



ADMINISTRATIVE RULES OF MONTANA



37.106.1467 FOOD SERVICE

- (1) An inpatient or residential SUDF must establish policies and procedures for standards relative to safe food handling, storage, preparation, and serving, to prevent food spoilage and the transmission of infectious disease. The policies and procedures must include provisions that:
 - (a) all food must be from an approved source and shall be transported, stored, covered, prepared, and served in a sanitary manner to prevent contamination;
 - (b) food must be free from adulteration or other contamination and must be safe for human consumption;
 - (c) food removed from the original container must be dated, labeled, and sealed;
 - (d) milk and other dairy products must be pasteurized;
 - (e) use of home canned foods other than jams, jellies, and fruits is prohibited;
 - (f) use of thermometers is required to check food temperatures;
 - (g) cold storage of potentially hazardous food must be at 41°F or below;
 - (h) frozen food must be kept frozen;
 - (i) hot storage of potentially hazardous food must be 135°F or above;
 - (j) each type of food must be stored and arranged so that cross-contamination of one type with another is prevented;
 - (k) raw fruits and vegetable must be thoroughly washed in potable water to remove soil and other contaminants before being cut, combined with other ingredients, cooked, served, or offered for human consumption in ready-to-eat form. Fruits and vegetables may be washed by using chemicals approved by the U.S. Environmental Protection Agency;
 - (l) food packages must be in good condition and protect their contents, so that the food is not exposed to adulteration or potential contaminants; and
 - (m) packaged food may not be stored in direct contact with water or undrained ice if the food package could allow water entry.
- (2) The facility must have conveniently located hand washing facilities, supplied with hand soap, disposable towels kept clean in a dispenser, and a cleanable trash can.
- (3) Staff handling or preparing food shall thoroughly wash hands, wrists, and exposed arms with soap and warm running water for at least 20 seconds:

- (a) before touching anything used to prepare food;
 - (b) before touching food that will not be cooked;
 - (c) after touching raw meat, fish, or poultry;
 - (d) after cleaning, handling dirty dishes, removing garbage, or storing supplies;
 - (e) after using the toilet facilities;
 - (f) after eating or drinking;
 - (g) after touching the face, hair, or skin;
 - (h) after blowing the nose, coughing, or sneezing; and
 - (i) after touching any soiled object.
- (4) After handwashing, hands must be dried, and faucets turned off with a clean paper towel.
- (5) If used, chemical hand sanitizers must be followed by thorough hand rinsing before contact with food.
- (6) General health and safety requirements include the following:
- (a) use of clean cutting boards, knives, can openers, and other equipment and utensils for each type of food preparation to prevent cross-contamination;
 - (b) a person with symptoms of a communicable disease that can be transmitted to foods or who is a carrier of such a disease may not work with food, clean equipment, or clean utensils;
 - (c) kitchenware, tableware, and food contact surfaces must be washed, rinsed, and completely dried after each use; and
 - (d) sinks used for food preparation must be cleaned before beginning the preparation of the food.
- (7) A domestic style dishwasher may be used only if it is equipped with a heating element and the following conditions are met:
- (a) the dishwasher must have water at a temperature of at least 165°F when it enters the machine, if it uses hot water for sanitization; and
 - (b) at least a two-compartment sink must be available as a backup in the event the dishwasher becomes inoperable.
- (8) If a two-compartment sink is used, all dishware, utensils, and food service equipment must be thoroughly cleaned in the first sink compartment with a hot detergent solution that is kept clean and at a concentration indicated on the manufacturer's label and sanitized in the second compartment by immersion in any chemical sanitizing agent.
- (9) Food must be served in amounts and variety sufficient to meet the nutritional needs of each client.
- (10) At least three meals must be offered daily and at regular times, with not more than a 12-hour span between an evening meal and breakfast unless a nutritious snack is available in the evening, then up to 14 hours may lapse between a substantial evening meal and breakfast.
- (11) Records of menus as served must be on file for three months after the date of service for review by the department.

- (12) The SUDF must provide for therapeutic or special diets ordered by the client's licensed health care professional.
- (13) A minimum of a one-week supply of non-perishable foods and a two-day supply of perishable foods must be available on the premises.

Authorizing statute(s): 50-5-103, MCA

Implementing statute(s): 50-5-103, MCA

History: NEW, 2022 MAR p. 2040, Eff. 9/24/22.