



**U.S. FOOD & DRUG
ADMINISTRATION**

Adoption of the FDA Food Code by State and Territorial Agencies Responsible for the Oversight of Restaurants and/or Retail Food Stores

2023



Table of Contents

STATES AND TERRITORIES MONITORED FOR FOOD CODE ADOPTION STATUS IN 2023.....	3
Geographic Scope:	3
Terminology:	4
STATES AND TERRITORIES FOOD CODE ADOPTION STATUS	4
FOOD CODE ADOPTION STATUS CHANGES IN THE YEAR OF 2023	5
SUMMARY THE METHOD OF FOOD CODE ADOPTION BY STATE/TERRITORY	6
SUMMARY STATES FOOD CODE ADOPTION BY POPULATION.....	7
SUMMARY STATE FOOD CODE ADOPTION CHANGES BETWEEN 2016 AND 2023.....	8
SUMMARY OF STATE AGENCIES WITH OVERSIGHT OF RESTAURANTS AND/OR RETAIL FOOD STORES.....	9
LIST OF STATE REGULATORY AGENCIES AND FOOD CODE ADOPTION STATUS	13

The Food and Drug Administration’s (FDA) National Retail Food Team (NRFT) monitors adoption of the FDA Food Code by State and Territorial regulatory agencies in the United States responsible for the regulation of restaurants and/or retail food stores. Adoption of the Food Code represents a successful federal/state/local partnership in improving food safety and signals commitment to the goal of preventing and reducing the incidence of foodborne illness in retail and foodservice establishments in the United States. FDA Retail Food Specialists (Specialists) assess the Food Code adoption activities within each State and territory for the calendar year. The Center for Food Safety and Applied Nutrition (CFSAN) analyzes and compiles the information gathered by these Specialists into a report that includes the version of the FDA Food Code adopted by each State and Territorial regulatory agency.

Between 1993 and 2001, the FDA Food Code was issued every two years. The 2005 Food Code was the first full edition published on the four-year interval. Considering the Covid-19 pandemic, the 2020 meeting of the Conference for Food Protection (CFP) was moved to August 2021. FDA values the input of all retail food stakeholder groups through the CFP and subsequently adjusted its release-year cycle for the FDA Food Code to follow in the year after the CFP meeting is held. As of December 31, 2023, the [2022 Food Code](#) is the most recent full edition published by FDA, and it was originally posted on December 28, 2022. The most recent 2022 version is published on January 18, 2023.

During the interim period between full editions, FDA may publish one Food Code Supplement that updates, modifies, or clarifies certain provisions. As such, adoption of the Food Code modified with its Supplement is hereinafter indicated with “(w/Suppl.)”. For example, adoption of the 2017 Food Code modified with its Supplement in 2019 will be marked as “2017(w/Suppl.)”.

FDA encourages all jurisdictions that regulate food establishments to adopt the most current FDA Food Code including its Annexes and its Supplement. Three States (Connecticut, Mississippi, and Pennsylvania) and two Territories (Puerto Rico, and Virgin Islands) are already in the optimal level: they adopt as soon as the new FDA Food Code (including its Annexes or its Supplement) is released.

This report uses two terms to describe the FDA Food Code – ‘version’ and ‘edition’. The term ‘version’ is associated with the year of publication/release and the term ‘edition’ is associated with the number of times the Code has been published in its current format. So, the 1993 version is the 1st edition, the 1995 version is the 2nd edition, the 1997 version is the 3rd edition, the 1999 version is the 4th edition, the 2001 version is the 5th edition, the 2005 version is the 6th edition, the 2009 version is the 7th edition, the 2013 version is the 8th edition, the 2017 version is the 9th edition, and the 2022 version is the 10th edition.

States and Territories Monitored for Food Code Adoption Status in 2023

Geographic Scope:

All 50 States, the District of Columbia (DC), American Samoa, Guam, Northern Marianas Islands, Puerto Rico, and U.S. Virgin Islands.

Terminology:

For the purposes of summary by State and population calculation, this report considers DC as a State, and “District of Columbia Department of Health/Health, Regulation and Licensing” is considered as a State agency.

States and Territories Food Code Adoption Status

If a State has multiple agencies, we count the agency that has adopted the most recent version of FDA Food Code. For example, two Georgia agencies are responsible for providing regulatory oversight of restaurants or retail food stores. While one agency adopted the 2017 FDA Food Code, the other agency adopted the 2013 FDA Food Code. Therefore, we consider Georgia as a State which has adopted the 2017 FDA Food Code.

