

Proposed Changes to the Illinois Food Sanitation Code

Section 750.10 Definitions

"Hermetically sealed container" means a container designed and intended to be secure against the entry of microorganisms and, in the case of low acid canned foods, to maintain the commercial sterility of its content after processing.

~~"Modified Atmosphere Packaging (MAP)" means a one-time gas flushing and sealing process. The gas atmosphere within the package after sealing is then allowed to passively change due to factors of container permeability and food product respiration~~

"Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, 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*.

"Potentially hazardous food" includes an animal food (a food of animal origin) that is raw or heat-treated; a food of plant origin that is heat-treated or consists of raw seed sprout; cut melons; and garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support the growth of infectious or toxigenic microorganisms.

The term does not include foods which have:

Have a pH level of 4.6 or below; or

Have a water activity (a_w) value of 0.85 or less; or

Are a food, in an unopened hermetically sealed container, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution.

"Reduced Oxygen Packaging" means the reduction of the amount of oxygen in a package by removing oxygen; displacing oxygen and replacing it with another gas or combination of gases; or otherwise controlling 21% at sea level); and a process as specified in previous sentence of this definition that involves a food for which the hazards *Clostridium botulinum* or *Listeria monocytogenes* require control in the final packaged form.

“Reduced Oxygen Packaging” includes Vacuum packaging, in which air is removed from a package of food and the package is hermetically sealed so that a vacuum remains inside the package;

Modified atmosphere packaging, in which the atmosphere of a package of food is modified so that its composition is different from air but the atmosphere may change over time due to the permeability of the packaging material or the respiration of the food. Modified atmosphere packaging includes reduction in the proportion of oxygen, total replacement of oxygen, or an increase in the proportion of other gases as carbon dioxide or nitrogen;

Controlled atmosphere packaging, in which the atmosphere of a package of food is modified so that until the package is opened, its composition is different from air, and continuous control of that atmosphere is the oxygen content to a level below that normally found in the atmosphere (approximately maintained, such as by using oxygen scavengers or a combination of total replacement of oxygen, non-respiring food, and impermeable packaging material;

Cook chill packaging, in which cooked food is hot filled into impermeable bags which have the air expelled and are then sealed or crimped closed. The bagged food is rapidly chilled and refrigerated at temperatures that inhibit the growth of psychotrophic pathogens; or

Sous vide packaging, in which raw or partially cooked food is placed in a hermetically sealed, impermeable bag, cooked in the bag, rapidly chilled, and refrigerated at temperatures that inhibit the growth of psychotrophic pathogens

“Re-service” means the transfer of food that is unused and returned by a consumer after being served or sold and in the possession of the consumer, to another person.

"Sanitization" means ~~effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level (when those disease organisms which may be present are destroyed so as to prevent transfer) on cleaned food contact surfaces of utensils and equipment~~ the application of cumulative heat or chemicals on cleaned food-contact surfaces that, when evaluated for efficacy, is sufficient to yield a reduction of 5 logs, which is equal to a 99.999% reduction, of representative disease microorganisms of public health importance.

“Single-Use articles” means utensils and bulk food containers designed and constructed to be used once and discarded.

“Single-Use articles” includes items such as wax paper, butcher paper, plastic wrap, formed aluminum food containers, jars, plastic tubs or buckets, bread wrappers, pickle barrels, ketchup bottles, and number 10 cans which do not meet the materials, durability, strength, and cleanability specification under Subpart D of this code, specifically sections 750.600, 750.630, and 750.650 for multiuse utensils.

“Smooth” means a food-contact surface having a surface free of pits and inclusions with a cleanability equal to or exceeding that of (100 grit) number 3 stainless steel; a nonfood-contact surface of equipment having a surface equal to that of commercial grade hot-rolled steel free of visible scale; and a floor wall, or ceiling having an even or level surface with no roughness or projections that render it difficult to clean.

“Temperature measuring devise” means a thermometer, thermocouple, thermistor, or other device that indicates the temperature of food, air, or water.

