



## Environmental Health Services

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### Waiver Requirements

**WAIVER** means a written agreement between the health authority and a permit holder that authorizes a modification of one or more requirements of these regulations, if in the opinion of the Health Authority, a health hazard or nuisance will not result from the modification. Supporting documents of a waiver may include but are not limited to, standard operational procedures, HACCP plans, scientific challenge studies, monitoring logs, validation studies from certified processing authorities, and labeling. (2013 Food and Drug Administration Food Code)

**Waivers are required for Special Processes such as:**

- Smoking as a method of food preservation (not solely for flavor enhancement) (Regulation 3-502.11(A))
- Curing (Regulation 3-502.11(B))
- Use of food additives for food preservation (not solely for flavor enhancement) (Regulation 3-502.11(C))
- Packaging of time/temperature control for safety food using a reduced oxygen packaging (ROP) method **except** where growth of *Clostridium botulinum* and *Listeria monocytogenes* are controlled as specified under 3-502.12 as per the 2013 FDA Food Code. (Regulation 3-502.11 (D))
- Use of a molluscan shellstock life-support system tank to store or display shellstock offered for human consumption (Regulation 3-502.11(E))
- Custom processing animals for personal/private use as food (Regulation 3-502.11(F))
- Preparing food by another method that is determined by the Health Authority to require a waiver (Regulation 3-502.11(G)) (HACCP plan may be required)
- Sprouting of seeds or beans (Regulation 3-502.11(H))

**Waivers may be requested for other equipment variations or general processes such as:**

- Non-standard equipment
- Alternate dishwashing methods
- Other operational procedures

**HAZARD ANALYSIS AND CRITICAL CONTROL POINT (HACCP) PLAN** means a written document that delineates the formal procedures for following the HACCP principles developed by the *National Advisory Committee on Microbiological Criteria for Food*.

**When a HACCP Plan is required:** (Regulation 8-201.13)

- In conjunction with a special processes waiver (see above)
- Use of a reduced oxygen packaging (ROP) method with two barriers (Regulation 3-502.12)
- Treating juice to attain a 5-log reduction (Regulation 3-404.11)
- Fermentation of Sausages
- Preparing food by another method where the Regulatory Authority determines a waiver is necessary.