Figure 1 reflects the most recent FDA Food Code version that was adopted by State/Territory. Each State has at least one agency that has adopted the FDA Food Code, with California the only exception. No data has been reported about the status in American Samoa and Northern Mariana Islands.

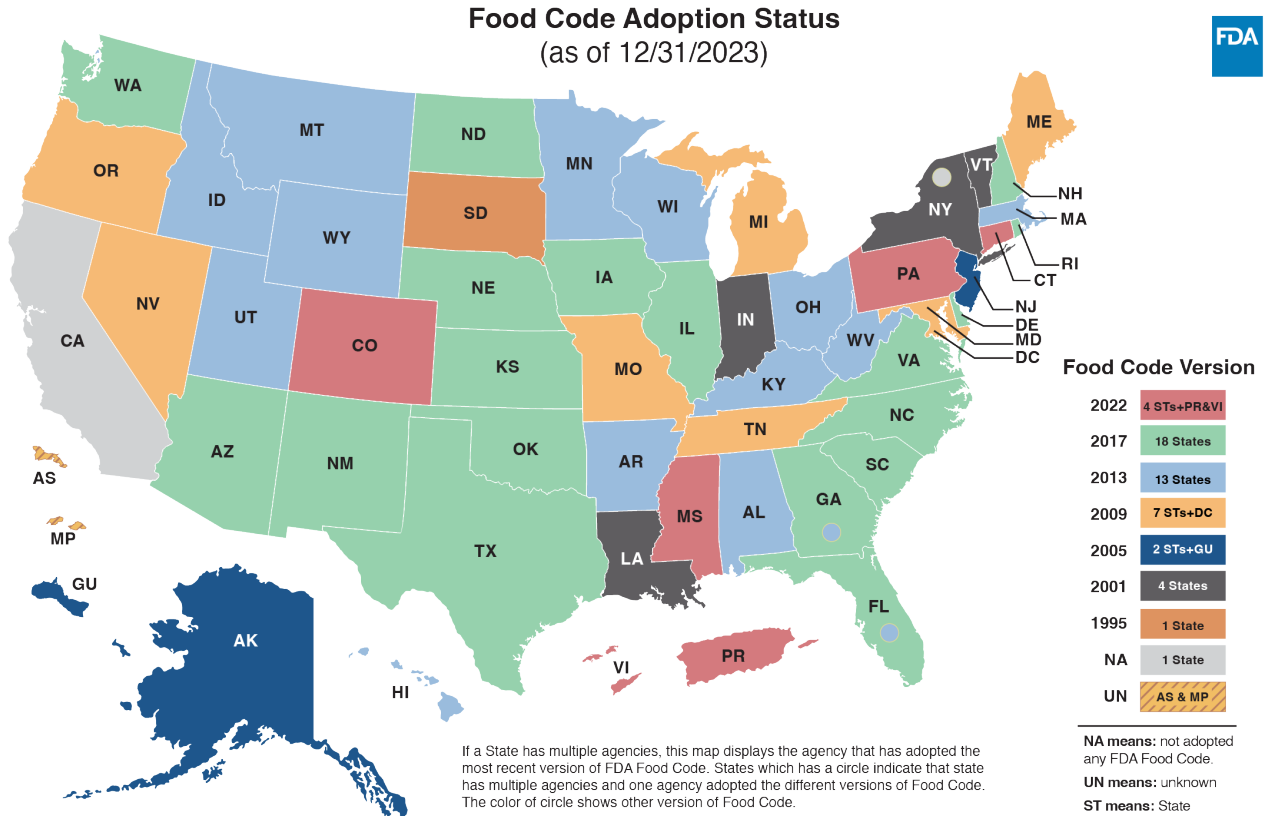


Figure 1: This map showed FDA Food Code adoption status by States and Territories. If a State has multiple agencies, this map displays the agency that has adopted the most recent version of FDA Food Code. (1) FL has three agencies: two agencies adopted 2017 version, and one agency adopted 2013 version; (2) GA has two agencies: one agency adopted 2017 version, the other agency adopted 2013 version; (3) NY also has two agencies: one agency adopted 2001 version, the other agency has not adopted FDA Food Code.

