

Reply from DPH:

January 8, 2007

Karen Reid, R.S.
Health Program Coordinator
West Hartford-Bloomfield Health District
693-C Bloomfield Avenue
Bloomfield, CT 06002

RE: Yogurt Production in Food Service Establishments

Dear Ms. Reid:

Thank you for your December 5, 2006 letter requesting a regulatory interpretation concerning the acceptability of producing yogurt in food service establishments.

Specialized Food Process

In general, commercial processing and manufacturing of food for retail sale to the public have not been considered acceptable practices in food service establishments. The operations and facilities in food service establishments normally lack the ability to implement the Good Manufacturing Practice (GMP) controls that are required to be provided in commercial food processing establishments. Similarly, specialized food processing practices involving acidification, smoking, curing, fermentation and other high risk types of processing methods would not be considered acceptable methods used to prepare foods for individual portion service in food service establishments. As discussed in the Federal Food and Drug Administration (FDA) 2005 Food Code Section 3-502.11, specialized food processing methods have historically resulted in more foodborne illness than standard processes and present a significant health risk if not conducted under strict operational procedures.

The manufacturing of yogurt for retail sale in Connecticut is regulated by the Connecticut Department of Agriculture under strict GMPs, temperature control and pasteurization requirements. The public health concerns that require the above controls in yogurt manufacturing would also apply to the production of yogurt in a food service establishment setting.

FDA Opinion

In a 1990 correspondence from FDA regarding the production and service of yogurt in food service establishments, the expressed FDA opinion was that the production of yogurt would not be recommended in food service establishments. The FDA opinion discussed the concern that the potential for cross-contamination is greater in a food service establishment than in a processing plant and that yogurt production requires long periods of incubation at temperatures in the range where pathogens survive and grow. The pH of the fermenting yogurt reduces slowly and may allow for pathogenic microbial growth until it decreases sufficiently to be considered nonpotentially hazardous (pH of less than 4.2 based on the FDA 2005 Food Code).

Public Health Code

Public Health Code (PHC) Section 19-13-B42 (n) requires that all food in food service establishments shall be approved or considered satisfactory by the director of health. PHC Section 19-13-B42(m)(1) requires that potentially hazardous food shall be maintained at 45°F or at 140°F or higher. The method of yogurt production described in your letter involves an incubation step that exposes the potentially hazardous milk mixture to temperatures that are in the danger zone and in violation of Section 19-13-B42(m)(1). The addition of a “yogurt culture” without product purity and safety assurance, raises the question of compliance with Section 19-13-B42(n) for required food safety.

In conclusion, it is recommended that the production of yogurt, as described above, not be considered acceptable in food service establishments.

Please feel free to contact Tracey Weeks, Program Coordinator, or me at (860) 509-7297 if you have additional questions or concerns about this subject.

Sincerely,

Roger Mshar
Epidemiologist III
Environmental Health Section
Food Protection Program

cc: Suzanne Blancaflor, EHS, DPH
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