“Utensil” means a ~~any~~ food-contact implement or container used in the storage, preparation, transportation, dispensing, sale or service of food, such as kitchenware or tableware that is multiuse, single-service, or single-use; gloves used in contact with food; temperature sensing probes of food temperature measuring devices; and probe-type or identification tags used in contact with food.

“Variance” means a written document issued by the regulatory authority that authorizes a modification or waiver of one or more requirements of this food code if, in the opinion of the regulatory authority, a health hazard or nuisance will not result from the modification or waiver.

Section 750.110 Special Requirements

- 3) The required consumer advisory may be in the form of a brochure, deli case or menu advisory, label statement, table tent, placard or other written notification that is visible to patrons. The advisory shall include the following:

"The Illinois Department of Public Health advises that eating raw or under-cooked meat, poultry, eggs or seafood poses a health risk to everyone, but especially to the elderly, young children under age 4, pregnant women, and other highly susceptible individuals with compromised immune systems. Thorough cooking of such animal foods reduces the risk of illness."

Section 750.120 General – Food Protection

- a) At all times, including while being stored, prepared, displayed, served, or transported, food shall be protected from potential contamination,

including dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage, and overhead leakage or overhead drippage from condensation. ~~Prior to July 1, 1996, the temperature of potentially hazardous foods shall be 45 degrees F or below or 140 degrees F or above at all times, except as otherwise provided in this Part. Effective July 1, 1996, The temperature of potentially hazardous foods shall be 41°F or below, or 140-135°F or above, at all times, except as otherwise provided in this Part. Refrigeration units unable to maintain a product temperature of 41°F may continue to be used until January 1, 2006, provided the product temperature is maintained at 45°F or less at all times and all potentially hazardous foods prepared on site or opened containers/packages of commercially processed food products are dated and refrigerated for no longer than three days after preparation or opening, respectively. In the event the dated product is not used or sold within 3 days, the product shall be discarded.~~

Section 750.140 Refrigerated Storage

b) ~~Prior to July 1, 1996, potentially hazardous food requiring refrigeration after preparation shall be labeled or tagged with the date and time of preparation and rapidly cooled to an internal temperature of 45°F or below. Effective July 1, 1996, Potentially hazardous food shall be labeled or tagged with the date and time of preparation and rapidly cooled to an internal temperature of 41°F, unless the food is cooled to an internal temperature of 45°F and refrigerated at 45°F for no more than three days as specified in Section 750.120. Potentially hazardous foods of large volume or prepared in large quantities shall be rapidly cooled, utilizing such methods as limiting depth of food to 4 inches or less, agitation, quick chilling or water circulation external to the food container. Prior to July 1, 1996, potentially hazardous food to be transported shall be pre-chilled and held at a temperature of 45°F or below unless maintained in accordance with the hot storage requirements contained in Section 750.150. Effective July 1, 1996, Potentially hazardous food to be transported shall be pre-chilled and held at a temperature of 41°F or below unless maintained in accordance with the hot storage requirements contained in Section 750.150.~~

- 1) ~~Effective July 1, 1996, Cooked potentially hazardous food shall be cooled:~~
 - A) From 135°F (60°C) to 70°F (21°C) within 2 hours; and
 - B) From 70°F (21°C) to 41°F (4.5°C), or below, within 4 more hours (or within a total of 6 hours).
- 2) ~~Effective July 1, 1996, Potentially hazardous food shall be cooled to 41°F (4.5°C) or below within 4 hours if prepared from~~

ingredients at ambient temperature, such as reconstituted foods and canned tuna.

- 3) ~~Effective July 1, 1996,~~ Fluid milk and milk products, shell eggs, and molluscan shellstock received in compliance with laws regulating the respective food during shipment from the supplier shall be cooled to 41°F (4.5°C) or below within 4 hours.
- e) ~~Upon delivery, intact shell eggs shall be stored at a temperature of 41°F or less, prior to July 1, 1996.~~ Effective July 1, 1996, Upon delivery, intact shell eggs shall be stored at a temperature of 41°F or less, **unless the eggs are dated and refrigerated at 45°F for no more than three days as specified in Section 750.120.**
- b) The internal temperature of potentially hazardous food requiring hot storage shall be ~~440 degrees~~ 135°F or above except during necessary periods of preparation or when time is used as the public health control as specified in Section 750.153. Potentially hazardous food to be transported shall be held at a temperature of ~~440~~ 135 degrees F. or above unless maintained in accordance with paragraph (b) of Section 750.140.

