based on dates on containers or by other means of determining age of foods
- Store food and utensils off of the floor

### ***Equipment***

- Prepare and store food on surfaces that are smooth and easily cleanable
- Keep the kitchen equipment clean, including sinks, refrigerators, freezers, stoves, microwave ovens, etc.

Clean equipment with a sanitizing solution containing a minimum of 50 ppm of available chlorine at a water temperature of not less than 75°F or a solution providing equivalent bactericidal effect (check with your local health department for proper sanitizing procedures)

Keep stoves and refrigerators clean according to the manufacturer's instructions

Check with your local health department regarding acceptable cooking equipment

### ***Transportation***

Keep cold food at 45°F or less, and hot food at 140°F or above, during transport

### ***Other***

Provide covered trash receptacles

Provide hot and cold running water

Dispose of waste material properly

Use thermometers in hot and cold storage facilities to assure maintenance of proper temperatures

## **Prevention of Foodborne Outbreaks**

Excluded organizations may provide food at an event they are sponsoring in any of the following manner: as a catered event where someone else fixes the food or as the food preparer, and even possibly a combination of these. **Any home preparation of food is prohibited from sale or give away to the public;** exceptions include certain non-hazardous foods for sale at farmer's markets or bake sales. The following are recommended prevention guidelines depending on the circumstances surrounding food preparation. (See attached Food Safety Fact Sheet that can be posted or copied for use on site.)

### **A. Preparing Food On Site for Your Event**

#### **Prevention Guidelines:**

Contact your local health department at least 2 weeks in advance of the planned event. Staff from the Environmental Health Division of the health department can offer inspection, menu and meal planning, and training of food handlers. They may also choose to be on site during the event to help assure safe food handling.

### **B. Using Catered Services for Your Event**

*Catered services* means food has been prepared by a licensed caterer and brought to, for example, the church, for serving, or prepared on site for an event by the licensed caterer. In this situation, the church is serving as the site for the licensed caterer to serve food and the licensed caterer assumes the responsibility of safe food preparation and serving.

## **Prevention Guidelines:**

- ✧ Excluded organizations when catering an event shall utilize licensed caterers for food service. Information on the licensure of caterers can be obtained from your local health department. Excluded organizations should have hand washing and bathroom facilities available.

## **Preventing Waterborne Outbreaks**

Excluded organizations that have their own private water supply (e.g., drilled well) should have the water tested at least annually, preferably twice a year. Local health department Environmental Health staff in Maryland are available to test a water sample for bacteria, nitrates, and turbidity levels to assure the potability (i.e., acceptable quality) of the water supply. If contamination or high levels are found, the local health department staff will require correction of problems.

Excluded organizations that are on public drinking water supplies can assume that these supplies are routinely tested and in compliance with Maryland safe drinking water regulations.

## **Outbreak Recognition and Reporting**

If an excluded organization becomes aware of a foodborne or waterborne outbreak occurring among attendees of a excluded organization event, the outbreak should be reported immediately by telephone to the local health department (see Attachment 1 or utilize their emergency number after working hours). The local health department will assume the responsibility of investigating the outbreak in conjunction with the Maryland Department of Health and Mental Hygiene, if needed.

Excluded organization staff should cooperate with health department officials in their investigation including the notification of people who may have been exposed, if needed. Outbreak investigation steps may include obtaining a list of attendees, interviewing those who attended and those who prepared the food, inspecting the facility, and obtaining specimens from ill persons and food samples.

## **Laws and Regulations**

The laws and regulations that govern food service facilities, including excluded organizations, and communicable disease outbreaks include:

- Md. Code Annotated, Health-General Article, Title 21, Subtitle 3, Food Establishments
- Code of Maryland Regulations (COMAR) 10.15.03--Food Service Facilities
- (Note: COMAR 10.15.03.11—deals with Excluded Organizations)
- Code of Maryland Regulations (COMAR) 10.06.01 – Communicable Diseases

Attachment 1. Local Health Departments – Maryland

<b>Health Department</b>	<b>Phone Number</b>
Allegany County Health Department	301-777-5600
Anne Arundel County Health Department	410-222-7095
Baltimore City Health Department	410-396-4387
Baltimore County Health Department	410-887-3740
Calvert County Health Department	410-535-5400
Caroline County Health Department	410-479-0556
Carroll County Health Department	410-876-2152
Cecil County Health Department	410-996-5550
Charles County Health Department	301-934-9577
Dorchester County Health Department	410-228-3233
Frederick County Health Department	301-694-1029
Garrett County Health Department	301-334-1599
Harford County Health Department	410-638-8435
Howard County Health Department	410-313-6300
Kent County Health Department	410-778-1350
Montgomery County Health Department	240-777-3986
Prince George's County Health Department	301-883-7690
Queen Anne's County Health Department	410-758-0720
St. Mary's County Health Department	301-475-4330
Somerset County Health Department	410-651-5600
Talbot County Health Department	410-819-5600
Washington County Health Department	301-791-3200
Wicomico County Health Department	410-749-1244
Worcester County Health Department	410-632-1100

