



Summary of Illinois Food Code and 2022 FDA Food Code Changes

In 2024, IDPH officially adopted the 2022 U.S. Food and Drug Administration (FDA) Food Code in conjunction with amendments to the Illinois Food Code (77 Ill. Adm. Code 750).

The updated FDA Food Code contains numerous changes for consistency, to correct errors, and to reflect changes due to updated science and public health guidelines.

The information below is a summary of the changes to the Illinois Food Code and FDA Food Code and should not be considered all-inclusive. Review the Illinois Food Code and 2022 FDA Food Code for more information. Contact DPH.Food@illinois.gov with any questions.

Illinois Food Code Definition Changes

Definition	Change	Details
Act	Revision	Means the Illinois Food, Drug, and Cosmetics Act [410 ILCS 620]
Category I Facility	Revision	Complex preparation, including cooking, cooling, and reheating for hot holding involving time/temperature control for safety foods. Processes requiring hot and cold holding of time/temperature control for safety foods. Conducting specialized processes as described in 3-502 of the FDA 2022 Food Code. Serving a highly susceptible population as defined in 1-201.10 of the FDA Food Code.
Category II Facility	Revision	Most products are prepared or cooked and served immediately. May involve hot and cold holding of time/temperature for safety foods after preparation or cooking; or As approved by the regulatory authority, preparation of time/temperature control for food safety foods requiring cooking, cooling, and reheating for hot holding, limited to two or fewer same items or processes with approved procedures.
Category III Facility	Revision	Heating only commercially prepared time/temperature control for safety foods for immediate service with no hot holding or assembly. Only time/temperature control for safety foods commercially prepackaged in an approved processing plant are available or served at the facility. Only limited preparation of non- time/temperature control for safety foods and beverages, such as snack foods and carbonated beverages, occurs at the facility. Only beverages (alcoholic and nonalcoholic) and garnishes that are non-time/temperature control for safety are served at this facility
Certified Food Protection Manager	Revision	Now includes Section 2-102.20 of the FDA 2022 Food Code.
Children’s Meal	Add	Means a combination of food items sold for a single price intended for consumption by children.

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Cottage Food Operation	Revision	Removes non-potentially hazardous.
FDA	Add	Means the U.S. Food and Drug Administration.
FDA 2022 Food Code	Add	Means the 2022 recommendations of the U.S. Public Health Service FDA.
Food Processing Plant	Add	Means a commercial operation that manufactures, packages, labels, or stores food for human consumption, and provides food for sale or distribution to other business entities such as food processing plants or food establishments.
Hazard	Add	Means a biological, chemical, or physical agent that is reasonably likely to cause illness or injury in the absence of its control.
Hazard Analysis Critical Control Point (HACCP)	Add	Means a systematic approach to the identification, evaluation, and control of food safety hazards.
Time/Temperature (also referred as “Potentially Hazardous Food”)	Add	Means time/temperature control for safety food as defined in 1-201.10 of the FDA 2022 Food Code.

Illinois Food Code Content Changes

Section	Change	Details
750.110 Incorporated and Referenced Materials	Add	Reference Illinois Food, Drug, and Cosmetic Act [410 ILCS 620].
	Add	Reference Latex Glove Ban Act [410 ILCS 180].
	Revision	Update name to Control of Notifiable Diseases and Conditions Code (77 Ill. Adm. Code 690).
	Revision	Incorporate the FDA 2022 Food Code (January 18, 2023) Chapters 1 through 7 and Section 8-103.10, 8-103.12, and 8-201.14 of Chapter 8 (except the terms “food employee” and “food establishment” in Section 1-201.10) .
	Revision	Conference of Food Protection - “Standards for Accreditation of Food Protection Manager Certification Programs (2016),” which may be obtained from the Conference for Food Protection, 30 Elliot Court, Martinsville, IN 46151-1331.
	Add	“HACCP Principles & Application Guidelines” (1997), National Advisory Committee on Microbiological Criteria for Foods, available at (HACCP Principles & Application Guidelines FDA).
750.115 Applicability (New Section)	Add	Clarifies Part 750 shall apply to all food establishments.
	Add	Clarifies the FDA 2022 Food Code adopts as incorporated the 2022 FDA Food Code for regulating the design, construction, management, and operation of food establishments.
	Add	Clarifies the following terms from the 2022 FDA Food Code are not incorporated into this part: “food employee” and “food establishment.”

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750.120 Inspections and Inspection Reports	Add	Clarifies that inspection reports shall capture the start and the end time of inspections.
	Revision	Removes the acronym “CFPM” and replaces with Certified Food Protection Manager.
	Add	Adds the allergen notice requirement to inspection report.
	Add	Adds the default beverage for children’s meals requirement to inspection report.
	Add	Adds the use of nonlatex gloves for food handling or preparation or appropriate signage at point of purchase to inspection report.
750.200 General – Employee Health	Revision	Revise title of 77 Ill. Adm. Code 690 to Notifiable Diseases and Conditions Code.
	Add	The Person in Charge (PIC) of a food establishment shall ensure that food employees are excluded or restricted as provided in the Control of Notifiable Diseases and Conditions Code, including removal, adjustment, or retention of exclusion or restrictions.
	Add	A food employee shall comply with an exclusion or restriction in accordance with the Control of Notifiable Diseases and Conditions Code.

