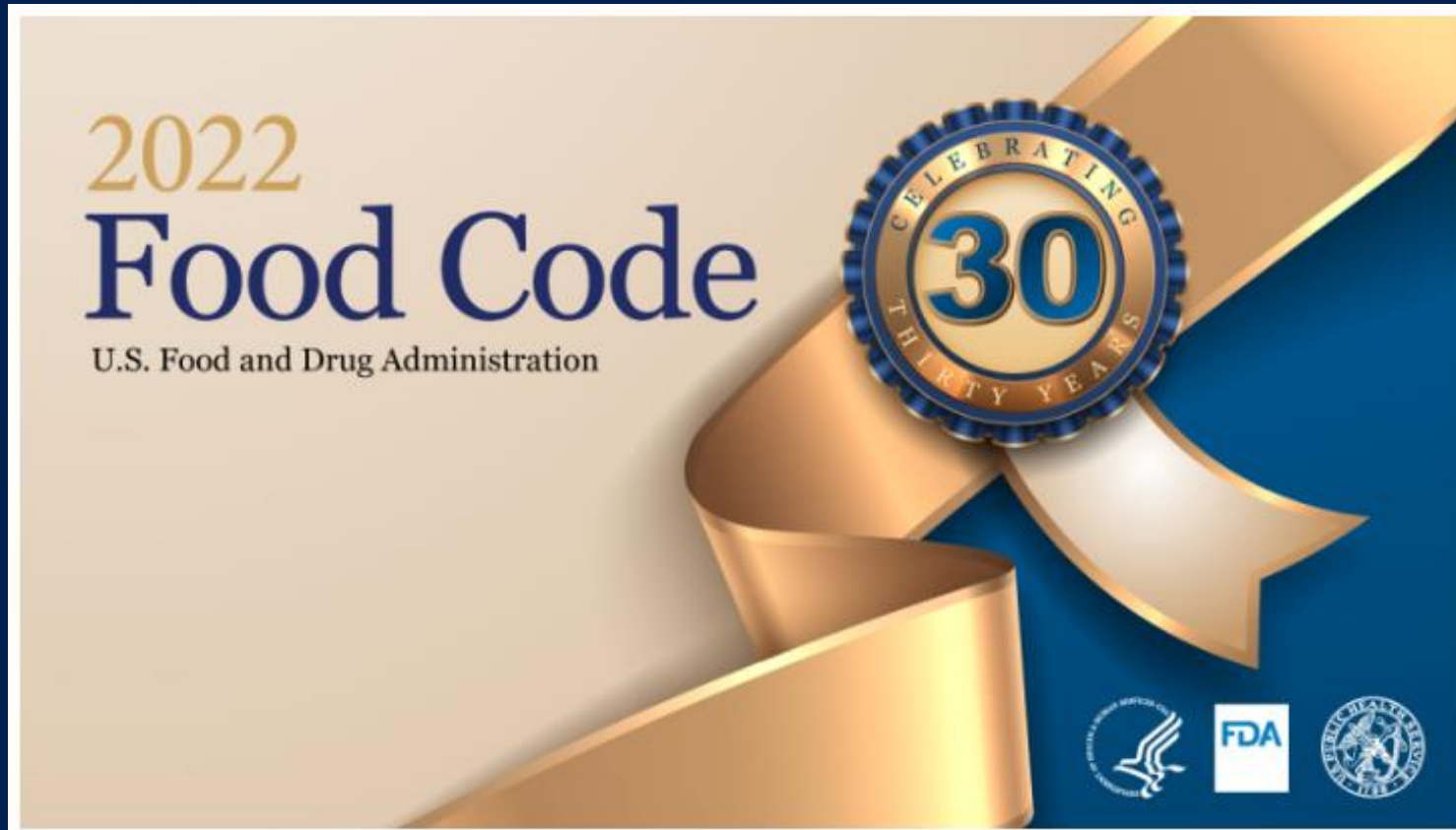




TEXAS
Health and Human
Services

Texas Department of State
Health Services

FDA Food Code 2022



A

TFER Draft



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Comment on Proposed and Draft Rules

Proposed Rules

Formal Comments via the *Texas Register*

To let the public know about a rulemaking action – such as new, amended or repealed rules – HHS publishes a notice in the *Texas Register*, a publication of the Texas Secretary of State. Interested parties then can review and comment on the proposed rule. The Secretary of State publishes a new issue of the *Texas Register* each Friday.