Specific details regarding the Food Code versions adopted by different States and/or Territories

are provided below:

- The 2022 Food Code is the most current version adopted by 4 States: Colorado, Connecticut, Mississippi (two agencies), and Pennsylvania; and 2 Territories: Puerto Rico and Virgin Islands.
- The 2017 Food Code is the most recent version adopted by 18 States: Arizona, Delaware, Florida (two of three agencies), Georgia (one of two agencies), Illinois, Iowa, Kansas, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, Texas, Virginia (two agencies), and Washington.
- The 2013 Food Code is the most recent version adopted by 13 States: Alabama, Arkansas, Hawaii, Idaho, Kentucky, Massachusetts, Minnesota (two agencies), Montana, Ohio (two agencies), Utah (two agencies), West Virginia, Wisconsin, and Wyoming.
- The 2009 Food Code is the most recent version adopted by 8 States: District of Columbia, Maine, Maryland, Michigan, Missouri, Nevada, Oregon (two agencies), and Tennessee (two agencies).
- The 2005 Food Code is the most recent version adopted by 2 States: Alaska, and New Jersey; and 1 Territory: Guam.
- The 2001 Food Code is the most recent version adopted by 4 States: Indiana, Louisiana, New York (one of two agencies), and Vermont.
- The 1995 Food Code is the most recent version adopted by 1 State: South Dakota.

Fifty (50) States (including DC) have adopted some version of the Food Code with California the only exception; thirty-five (35) States have adopted one of the three most recent versions (2013, 2017, and 2022); twenty-two (22) States have adopted one of the two most recent versions (2017 and 2022); and four (4) States have adopted the most recent version (2022).

Food Code Adoption Status Changes in the Year of 2023

In 2023, six State agencies have completed Food Code adoption related rulemaking (see details in Table 1).

Table 1: Changes in Food Code adoption between 2022 and 2023

State/Territory agency	Food Code version in 2022	Food Code version in 2023
Colorado	2013 (w/Suppl.)	2022
Connecticut (Department of Consumer Protection)	2013 (w/Suppl.)	2022
Connecticut (Department of Public Health)	2001	2022
Kansas	2009	2017(w/Suppl.)
Mississippi (Department of Agriculture)	2013	2022
North Dakota	2013	2017 (w/Suppl.)

- **Colorado** State Department of Public Health and Environment changed Food Code adoption status from 2013 version with Supplement to the 2022 version.
- **Connecticut** State Department of Consumer Protection changed Food Code adoption status from 2013 version with Supplement to the 2022 version; and Department of Public Health changed Food Code adoption status from 2001 version to the 2022 version.

- **Kansas** State Department of Agriculture changed Food Code adoption status from 2009 version to the 2017 version with Supplement.
- **Mississippi** State Department of Agriculture changed Food Code adoption status from 2013 version to the 2022 version.
- **North Dakota** State Department of Health changed Food Code adoption status from 2013 version to the 2017 version with Supplement.

Additionally, one agency in Georgia, and Missouri are still in progress with intent to adopt the FDA 2022 Food Code. Agency in Iowa is in the process of “red tape review” on the adoption of 2017 version with Supplement of the Food Code.

Summary the Method of Food Code Adoption by State/Territory

Typically, there are two code adoption methods: one is the “short-form” or “adoption by reference” approach where a simple statement is published stating that certified copies of the proposed code are on file for public review; The alternative method is the “long-form” or “section-by-section” approach where the proposed code is published in its entirety. See the FDA Food Code 2022 Preface, “7. Code Adoption/Certified Copies” for additional information:

<https://www.fda.gov/food/fda-food-code/food-code-2022>.

