

# Date Marking Food at Retail

Regulation 6 CCR 1010-2: Retail Food Establishments

Any foods that meet all of the following must be date marked.

It is a potentially hazardous food which require time and temperature control for safe food, and

It is a ready-to-eat food that may be eaten without any additional preparation, and

It is kept for more than 24 hours.

## Five Risk Factors

Top five causes of illness:

1. Improper Holding Temps
2. Inadequate Cooking
3. Contaminated Equipment
4. Food from Unsafe Sources
5. Poor Personal Hygiene

Ready to eat foods held for longer than 7 days can cause people to get sick

## Date marking minimizes bacteria growth

Date marking can limit the growth of *Listeria monocytogenes*, a bacteria that grows even at refrigerated temperatures. Date marking ensures food is discarded before these bacteria can cause people to get sick.

## How to Mark the Date

Food must be sold, served or discarded within seven days when food is prepared or opened. (Example: Food prepared on April 1 must be discarded on April 7.)

A food establishment operator can choose any marking method suitable to their operation. It's important to know whatever system you use, it must be understandable, effective, consistently used by employees, and clear to your inspector during the evaluation. It's recommended you provide a written policy for employees to follow.

## Deli Meats

Date marking applies to deli meats once the original package is opened. Refrigerated deli meats should be purchased in sizes that can be sliced and sold within seven days of opening.

## Foods not required to Date Mark

Some foods prepared and packaged in an inspected food processing plant may not require date marking.

These foods include:

- Commercially pre-packaged deli salads
- Semi-soft cheeses - see list below
- Hard cheeses - see list below
- Cultured dairy products, such as yogurt, sour cream and buttermilk
- Preserved fish products, such as pickled herring and dried or salted cod
- Shelf-stable dry fermented sausages, pepperoni and salami not labeled as "keep refrigerated"

For more information contact your local health department or visit:

<https://cdphe.colorado.gov/retail-food/retail-food-resources>



**COLORADO**  
Department of Public  
Health & Environment

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"IF"

"THEN"

On site preparation and held > 24 hours, or commercial container is opened.

@ ≤ 41 °F for ≤ 7 days

Remove from freezer

@ ≤ 41 °F for ≤ 7 days minus time for preparation or opening commercial container, to freeze

**Example 1:** The morning of October 1, a chicken was cooked, then cooled, refrigerated for 2 days at 41 °F and then frozen. If the chicken is thawed October 10, the food must be consumed, sold or discarded no later than midnight of October 14.

Date	Shelf Life Day	Action
Oct. 1	1	Cook/cool
Oct. 2	2	Cold hold at 41°F
Oct. 3		Freeze
Oct. 10	3	Thaw to 41°F
Oct. 11	4	Cold hold
Oct. 12	5	Cold hold
Oct. 13	6	Cold hold
Oct. 14	7	Consumed, sold or discard

**Example 2:** For dinner service on April 14, baked potatoes are cooked and hot held for service, those remaining after service are then cooled, and refrigerated for 2 days at 41 °F. The same potatoes are then used in a potato salad on April 16, the potato salad must be consumed or discarded no later than midnight of April 20. The oldest ingredient determines the last day that food can be consumed, sold or discarded.

Date	Shelf Life Day	Action
April 14	1	Cook/cool
April 15	2	Cold hold at 41°F
April 16	3	Make potato salad
April 17	4	Cold hold
April 18	5	Cold hold
April 19	6	Cold hold
April 20	7	Consumed, sold or discard

## List of the most common hard and Semi-Soft Cheeses Exempt from Date Marking

Asadero  
Asiago medium or old  
Cheddar  
Colby  
Cotija  
Gruyere  
Oaxaca  
Parmesan  
Pecorino

Romano  
Reggiano  
Stilton (blue veined)  
Swiss  
Asiago soft  
Blue  
Fontina  
Gorgonzola (blue veined)  
Gouda

Havarti  
Manchego  
Monterey  
Muenster  
Provolone  
Roquefort (blue veined)

A complete list of cheeses exempt from date marking can be found in 2022 Annexes of the FDA Food Code