The Administrative Procedure Act ([Texas Government Code, Chapter 2001](#)) requires the notice published in the *Texas Register* to include a brief explanation of the proposed rule and a request for comments from any interested person. The notice has instructions for submitting comments regarding the rule to the agency, including the date by which comments must be submitted. Agencies must give interested persons "a reasonable opportunity" to submit comments. The public comment period begins on the day after the notice of a proposed rule is published in the *Texas Register* and usually lasts for 31 calendar days. Links to rules will be added once they are published in the *Texas Register*.

Title	Project No.	Summary	Contact	Comment Period
Title 25 TAC, Chapter 37, concerning Vision, Hearing, and Spinal Screening Rules Revision	25R010	Department of State Health Services (DSHS) is changing the rules to (1) allow elec-tronic eye charts for vision screenings; (2) modify audiometer requirements; (3) make the rules easier to read and understand; (4) remove a photoscreener training requirement; (5) add an optional hearing screening method; (6) require adherence to program training manuals; (7) modify external instructor certificates; (8) clarify the individuals to whom the rules apply; and (9) give screeners more time to report data to a facility. Statute: Health and Safety Code §36.001, §36.002, §36.003, §36.004, §36.005, §36.006, and §36.011 Required by: House Bill 1297, 88th Legislature, Regular Session, 2023		10/10/25-11/10/25

- Informal Comments
November 2025
- Formal Comments
Early 2026
- Effective Date
Mid 2026

Amendments to TAC

- Clarification on the Diagnoses and Symptoms Signage
- Shellfish Citation
- Compliance Citations
- Clarification on CFM Certification
- MFU Wastewater Tank, Installation, Potable Water Tank
- CFP – Food Facility, MFU Return as needed or as required by the regulatory authority. Capacity (Broad). Approved by the regulatory authority.



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Additions to TAC

- Active Managerial Control
- Written Employee Health Policy
- Imported Shrimp
- Inspector Certification Standards



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Active Managerial Control



Implementing Food Safety Procedures

Active Managerial Control requires deliberate procedures to minimize the risk of foodborne illnesses in food establishments.

Assigning and Monitoring Tasks

Management must assign specific responsibilities and monitor tasks as required by food safety guidelines for effective risk control.

Staff Training and Compliance

AMC empowers managers to train employees, ensure compliance, and immediately address any unsafe food practices.



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Written Health Policy Essentials



Written Health Policy

Food establishments must have a written policy to comply with Food Code sections for employee health and hygiene.

- **Employee Acknowledgment** - Employees must confirm understanding and report health issues using Form 1-B or an equivalent method.
- **Person in Charge (PIC) Responsibilities** - PIC must document acknowledgment of their responsibilities under the same Food Code sections.
- **Documentation and Training Records** - The Person in Charge must keep training records onsite and document all responsibilities for regulatory review.



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Symptom & Diagnosis Logs



Comprehensive Health Documentation

Logs must capture employee name, symptoms or diagnosis, date, time reported, and corrective actions taken for every health issue.

Regulatory Corrective Action

Maintaining accurate logs ensures transparency and compliance with health regulations in the workplace.

Retention and Accessibility

Records must be kept for at least one year and made available to authorities upon request.



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Protecting Employee Health Data



Importance of Confidentiality

Safeguarding employee health data is essential to protect individuals' privacy and prevent potential misuse of sensitive information.

Employer Protocols

Employers must follow strict protocols to keep health-related information private and prevent unauthorized access.

Agency Procedures

State and local agencies should have clear procedures for confidentiality during investigations, ensuring legal compliance and data protection.



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Regulations on Imported Shrimp



Definition of Imported Shrimp

Imported shrimp refers to shellfish not meeting U.S. country-of-origin criteria for wild or farm-raised types.

Labeling Restrictions

Food establishments cannot label imported shrimp as 'Texas shrimp,' 'American shrimp,' 'Domestic shrimp,' or 'Gulf shrimp.'

Retail and Packaging Exceptions

Restrictions do not apply to retail establishments or packaged shrimp products with proper labeling.



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Inspector Competency Standards



Recognized Credentials Expanded

Inspector professional credentials, such as Registered Professional Sanitarians or certifications from AFDO or NEHA.

Application of Scientific Principles

Competent inspectors use scientific standards, including HACCP, to ensure safe food handling and accurate inspections.

Investigation and Regulation Uniformity

Inspectors investigate foodborne illnesses and interpret regulations consistently to protect public health.



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Questions



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Thank you



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**Texas Department
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[Retail Food Safety Operations Branch](#)