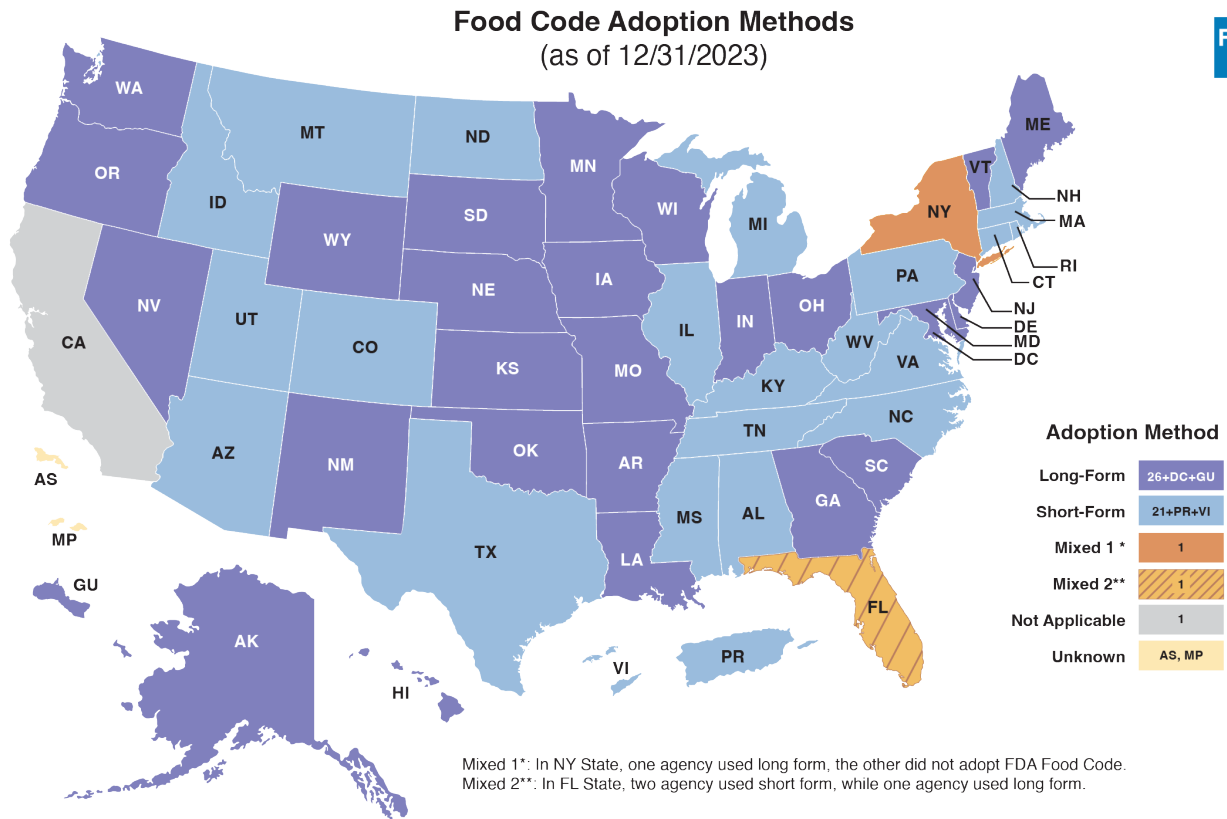


Figure 2: The adoption method: 27 States (including DC) and Guam used long-form format; 21 States, Puerto Rico and Virgin Islands used short-form format; two States used mixed format; and one State didn't adopt FDA Food Code.

Specific details regarding the adoption methods of each State/Territory are provided below.

- **Twenty-seven (27)** States (including DC) used long-form format (FDA Food Code was adopted section- by-section): Alaska, Arkansas, Delaware, District of Columbia, Georgia, Hawaii, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New Mexico, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Vermont, Washington, Wisconsin, and Wyoming; **One (1)** Territory also used long-form format: Guam.
- **Twenty-one (21)** States use short-form format (FDA Food Code was adopted by reference): Alabama, Arizona, Colorado, Connecticut, Idaho, Illinois, Kentucky, Massachusetts, Michigan, Mississippi, Montana, New Hampshire, North Carolina, North Dakota, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Virginia, and West Virginia; **Two (2)** Territories also used short-form format: Puerto Rico and Virgin Islands.
- **One (1)** State has three agencies. Two agencies used short-form, but one agency used long-form format to adopt FDA Food Code: Florida.
- **One (1)** State has two agencies where only one agency used long-form format to adopt FDA 2001 Food Code whereas the other agency did not adopt any edition of FDA Food Code: New York.
- **One (1)** State did not adopt FDA Food Code: California.

Figure 2 displays how the FDA Food Code was adopted during the rulemaking process.