# Food Safety Fact Sheet

## Foodborne illnesses are caused by microorganisms present in food

Foodborne organisms may be bacteria, such as *Salmonella*, *Shigella*, or *E. coli* O157: H7, viruses, or foodborne parasites. They can contaminate many of the foods we eat- meat, milk, fish, and shellfish, poultry, eggs, fruit, and fresh vegetables, to name a few. These organisms, or their toxins, may make you sick.

## Many foodborne illnesses occur because of the way food is handled and prepared

You can help prevent these infections by not giving harmful microorganisms or toxins a chance to multiply and/or contaminate foods. If you suspect that you have handled or prepared any food incorrectly, it is better to throw it away or consult a food safety information service before serving or eating it.

### Tips for keeping your food safe:

#### ■ Wash hands with soap and warm water

- Before and after preparing food
- After handling raw meat or poultry
- Before handling ready-to-eat food, such as salads or sandwiches
- After handling anything that may contaminate your hands

#### ■ Prevent cross-contamination of foods with raw foods

- Keep raw meats and poultry separate from other foods.
- Thaw foods on a plate in the refrigerator on the lowest shelf possible. Don't allow their juices to drip on other foods.
- Clean and disinfect cutting boards and kitchen surfaces after preparing different foods. It is best to clean with hot soapy water, then sanitize with a bleach solution. Be sure to rinse well.

#### ■ Cook foods thoroughly

- Cook meat and poultry thoroughly. Using an accurate meat thermometer is the only way to ensure that food is thoroughly cooked.
- Do not taste or eat raw, rare, or even pink ground meat or poultry in any form.
- Cook seafood until it is opaque and flaky.
- Do not eat raw shellfish, such as oysters or clams, even if marinated.
- Cook eggs thoroughly; they should be firm and not runny.
- Avoid eating other foods that contain raw or undercooked shell eggs, like Caesar salad dressing

#### ■ Store foods properly

- Refrigerate and freeze perishable foods right away after buying them.
- Thaw frozen food in the refrigerator or microwave oven, not the kitchen counter or sink.
- Keep hot foods hot and cold foods cold after they are prepared.
- Do not leave food at room temperature for longer than two hours.
- Refrigerate or freeze leftovers in shallow containers or tightly wrapped bags.

## **Minimum Standards of COMAR 10.15.03 Required for Excluded Organizations**

**The following sections of COMAR 10.15.03 pertain to excluded organizations as specified in COMAR 10.15.03.11 - Excluded Organizations:**

- .01 Scope
- .02 Definitions
- .03 Food Supplies
- .04 Food Protection
- .05 Personnel
- .06A(1)(c)(i) and (l) and B Food Equipment and Utensils
- .07A, B, C (1)(a) and (d), D-G Sanitary Facilities and Control
- .08A, B, C (1) and (3), D, E Other Facilities and Operations
- .10 Egg Records
- .12H Licenses
- .13 Food Service Facility Inspection Parameters
- .14 Food Service Facilities Outside the Jurisdiction of the Approving Authority
- .15 Choking Posters
- .16 Plan Review
- .17 Priority Assessment
- .18 Hazard Analysis
- .19 Frequency of Evaluation and Inspection
- .20 Time Period for Correction of Violations
- .21A(2)-(6) Enforcement Procedures
- .22 Food-Borne Disease Investigation and Control
- .23 Sampling, Detention, and Condemnation of Food
- .24 Penalties
- .25 Table 1 (minimum type size; area of principal display panel)

The major difference between excluded organizations and nonprofit organizations (i.e., licensed food service facilities) include:

1. There are certain pieces of food equipment that excluded organizations must use unless installed or replaced before 2/15/93--the effective date of the regulations:
  - A. refrigeration equipment used to store potentially hazardous foods is required to meet at least NSF Standard Number 7 if after a priority assessment of refrigeration equipment conducted by the approving authority is not sufficient to prevent food spoilage or toxin formation.
  - B. unless an excluded organization is operating as a "special" food service facility, or serving food to disadvantaged populations, an excluded organization is required to meet NSF Standard Number 3 for mechanical dishwashing equipment.

2. When an excluded organization is not required by the approving authority to meet NSF standards for refrigeration and/or mechanical dishwashing equipment, an excluded organization shall use equipment which:
  - A. Is in good repair;
  - B. Is capable of being maintained in a sanitary manner;
  - C. Has nontoxic food-contact surfaces; and
  - D. Accomplishes its intended and required function.