Section 750.151 Ready-to-Eat, Potentially Hazardous Food (Time/Temperature Control for Safety Food), Date Marking

On-Premises Preparation (prepare and hold cold)

- a) **Except when packaging food using a reduced oxygen packaging method, and except as specified in paragraph (d) and (e) of this section, refrigerated, ready-to-eat, potentially hazardous food (time/temperature control for safety food) prepared and held in a food establishment for more than 24 hours shall be clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, based on the temperature and time combinations specified below. The day of preparation shall be counted as Day 1.**
 - 1) **41 F or less for a maximum of 7 days; or**
 - 2) **45 F or between 41 F and 45 F for a maximum of 4 days in existing refrigeration equipment that is not capable of maintaining the food at 41 F or less if:**
 - A) **The equipment is in place and in use in the food establishment, and**
 - B) **Within 5 years of the regulatory authority's adoption of this code.**

the equipment is upgraded or replaced to main food at a temperature of 41 F or less.

Commercially Processed Food (open and cold hold)

b) Except as specified in paragraph (d)-(f) of this section, refrigerated, ready-to-eat, potentially hazardous food (time/temperature control for safety food) prepared and packaged by a food processing plant shall be clearly marked, at the time the original container is opened in a food establishment and if the food is held for more than 24 hours, to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded, based on the temperature and time combinations specified in paragraph (a) of this section and:

- 1) The day the original container is opened in the food establishment shall be counted as Day1; and
- 2) The day or date marked by the food establishment may not exceed a manufacturer's use-by date if the manufacturer determined the use-by date based on food safety.

c) A refrigerated, ready-to-eat, potentially hazardous food (time/temperature control food safety food) ingredient or a portion of a refrigerated, ready-to-eat, potentially hazardous food (time/temperature control for safety food) that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest-prepared or first-prepared ingredient.

d) A date marking system that meets the criteria state in paragraph 9a) and (b) of this section may include:

1) Using a method approved by the regulatory authority for refrigerated, ready-to-eat, potentially hazardous food (time/temperature for safety food) that is frequently rewrapped, such as lunchmeat or a roast, or for which date marking is impractical, such as soft serve mix or milk in a dispensing machine;

2) Marking the date or day of preparation, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under paragraph (a) of this section;

3) Marking the date or day the original container is opened in a food

establishment, with a procedure to discard the food on or before the last date or day by which the food must be consumed on the premises, sold, or discarded as specified under paragraph (b) of this section; or

4) Using calendar dates, days of the week, color-coded marks, or other effective marking methods, provided that the marking system is disclosed to the regulatory authority upon request.

e) Paragraphs (a) and (b) of this sections do not apply to individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.

f) Paragraph (b) of this section does not apply to the following food prepared and packaged by a food processing plant inspected by a regulatory authority:

1) Deli salads, such as ham salad, seafood salad, chicken salad, egg salad, pasta salad, potato salad, and macaroni salad, manufactured in accordance with 21 CFR 110 Current good manufacturing practice in manufacturing, packaging, or holding human food;

2) Hard cheeses containing not more than 39% moisture as defined in 21 CFR 133 Cheeses and related cheese products, such as cheddar, gruyere, parmesan, and reggiano, and romano; related cheese products, such as blue, edam, gorgonzola, gouda, and Monterey jack;

4) Cultured dairy products as defined in 21 CFR 131 Milk and cream, such as yogurt, sour cream, and buttermilk;

5) Preserved fish products, such as pickled herring and dried or salted cod, and other acidified fish products defined in 21 CFR 114 Acidified foods;

6) Shelf stable, dry fermented sausages, such as pepperoni and Genoa salami that are not labeled "Keep Refrigerated" as specified in 9 CFR 317 Labeling, marking devices, and containers, and which retain the original casing on the product; and

7) Shelf stable salt-cured products such as prosciutto and Parma (ham) that are not labeled "Keep Refrigerated" as specified in 9 CFR 317 Labeling, marking devices, and containers.