Summary States Food Code Adoption by Population

Table 2: FDA Food Code adoption by population (source of population: 2020 US Census)

Food Code version	State(s)	Population in 2020	% of U.S.
2022	4: CO, CT, MS, PA	25,343,637	7.65
2017	18: AZ, DE, FL, GA, IA, IL, KS, NC, ND, NE, NH, NM, OK, RI, SC, TX, VA, WA	131,664,675	39.72
2013	13: AL, AR, HI, ID, KY, MA, MN, MT, OH, UT, WI, WV, WY	52,992,001	15.99
2009	8: DC, MD, ME, MI, MO, NV, OR, TN	38,714,082	11.68
2005	2: AK, NJ	10,022,385	3.02
2001	4: IN, LA, NY, VT	32,287,611	9.74
1999	0	0	0
1997	0	0	0
1995	1: SD	886,667	0.27
None	1: CA	39,538,223	11.93

For the purposes of summary by State and population calculation, if a State has multiple agencies, we count the agency that has adopted the most recent version of FDA Food Code. For

example, two New York agencies are responsible for providing regulatory oversight of restaurants and/or retail food stores. While one agency adopted the 2001 FDA Food Code, and the other agency has not adopted the FDA Food Code. Therefore, we consider New York as a State which has adopted the 2001 FDA Food Code.

Table 2 shows the total population in 2020 and the percentage of the U.S. population broken down by the versions of the Food Code that were adopted in each State.

88.07% of the U.S. population lives in a State that at least one State agency has adopted some version of the FDA Food Code; **63.36%** of the population lives in a State that adopted one of the three most recent versions (2022, 2017, and 2013 version); **47.37%** of the population lives in a State that adopted the two most recent versions (2022, and 2017 version); and **7.65%** of the population lives in a State that adopted the most recent versions (2022 version).

Summary State Food Code Adoption Changes Between 2016 and 2023

Table 3 summarizes the changes since CFSAN published first Food Code adoption annual report for 2016.

Table 3: Food Code adoption status from 2016 to 2023.

Food Code version	#States in 2016	#States in 2017	#States in 2018	#States in 2019	#States in 2020	#States in 2021	#States in 2022	#States in 2023
2022	--	--	--	--	--	--	2	4
2017	--	--	4	8	14	18	16	18
2013	15	20	20	20	19	16	16	13
2009	22	17	16	14	10	9	9	8
2005	5	5	4	2	2	2	2	2
2001	4	4	4	4	4	4	4	4
1999	2	2	1	1	0	0	0	0
1997	1	1	0	0	0	0	0	0
1995	1	1	1	1	1	1	1	1
Not adopted	1	1	1	1	1	1	1	1

Figure 3 visualizes the changes in a chart.

Both Table 3 and Figure 3 provide five facts: (1) adoption of 2017 Food Code increased every year since it was published in February of 2018 and before 2022 Food Code was released; (2) adoption of 2013 Food Code was increased before the 2017 Food Code was published, decreased after FDA published the supplements of 2017 Food Code and no agency change adoption to 2013 version after 2021; (3) adoption of the 2009 Food Code decreased from 22 States to 8 States between 2016-2023; (4) adoption of the 2005 Food Code decreased from 5 States to 2 States

between 2016-2019; (5) starting from 2020, no State adopted the 1999 or the 1997 Food Codes. Additionally, eight States (AK, CA, IN, LA, NJ, NY, SD, and VT) have not changed adoption status for more than 10 years.

