



Ohio Department of Agriculture
and
Ohio Department of Health



Governor Ted Strickland
Lieutenant Governor Lee Fisher

ODA Director Robert J. Boggs
ODH Director Alvin D. Jackson, M.D.

DT: July 8, 2008

TO: Health Commissioners, Directors of Environmental Health and Interested Parties

FR: Ohio Department of Agriculture, Division of Food Safety
Ohio Department of Health, Bureau of Environmental Health

RE: Letter of Opinion 2008-01 "Cut Tomatoes"

Many fruits and vegetables have historically been considered non-potentially hazardous foods because the majority of them have inherent qualities that are sufficient to control pathogen growth and/or toxin formation. However, when pH and/or water activity are not sufficient to control pathogen growth and/or toxin production in a food, then control measures must be applied to control these pathogens.

The recent foodborne illness outbreaks associated with tomatoes led to further examinations of the product and the storage and handling practices utilized by Food Service Operations and Retail Food Establishments. As a result of these assessments and the 2006 recommendation by the Conference for Food Protection, "cut tomatoes" (e.g., sliced/diced) were added to the definition of a potentially hazardous food in the 2007 supplement of the 2005 FDA Model Food Code, thereby requiring time/temperature control of these products.

In view of this change and in anticipation of a corresponding change in the *Ohio Uniform Food Safety Code*, it is our opinion that "cut tomatoes" be immediately added to the definition of a potentially hazardous food as defined in rule 3717-1-01 of the Ohio Administrative Code.

This "Letter of Opinion" was reviewed and recommended by the Retail Food Safety Advisory Council at their July 8, 2008 meeting.