3) Semi-soft cheeses containing more than 39% moisture, but not

more than 50% moisture, as defined in 21 CFR 133 Cheeses and

Section 750.152 Ready-to-Eat, Potentially Hazardous Food (Time/Temperature Control for Safety Food), Disposition

A food specified in Section 750.151 (a) or (b) shall be discarded if it:

- a) Exceeds either of the temperature and time combinations specified in Section 750.151 (17)(a), except time that the product is frozen;
- b) Is in a container or package that does not bear a date or day; or
- c) Is appropriately marked with a date or day that exceeds a temperature and time combination as specified in Section 750.151 (17)(a).

Section 750.153 Time as a Public Health Control

- a) 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:
 - 1) The food shall be marked or otherwise identified 1) to indicate the time that is 4 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 4 hours from the point of time when the food is removed from temperature control,
 - 3) The food in unmarked containers or packages, or marked to exceed a 4 hour limit shall be discarded, and
 - 4) Written procedures shall be maintained in the food establishment and made available to the regulatory authority upon request, that ensure compliance of this section (750.153) and section 750.140(b) for food that is prepared, cooked, and refrigerated before time is used as a public health control.
- a) In a food establishment that serves a highly susceptible population, time only, rather than time in conjunction with temperature, may not be used as the public health control for raw eggs.

Section 750.188 Plant Food Cooking for Hot Holding

Fruits and vegetables that are cooked for hot holding shall be cooked to a temperature of

135°F (57°C).

(Source: Amended at 28 Ill. Reg. _____, effective _____)

Section 750.189 Microwave Cooking

Raw animal foods cooked in a microwave oven shall be:

- a) Rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat;
- b) Covered to retain surface moisture;
- c) ~~Heated an additional 25°F (14°C) above the temperature specified in Section 750.180(a)(1), (2) and (4) to compensate for shorter cooking times; and~~
Heated to a temperature of at least 165°F (74°C) in all parts of the food;
and
- d) Allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

(Source: Added at 20 Ill. Reg. 2171, effective January 20, 1996)

Section 750.208 Preparation for Immediate Service

Cooked and refrigerated food that is prepared for immediate service in response to an individual consumer order, such as a roast beef sandwich au jus, may be served at any time.

Section 750.210 Reheating for Hot Holding

- a) Except as specified under subsection (b)(c) (d) and (e) below, potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to at least 165° F or higher for 15 seconds throughout before being served or before being placed in a hot food storage facility. Steam tables, bainmaries, warmers, and similar hot food holding facilities are prohibited for the rapid reheating of potentially hazardous foods.
- b) Except as specified under subsection (c) below, potentially hazardous food (time/temperature control for safety food) reheated in a microwave over for hot holding shall be reheated so that all parts of the food reach a temperature of at least 165° F (74° C) and the food is rotated or stirred, covered, and allowed to stand covered for 2 minutes after reheating.
- c) Ready-to-eat food taken from a commercially processed, hermetically

- sealed
container, or from an intact package from a food processing plant that is
inspected
by the food regulatory authority that has jurisdiction over the plant, shall
be
heated to a temperature of at least 135°F (57°F) for hot holding.
- d) Reheating for hot holding shall be done rapidly and the time the food is
between 41°F and 165°F may not exceed 2 hours.
- e) Remaining unsliced portions of roasts of beef that are cooked as specified
under sections 750.186 and 750.187 may be reheated for hot holding
using the oven parameters and minimum time and temperature conditions
specified under 750.186 and 750.187.