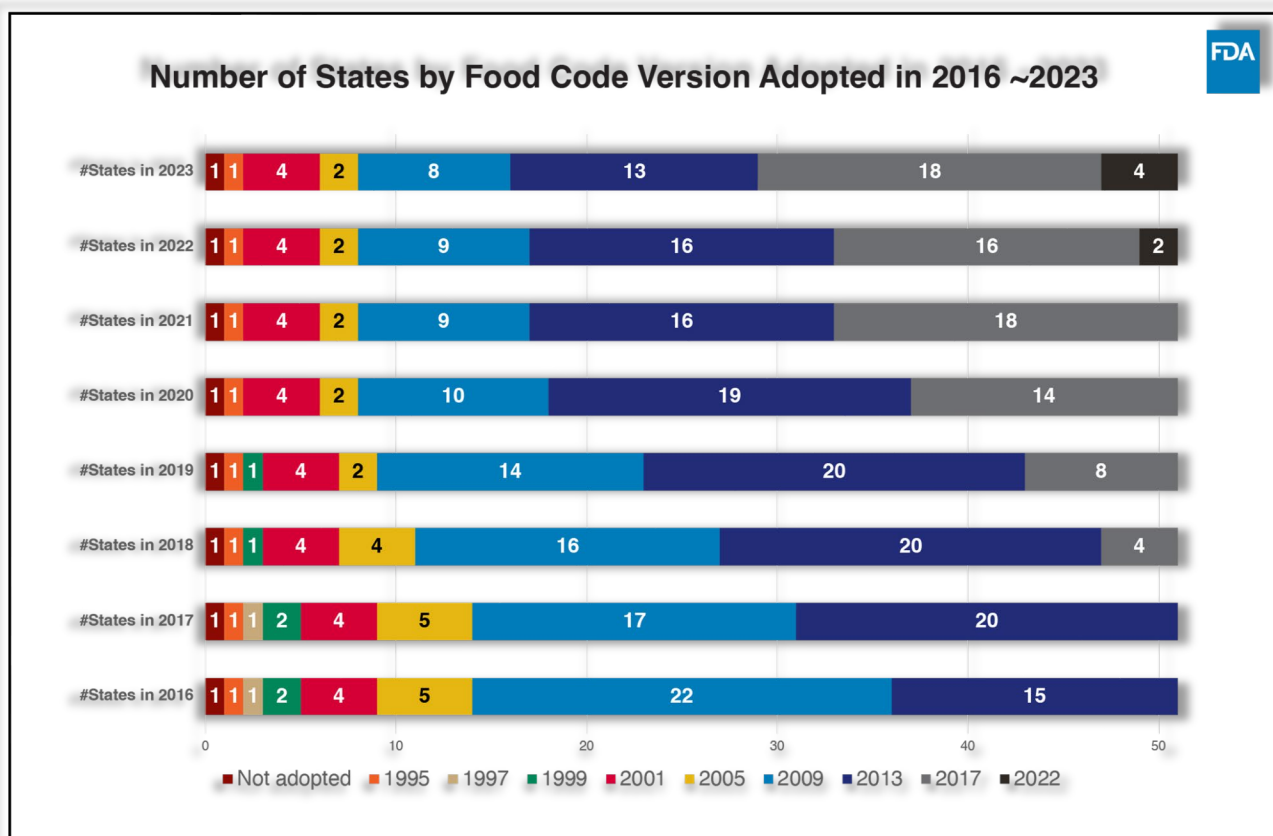


Figure 3: Number of States by Food Code version adopted in 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023.

Summary of State Agencies with Oversight of Restaurants and/or Retail Food Stores

There are 64 State agencies responsible for providing regulatory oversight of either restaurants, or retail food stores, or both. A State may give regulatory oversight to multiple agencies within that State, each assigned to regulate different segments of the retail food industry. For example, a State may have:

- A single regulatory agency: it has responsibility for both restaurants and retail food stores.
- Two regulatory agencies: they have responsibility for both restaurants and retail food stores.
- Two regulatory agencies: one regulatory agency with responsibility for restaurants but not retail food stores, and another regulatory agency with responsibility for retail food stores but not restaurants.
- Two regulatory agencies: one regulatory agency with responsibility for both restaurants and retail food stores, and another regulatory agency with responsibility for retail food stores but not restaurants.

- Three regulatory agencies: one regulatory agency with responsibility for both restaurants and retail food stores, two regulatory agencies with responsibility for restaurants but not retail food stores.

