

103 CMR: DEPARTMENT OF CORRECTION

103 CMR 928.00: COUNTY CORRECTIONAL FACILITIES -- FOOD SERVICES

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928.01: Food Service Regulations (Required)

(1) Written policy and procedure shall require that all food service facilities, personnel and equipment comply with safety standards and regulations contained in 105 CMR 590.000: *State Sanitary Code Article X - Minimum Sanitation Standards for Food Establishments* and 105 CMR 451.000: *Minimum Health and Sanitation Regulations* of the Department of Public Health.

(2) Written policy and procedure shall require that when the facility's food services are provided by an outside agency or individual, the facility shall obtain annual written verification that said provider complies with the Department of Public Health Regulations regarding food service.

928.02: Food Service Administration

The Sheriff/facility administrator shall designate a staff member experienced in food service management to be responsible for food service management and operations.

103 CMR 928.02 does not apply to community release facilities or to facilities that have contracted with outside vendors.

928.03: Health Protection For Inmates and Staff (Required)

Written policy and procedure shall provide for adequate health protection for all inmates and staff in the facility and inmates and other persons working in food service. Such health protection shall include:

- (1) Prior to job assignment, all food service workers receive a medical examination, to ensure freedom from diarrhea, skin infections, acute respiratory infections, or any diseases or other illnesses transmissible through food, water or utensils. Every food service worker shall have a medical examination prior to returning to work after a substantial illness; and
- (2) All food service workers shall maintain a high degree of personal cleanliness, wear clean outer garments while working and wash their hands upon reporting to duty and after using the toilet facilities.

928.04: Nutritional Requirements (Required)

Documentation shall be provided that the county correctional facility's system of dietary allowance is reviewed at least annually by a registered dietician, or physician, to ensure compliance with nationally recommended food allowances.

928.05: Medical Diets (Required)

Written policy and procedure shall govern medical and dental diets prescribed by appropriate medical and dental personnel. There shall be provisions for such diets to be reviewed and rewritten when necessary.

928.06: Religious Diets

Written policy and procedure shall provide for religious diets for those inmates whose religious beliefs require the adherence to religious dietary laws which must be pre-approved by a certified clergy of appropriate religious belief.

928.07: Menu Planning

- (1) All menus, including special diets, shall be planned, dated, and available for review at least one week in advance; notations are made of any substitutions in the meals actually served, and shall be of equal nutritional value.
- (2) The facility shall provide for menu evaluations which are conducted quarterly by facility food service supervisory staff who shall verify adherence to the nationally recommended basic daily servings.

928.08: Food Preparation

- (1) All food preparation shall be under the supervision of qualified food service personnel following a prepared menu in which the following are considered: flavor, texture, temperature, appearance, and palatability.
- (2) All food products that are grown or produced on the grounds of the county correctional facility shall be inspected and approved by qualified food service personnel for all small garden operations, and an appropriate governmental agency for larger agricultural or dairy operations. The distribution of the above products to the kitchen shall be in a timely fashion, in order to guarantee freshness and condition for optimum food service.
- (3) All food, milk and other dairy products purchased, stored and prepared shall conform with the standards outlined in the Department of Public Health Regulation, 105 CMR 590.000.

928.09: Serving of Food

Written policy and procedure shall govern the serving of food, to include, but not be limited to, the following:

- (1) Meals shall be served under the direct supervision of staff to provide conditions that minimize regimentation and avoid favoritism and improper handling of food and waste;
- (2) All meals shall normally be served in a group dining setting and only be served in cells when necessitated by safety and security;
- (3) At least three meals shall be provided at regular meal times during a 24 hour period with no more than 14 hours between the evening meal and breakfast. Two of the three meals shall be hot meals, with variations allowed on weekends or holidays or during hot summer weather, provided that the basic nutritional goals are met;
- (4) Accurate counts and records shall be maintained on all meals served; and,
- (5) Written policy shall preclude the use of food as a disciplinary measure.

928.10: Food Storage

Suitable storage facilities which are sanitary and well maintained shall be available, so that:

- (1) Shelf goods can be stored at room temperature of 45° to 80°F;
- (2) Refrigerated foods are maintained at 45°F or below; and,
- (3) Freezer temperature foods are at 0°F or below.

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(4) Written policy and procedure shall be provided to stipulate what foods may be stored in inmates' rooms and that the storage of perishables in the rooms is prohibited.

928.11: Food Service Areas and Equipment

(1) The county correctional facility shall ensure that all equipment, utensils, and surfaces for food preparation are smooth, easily cleanable and durable and kept in such repair as to be readily maintained in a clean and sanitary condition.

(2) The county correctional facility shall provide a written plan for the maintenance of the food services area and equipment.

(3) The county correctional facility shall conform to the manual washing procedures or the proper operation of dishwashing machines as outlined in the regulations found in Department of Public Health Regulations 105 CMR 590.000.

(4) The county correctional facility shall ensure that all garbage and rubbish in the kitchen is disposed of with sufficient frequency, at least daily, in accordance with 105 CMR 590.000.

(5) Toilet and wash basin facilities shall be available to food service personnel, inmates and staff in the vicinity of the food preparation area. Each such facility shall contain a proper sign regarding handwashing before returning to work.

(6) The county correctional facility shall ensure that:

(a) poisonous and toxic material used to maintain the food service department are properly identified and used only in a proper manner and under such conditions that shall not contaminate food or constitute a hazard to employees and inmates;

(b) poisonous and toxic material used to maintain the food service department are stored in locked cabinets outside the food service area which are used for no other purpose; and,

(c) cleaning compounds are not to be stored in the same cabinet or area as insecticides or rodenticides.

928.12: Inspections

Written policy and procedure shall require documentation of the following inspections:

(1) Daily inspection of the food storage facility by food service personnel, ensuring proper refrigerator and freezer temperatures, water temperatures, and sanitary conditions;

(2) Weekly inspections of all food service areas, including dining and food preparation areas and equipment by qualified departmental staff;

(3) Comprehensive and thorough monthly inspection by a safety/sanitation specialist;

(4) Annual inspection of the food service department by the Department of Public Health, if any deficiencies were noted and corrected, documentation of such corrective action shall be available.

REGULATORY AUTHORITY

103 CMR 928.00: M.G.L. c. 124, § (1), (c), (d) and (q); c. 127, §§ 1A and 1B.

NON-TEXT PAGE