Section 750.250 Food Display and Service of Potentially Hazardous Food

~~Prior to July 1, 1996, Potentially hazardous foods shall be kept at an internal temperature of 45-41°F or below or at an internal temperature of 140-135°F or above during display and service, except that rare roast beef shall be held for service at a temperature of at least 130°F. Effective July 1, 1996, Potentially hazardous foods shall be held during display and service at an internal temperature of 41°F or below, unless the foods are dated and refrigerated at 45°F for no more than three days as specified in Section 750.120, or held during display and service at an internal temperature of 140-135 °F or above, except that rare roast beef shall be held for service at a temperature of at least 130°F.~~

(Source: Amended at 20 Ill. Reg. 2171, effective January 20, 1996)

Section 750.340 Public Health Protection

The regulatory authority shall apply this code to promote its underlying purpose of
safeguarding public health and ensuring that food is safe, unadulterated, and honestly
presented when offered to the consumer.

Section 750.350 Preventing Health Hazards, Provision for Conditions Not Addressed

- a) If necessary to protect against public health hazards or nuisances, the
regulatory authority may impose specific requirements in addition to the
requirements contained in this code that are authorized by law.
- b) The regulatory authority shall document the conditions that necessitate the
imposition of additional requirements and the underlying public health
rationale. The documentation shall be provided to the permit applicant or
permit holder and a copy shall be maintained in the regulatory authority's
file for the food establishment.

Section 750.360 Variances

The regulatory authority may grant a variance by modifying or waiving the requirements of this code if in the opinion of the regulatory authority a health hazard or nuisance will not result from the variance. If a variance is granted, the regulatory authority shall retain the information specified under Section 750.370 in its records for the food establishment.

Section 750.370 Documentation of Proposed Variance and Justification

Before a variance from a requirement of this code is approved, the information that shall be provided by the person requesting the variance and retained in the regulatory authority's file on the food establishment includes:

- a) A statement of the proposed variance of the code requirement citing relevant code section numbers; and
- b) An analysis of the rationale for how the potential public health hazards and nuisances addressed by the relevant code sections will be alternatively addressed by the proposal.

Section 750.510 General - Personal Cleanliness

- a) Food employees shall thoroughly ~~keep their~~ wash their hands and the exposed portions of their arms ~~clean, with soap and warm water before starting work, during work as often as is necessary to keep them clean, and after smoking, eating, drinking, or using the toilet.~~ Employees shall keep their fingernails clean, ~~and trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough.~~ Unless wearing intact gloves in good repair, a food employee may not wear fingernail polish or artificial fingernails when working with exposed food.
- b) Food employees shall clean their hands and exposed portions of their arms for at least 20 seconds, using a cleaning compound.
- c) Food employees shall use the following cleaning procedure in the order stated to clean their hands and exposed portions of their arms:
 - 1) Rinse under clean, running warm water;
 - 2) Apply an amount of cleaning compound recommended by the cleaning compound manufacturer;
 - 3) Rub together vigorously for at least 10 to 15 seconds while:
 - A) Paying particular attention to removing soil from underneath he
 - A) fingernails during the cleaning procedure, and

- B) Creating friction on the surfaces of the hands and arms, finger tips, and areas between the fingers;
- 2) Thoroughly rinse under clean, running warm water; and
- 3) Immediately follow the cleaning procedure with thorough drying using a method as specified under Section 750.1120 (e).
- d) To avoid re-contaminating their hands, food employees may use disposable paper towels or similar clean barriers when touching surfaces such as manually operated faucet handles on a handwashing sink or the handle of a restroom door.

Section 750.512 When to Wash

Food employees shall clean their hands and exposed portions of their arms immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service articles and:

- a) After touching bare human body parts other than clean hands and clean, exposed portion of arms
- b) After using the toilet room;
- c) After caring for or handling service animals
- d) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking;
- e) After handling soiled equipment or utensils;
- f) During food preparation, as often as is necessary to remove soil and contamination and to prevent cross-contamination when changing tasks;
- g) When switching between working with raw food and working with ready-to-eat food;
- h) Before donning gloves for working with food; and
- i) After engaging in other activities that contaminate the hands.