FDA Food Code Definition Changes

Definition	Change	Details
Certification Number	Revision	Now includes all certification and permit codes found on tags or labels.
Commingle	Revision	To align with NSSP definition, commingle now means “combining different lots of shellfish.”
In-Shell Product	New item	This term means “non-living, processed shellfish with one or both shells present.”
Intact Meat	Revision	The definition of intact meat now excludes meats that have undergone vacuum tumbling with solutions, cubing, or pounding.
Mechanically Tenderized	Revision	To align with USDA FSIS, this definition was changed to: “Any mechanical device which breaks up muscle fiber and tough connective tissue, to increase tenderness...includes injection.”
Molluscan Shellfish	Revision	The definition of “Molluscan shellfish” includes shellstock, shucked shellfish, and in shell products.
Ready-to-Eat (RTE) Food	Revision	1) In this definition, “fruits and vegetables” was changed to “plant foods” to include products such as rice; and 2) An example of food that is not RTE was added.
Shellstock	Revision	The definition of shellstock is “live molluscan shellfish in the shell.”
Shucked Shellfish	Revision	The definition of molluscan shellfish was clarified to mean products that have both shells removed.
Tobacco Product	New Definition Federal FD&C Act	Means any product made or derived from tobacco, or containing nicotine from any source, that is intended for human consumption, including any component, part, or accessory of a tobacco product

Food Code Content Changes

Topic	Change	Section	Details
Sesame	New item	1-201.1(B)	Sesame has been added as a new major food allergen.
Allergy Awareness	New item	2-103.11(O)	Employees must be able to describe major food allergens and the symptoms of an allergic reaction.
Allergen Labeling	New item	3-602.11(C)(2) 3-602.11(B)(5) 3-602.12(C)	Allergen information is required on all labeling, including bulk food.
Food Donation	New item	3-204	Donated foods are now addressed in the Food Code, with specifics on when food can be donated.
Hand Sink/ Handwashing	Revision	5-202.12(A)	Instead of 100°F (38°C), water used for handwashing is now required to be 85°F (29°C).
Manufacturer Cooking Instructions	New item	3-401.15	If commercially packaged food bears manufacturer cooking instructions, those instructions must be followed prior to offering as ready-to-eat or unpackaged food (unless the instructions state otherwise). Example: frozen peas must be cooked to manufacturer's instructions prior to being offered on a salad bar.
Thawing	New item	2-103.11 3-501.13	The Person in Charge (PIC) needs to ensure that employees monitor thawing temperatures throughout the day. Additional requirements for thawing manufactured foods with cross references.
Pets	New item	6-501.115	When approved by the regulatory authority, pet dogs may be allowed in outdoor dining areas. All other requirements for animals in a food establishment still apply.
Assignment	New item	2-101.11	A Person in Charge (PIC) is not always needed for low-risk establishments.
Storage of Raw Animal Foods	Revision	3-302.11	Raw animal foods need to be separated from RTE food, during storage, preparation, holding and display, except when they are combined and used as ingredients.
Fruit and Vegetable Wash Chemicals	Revision	3-302.15(B)	If chemicals are used to wash fruits and vegetables, there are now requirements for chemical test kits. Regulatory agencies may choose not to enforce.

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Whole-Muscle Intact Beef Steak	Revision	3-201.11	Whole-muscle intact beef steak must come from a processing plant that does not mechanically tenderize, vacuum tumble with solutions, reconstruct cube, or pound the steaks. Establishments must prepare steaks in such a way that they remain intact. Additional clarification provided.
Shellstock	Code clarification		Sections 3-202.17, 3-203.11, and 3-203.12 were reorganized to clarify receiving requirements and terminology.
Equipment and ANSI Certification	Revision	4-205.10	Equipment that meets ANSI certification requirements also meets Food Code requirements.
Tobacco Products	New item	6-403.11	Tobacco products are not allowed to be used around FUELSS (food, utensils, equipment, linens, and single service items).
Toxic Chemicals	Revision	7-203.11	Containers used to hold toxic items cannot then be used to store FUELLS. Previously, this restriction applied only to food.
Variance	Revision	8-103.12	Approved variance document(s) must be maintained in the food establishment.
HACCP Contents	Revision	8-201.14	<ol style="list-style-type: none"> 1) Requires critical hazards for each CCP, 2) highlights which documents need to be submitted separately from the plan, and 3) the Food Code now follows the same sequence as the HACCP principles.