

Retail Food Establishments: Date Marking Guide

Regulation 61-25: Retail Food Establishments



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Five Key Risk Factors

*repeatedly identified in
foodborne illness outbreaks:*

1. Improper Holding Temps

2. Inadequate Cooking
3. Contaminated Equipment
4. Food from Unsafe Sources
5. Poor Personal Hygiene

Item 1 is addressed on this sheet.

Regulation 61-25

Citations 3-501.17 & 3-501.18

Ready-to-Eat, TCS Food,
Date Marking 3-501.17

Ready-to-Eat TCS Food,
Disposition 3-501.18

- It is in a container without a labeled day or date,
- It exceeds 41°F; or
- It exceeds seven days of cold holding.

Public Health Reasons

Refrigeration prevents food from becoming a hazard by significantly slowing the growth of most microbes. The growth of some bacteria is significantly slowed but not stopped by refrigeration. Over a period of time, these organisms may increase their risk to public health in ready-to-eat foods.

This guide provides information on date marking requirements that apply to ready-to-eat, time/temperature control for safety (TCS) foods. Some challenges include:

- » Determining which foods are required to be date marked,
- » Developing a date marking system for employees to follow
- » Ordering volumes and sizes of product that can be sold within seven days of opening.

Why is Date Marking Important?

Date marking is a means of controlling the growth of *Listeria monocytogenes*, which continues to grow even at refrigerated temperatures. A successful date marking process ensures the food is discarded before harmful bacteria can cause a foodborne illness.

What Foods Must be Date Marked?

- » Time/Temperature Control for Safety (TCS) foods.
- » Ready-to-eat food that may be eaten without any additional preparation steps to make the food safe.
- » Prepared food, that may be reheated, such as chili.
- » Food stored under refrigeration for more than 24-hours.

How to Mark the Date

A food establishment may choose any marking method suitable for its operation.

Applicable foods must be served, sold, or discarded within seven days of preparation/opening.

The day the food is prepared or opened is day 1. The discard date is day 1 plus 6.

Example: Food prepared on April 1st must be consumed or discarded on April 7th.

It is important that the date marking system be understandable, effective, consistently used by employees, and clear to your inspector during the evaluation.

It is recommended that a written policy be provided for employee use.

What if the Food is put in the Freezer?

Freezing food stops the date marking clock but does not reset it. For example, if a food is stored at 41° F for two days and then frozen, it may be stored at 41° F for five more days after removal from the freezer. The freeze date and the thaw date must be put on the container along with the preparation date as an indication of how many of the original seven days have been used.

What if Foods are Combined that were Opened on Different Dates?

When different containers of foods are combined, the date of the oldest ingredient becomes the reference date.

Example: If today is Wednesday, and salad marked on Monday is mixed with salad marked on Tuesday, the combined salad date mark would be based on Monday's date.

Items Not Requiring Date Marking

Some foods prepared and packaged in an inspected food processing plant may not require date marking. These foods include:

- » Commercially pre-packaged deli salads
- » Semi-soft cheeses – see list below
- » Hard cheeses – see list below
- » Cultured dairy products, such as yogurt, sour cream and buttermilk
- » Preserved fish products, such as pickled herring and dried or salted cod
- » Shelf-stable dry fermented sausages, pepperoni and salami not labeled as “keep refrigerated”

List of Some Hard and Semi-Soft Cheeses Exempt from Date Marking

Abertam	Christalina	Gorgonzola (blue veined)	Oaxaca	Romanello
Appenzeller	Colby	Gouda	Oka	Romano
Asadero	Coon	Gruyere	Parmesan	Roquefort (blue veined)
Asiago (medium or old)	Cotija	Havarti	Pecorino	Samsoe
Asiago soft	Cotija Anejo	Herve	Port du Salut	Sapsago
Battelmatt	Derby	Konigskase	Provolone	Sassenage (blue veined)
Bellelay (blue veined)	Edam	Lapland	Queso Anejo	Stilton (blue veined)
Blue	Emmentaler	Limburger	Queso Chihuahua	Swiss
Bra	English Dairy	Lorraine	Queso de Bola	Tignard (blue veined)
Brick	Fontina	Manchego	Queso de la Tierra	Tilsiter
Camosum	Gex (blue veined)	Milano	Queso de Prensa	Trappist
Chantelle	Gjetost	Monterey	Reggiano	Vize
Cheddar	Gloucester	Muenster	Robbiole	Wensleydale (blue)

Deli Meats

Date marking applies to entire loaves of deli meats once the original package is opened. Refrigerated deli meats should be purchased in sizes that can be sliced and sold within seven days of opening.

What Date Applies for Packaged Deli Items for Sale?

Whenever a ready-to-eat deli item is packaged in-house and placed in a self-service case, the package must be marked with the last date the item should be sold. Consumer should be able to see the date.

Example: If a package of bulk deli meat was opened on day 1, then sliced for a self-service case 4 days later, the customer package should be date marked 7 days from the date the original package was opened.

What if an operation goes through refrigerated salami so fast that the loaf will be gone in less than four days. Does it still need to be date marked?

Yes, if a ready-to-eat food is not going to be served, sold, or discarded within 24-hours, it must be date marked.

Example Chart

Date	Shelf Life Day	Action		Date	Shelf Life Day	Action
October 1st	1	Cook/Cool/Cold Hold at 41°F		October 11th	5	Cold Hold at 41°F
October 2nd	2	Cold Hold at 41°F		October 12th	6	Cold Hold at 41°F
October 3rd	3	Freeze		October 13th	7	Consume or Discard
October 10th	4	Thaw to 41°F & Cold Hold				