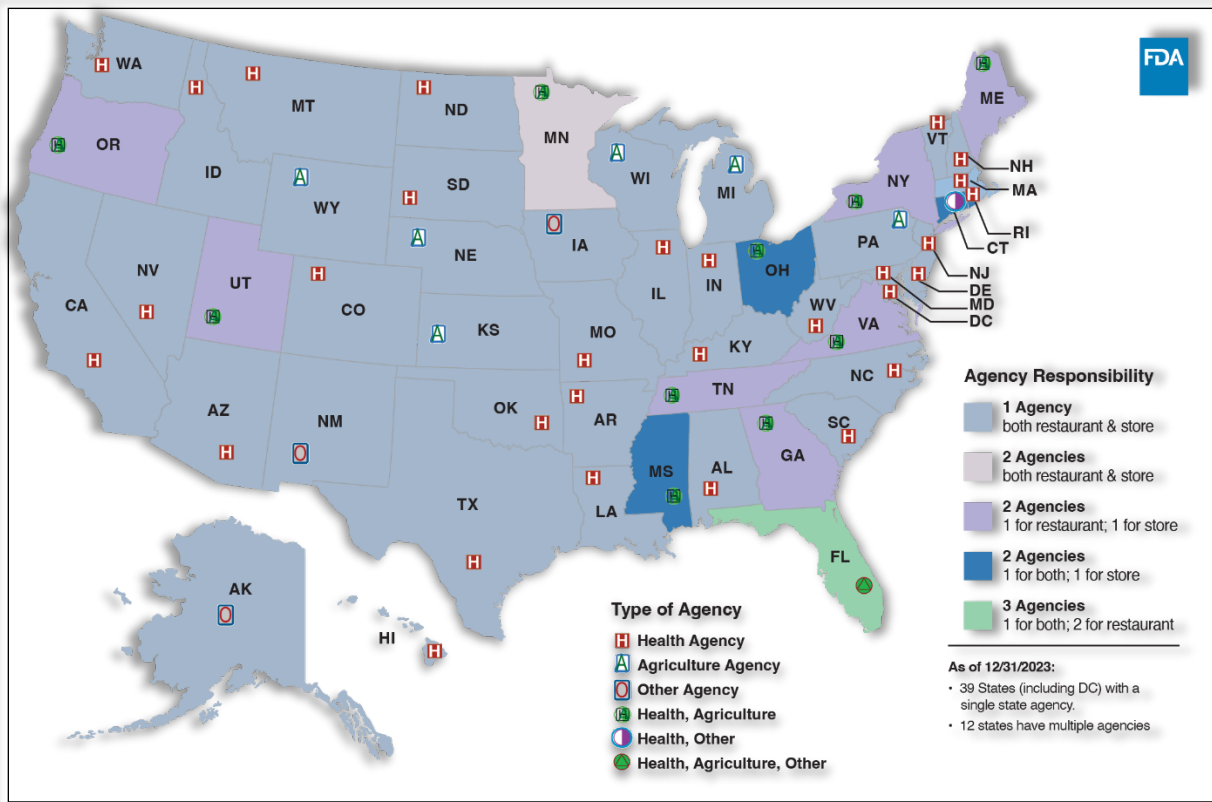


Figure 4: State regulatory agencies have responsibility for oversight of restaurants, and/or retail food stores: 39 States (including DC) with a single State regulatory agency, 11 States with two State regulatory agencies, and one (1) State with three State regulatory agencies.

Of the **64** State regulatory agencies:

- There are **45** agencies responsible for both restaurants and retail food stores; 44 out of these 45 have adopted the FDA Food Code, with California Dept. of Public Health, Food & Drug Program the only exception.
- There are **9** agencies responsible for restaurants but not retail food stores; 8 out of these 9 have adopted the FDA Food Code, with New York State Department of Health the only exception.
- There are **10** agencies responsible for retail food stores but not restaurants; all 10 agencies have adopted the FDA Food Code.
- There are **42** health agencies; 40 out of these 42 have adopted the FDA Food Code, except California Department of Public Health and New York State Department of Health.
- There are **17** agriculture agencies; all 17 agencies have adopted the FDA Food Code.
- There are **5** other type (e.g.: Department of Business and Professional Regulations) agencies; all 5 agencies have adopted the FDA Food Code.

Figure 4 depicts the number of agencies per State with regulatory oversight for restaurants and/or retail food stores. Specific details include:

- There are **39** States with a single State regulatory agency responsible for regulating restaurants and retail food stores.
- There are **12** States that have multiple regulatory agencies, with details provided below:
 - **One (1)** State (**FL**) has **3** agencies, where:
 - One agency is responsible for both restaurants and retail food stores.
 - Two agencies are responsible for restaurants.
 - **Three (3)** States (**CT, MS, OH**) have **2** agencies, where:
 - One agency is responsible for both restaurants and retail food stores.
 - One agency is responsible for retail food stores.
 - **Seven (7)** States (**GA, ME, NY, OR, TN, UT, VA**) have **2** agencies, where:
 - One agency is responsible for restaurants.
 - One agency is responsible for retail food stores.
 - **One (1)** State (**MN**) have **2** agencies, where:
 - Two agencies are responsible for both restaurants and retail food stores. In Minnesota, if the licensee does more than 50% grocery types of sales vs. restaurant types of sales, that Department of Agriculture would be the regulating authority of the entire business. The reverse is true if the restaurant sales are more than 50%, then Department of Health would license and inspect. If there's an entity within the grocery store operating a restaurant that is not the same entity that holds the grocery store license, then Department of Health would license and inspect the restaurant and Department of Agriculture would do the grocery store, regardless of the percentage of sales.

