

graphs (B)(1) -(3) or C)(1)-(5) of this section; <sup>Pf</sup> and

(b) Methods of compliance with § 3-501.14 for FOOD that is prepared, cooked, and refrigerated before time is used as a public health control. <sup>Pf</sup>

(B) If time temperature control is used as the public health control up to a maximum of 4 hours:

(1) The FOOD shall have an initial temperature of 5°C (41°F) or less when removed from cold holding temperature control, or 57°C (135°F) or greater when removed from hot holding temperature control; <sup>P</sup>

(2) The FOOD shall be marked or otherwise identified to indicate the time that is 4 hours past the point in time when the FOOD is removed from temperature control; <sup>Pf</sup>

(3) The FOOD shall be cooked and served, served at any temperature if READY-TO-EAT, or discarded, within 4 hours from the point in time when the FOOD is removed from temperature control; <sup>P</sup> and

(4) The FOOD in unmarked containers or PACKAGES, or marked to exceed a 4-hour limit shall be discarded. <sup>P</sup>

(C) If time without temperature control is used as the public health control up to a maximum of 6 hours:

(1) The FOOD shall have an initial temperature of 5°C (41°F) or less when removed from temperature control and the FOOD temperature may not exceed 21°C (70°F) within a maximum time period of 6 hours; <sup>P</sup>

(2) The FOOD shall be monitored to ensure the warmest portion of the FOOD does not exceed 21°C (70°F) during the 6-hour period, *unless an ambient air temperature is maintained that ensures the FOOD does not exceed 21°C (70°F) during the 6-hour holding period;* <sup>Pf</sup>

(3) The FOOD shall be marked or otherwise identified to indicate: <sup>Pf</sup>

(a) The time when the FOOD is removed from 5°C (41°F) or less cold holding temperature control, <sup>Pf</sup> and

(b) The time that is 6 hours past the point in time when the FOOD is removed from cold holding temperature control; <sup>Pf</sup>

(4) The FOOD shall be:

(a) Discarded if the temperature of the

FOOD exceeds 21°C (70°F), <sup>P</sup> or

(b) Cooked and served, served at any temperature if READY-TO-EAT, or discarded within a maximum of 6 hours from the point in time when the FOOD is removed from 5°C (41°F) or less cold holding temperature control; <sup>P</sup> and

(5) The FOOD in unmarked containers or PACKAGES, or marked with a time that exceeds the 6-hour limit shall be discarded. <sup>P</sup>

(D) A FOOD ESTABLISHMENT that serves a HIGHLY SUSCEPTIBLE POPULATION may not use time as specified under ¶¶ (A), (B) or (C) of this section as the public health control for raw EGGS.

### 3-502 Specialized Processing Methods

#### 3-502.11 Variance Requirement.

A FOOD ESTABLISHMENT shall obtain a VARIANCE from the REGULATORY AUTHORITY as specified in § 8-103.10 and under § 8-103.11 before: <sup>Pf</sup>

(A) Smoking FOOD as a method of FOOD preservation rather than as a method of flavor enhancement; <sup>Pf</sup>

(B) Curing FOOD; <sup>Pf</sup>

(C) Using FOOD ADDITIVES or adding components such as vinegar: <sup>Pf</sup>

(1) As a method of FOOD preservation rather than as a method of flavor enhancement, <sup>Pf</sup> or

(2) To render a FOOD so that it is not TIME/TEMPERATURE CONTROL OF SAFETY FOOD; <sup>Pf</sup>

(D) Packaging FOOD using a REDUCED OXYGEN PACKAGING method *except where the growth of and toxin formation by Clostridium botulinum and the growth of Listeria monocytogenes are controlled as specified under § 3-502.12;* <sup>Pf</sup>

(E) Operating a MOLLUSCAN SHELLFISH life-support system display tank used to store or display shellfish that are offered for human consumption; <sup>Pf</sup>

(F) Custom processing animals that are for personal use as FOOD and not for sale or service in a FOOD ESTABLISHMENT; <sup>Pf</sup>

(G) Preparing FOOD by another method that is determined by the REGULATORY AUTHORITY to require a VARIANCE; <sup>Pf</sup> or