



Food Safety Program Date Marking Fact Sheet

Public Health Significance

Bacteria can grow to dangerous levels when some foods are stored under refrigeration for extended periods, leading to an increased risk of foodborne illness. As a result, refrigerated potentially hazardous and ready-to-eat foods must be date marked to ensure the food is either consumed or discarded within 7 days.

Definitions

Potentially hazardous: time/temperature controlled for safety foods.

Ready-to-eat food: food that does not require additional preparation, such as washing or cooking.

Date marking is only required when food is:

- Potentially hazardous,
- Ready-to-eat, refrigerated, and stored for more than 24 hours.

How do I date mark required food items?

The date marking requirements listed above apply to processed food from a manufacturer, such as deli meats, once opened and to food prepared in a licensed facility. The date marking requirements specify that containers be dated with a “consume by” date (date of opening/preparation + 6 days); if food is not consumed by that date, it must be discarded.

- Ex: A food opened/prepared on April 2 must be marked with a “consume by” date of April 8 (date of opening/preparation + 6 days).
- This can be done by marking the “consume by” date on the food container or covering.
- When combining food in a dish with different “consume by” dates, the “consume by” date of the new dish should be the date of the earliest opened/prepared food.

What if I freeze food?

Freezing stops the date marking clock but does not reset it. If food is refrigerated for 2 days and then is frozen, it can still be refrigerated for 5 more days when it begins to thaw.

Date Marking Exemptions:

- Deli salads manufactured in accordance with 21 C.F.R. 110, such as ham salad, seafood salad, chicken salad, egg salad, pasta salad, potato salad, and macaroni salad;
- Hard cheeses containing not more than thirty-nine percent moisture as defined in 21 C.F.R. 133, such as cheddar, gruyere, parmesan and reggiano, and romano;
- Semi-soft cheeses containing more than thirty-nine percent moisture but not more than fifty percent moisture, as defined in 21 C.F.R. 133, such as blue, edam, gorgonzola, gouda, and Monterey jack;
- Cultured dairy products as defined in 21 C.F.R. 131, such as yogurt, sour cream, and buttermilk;
- Preserved fish products, such as pickled herring and dried or salted cod, and other acidified fish products defined in 21 C.F.R. 114;
- Shelf stable, dry fermented sausages, such as pepperoni and Genoa; and
- Shelf-stable salt-cured products such as prosciutto and Parma (ham).