Section 750.514 Where to Wash

Food employees shall clean their hands in a handwashing sink or approved automatic handwashing facility and may not clean their hands in a sink used for food preparation or warewashing, or in a service sink or a curbed cleaning facility used for the disposal of mop water and similar liquid waste.

Section 750.520 General - Clothing

- a) The outer clothing of all employees shall be clean.
- b) Employees shall use effective hair restraints ~~to prevent the contamination of food or food contact surfaces, such as hats, hair coverings or nets, beard restraints, and clothing that covers body hair, that are designed and worn to effectively keep their hair from contacting exposed food; clean equipment, utensils, and lines; and unwrapped single-service and single-use articles.~~

Section 750.530 General - Employee Practices

- a) Employees may consume food only in designated dining areas. An employee dining area shall not be so designated if consuming food there may result in contamination of other food, equipment, utensils, or other items needing protection.
- b) A food employee may drink from a closed beverage container if the container is handled to prevent contamination of:
 - 1) The employee's hands;
 - 1) The container; and
 - 2) Exposed food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles.
- ~~b~~) Employees shall not use tobacco in any form while engaged in food preparation or service, nor while in any equipment or utensil washing or food preparation areas. Employees shall use tobacco in any form only in designated areas. Areas shall not be designated for that purpose if the use of tobacco might result in the contamination of food, equipment, utensils or other items needing protection.
- ~~d~~e) Employees shall handle soiled tableware in a way that avoids contamination of their hands.
- ~~e~~d) Employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods in the food service establishment.
- f) Except for a plain ring such as a wedding band, while preparing food, food employees may not wear jewelry including medical information jewelry on their arms and hands.

(Source: Amended at 7 Ill. Reg. 16415, effective November 23, 1983)

Section 750.1835 Make Up Work

- a) The routine use of home-study preparation to complete the 15 hour course requirement shall not be approved. Make-up work; i.e., home study, is reserved for extraordinary situations, such as illness. Its use shall be reviewed on a case-by-case basis and approved by the instructor prior to the student taking the examination. The portions as defined in Section 750.1820(b)(5)(A) and (C) shall be taught in-class only, no make-up waiver will be approved. No more than four of the state-required course hours may be make-up work.

Section 750.2030 Refrigeration Requirements

~~Prior to July 1, 1996, all retail processed foods in reduced oxygen packages must be refrigerated at 45°F or below or kept frozen at 0°F or below. Effective July 1, 1996, All retail processed foods in reduced oxygen packages shall be refrigerated at 41°F or below, at all times, except as otherwise provided in this Part. Refrigeration units unable to maintain a product temperature of 41°F may continue to be used until January 1, 2006, provided the product temperature is maintained at 45°F or less at all times and all potentially hazardous foods prepared on site or opened containers/packages of commercially processed food products are dated and refrigerated for no longer than three days after preparation or opening, respectively.~~

Section 750.2040 Safety Barriers

~~Prior to July 1, 1996, refrigeration at 45°F or less is required as the primary safety barrier. Effective July 1, 1996, All retail processed foods in reduced oxygen packages shall be refrigerated at 41°F or below, at all times, except as otherwise provided in Section 750.2030. Only refrigerated foods that possess one or more of the following secondary safety barriers can be packaged in a reduced oxygen atmosphere at retail:~~

- a) Foods with a water activity (a^w) below .93~~1~~, or
- b) Foods with an acidity (pH) of less than 4.6, or
- c) Foods with high levels of non-pathogenic competing organisms (such as raw meat or raw poultry) that prohibit the growth of pathogenic bacteria, or
- d) ~~Is a~~ meat or poultry products processed under U.S.D.A. or Illinois Department of Agriculture supervision with a nitrite level of at least 120 PPM and a minimum brine concentration of 3.5%, or
- e) Frozen foods provided the product is maintained in a frozen state before, during and after packaging.

(Source: Amended at 20 Ill. Reg. 2171, effective January 20, 1996)