Of the **64** State regulatory agencies:

- a. **Six (6)** agencies adopted 2022 version Food Code.
- b. **Twenty (20)** agencies adopted 2017 version Food Code.
- c. **Eighteen (18)** agencies adopted 2013 version Food Code; together **44** agencies adopted the three most recent versions.
- d. **Eleven (11)** agencies adopted 2009 version Food Code.
- e. **Two (2)** agencies adopted 2005 version Food Code.
- f. **Four (4)** agencies adopted 2001 version Food Code.
- g. **One (1)** agency adopted 1995 version Food Code; together **62** agencies adopted Food Code.
- h. **Two (2)** agencies did not adopt any version Food Code.

Figure 5 grouped 64 State agencies into three categories: (1) agency adopted three most recent versions (2022, 2017, and 2013 Food Code version); (2) agency adopted previous versions Food Code version (such as 1995, 2001, 2005, 2009 Food Code version); (3) not adopt any version Food

Code.

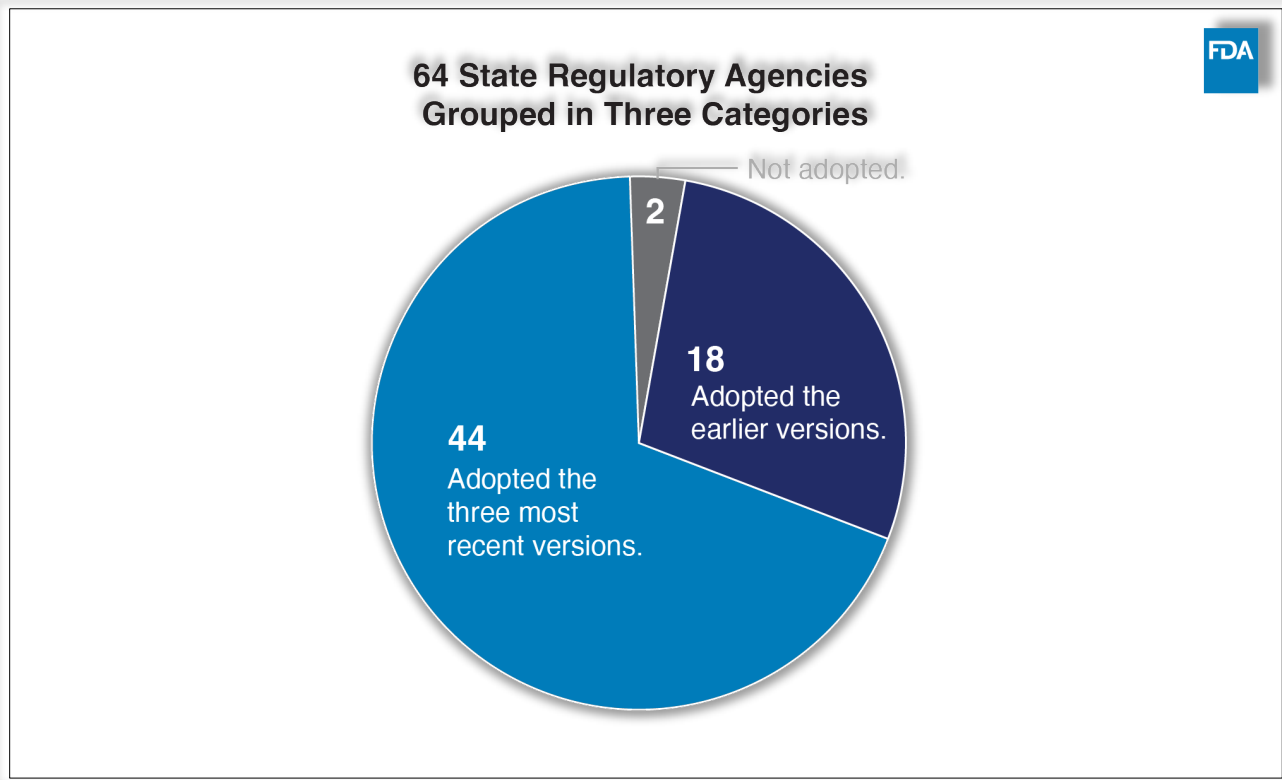


Figure 5: Number of State regulatory agencies grouped by three categories: agency adopted 2022, or 2017, or 2013 Food Code version (three most recent versions); agency adopted 1995, or 2001, or 2005, or 2009 Food Code version (previous versions); and not adopt any version Food Code.

Of the **64** State regulatory agencies:

- a. **Sixty-two** (62) agencies have enrolled the Retail Program Standards ([Voluntary National Retail Food Regulatory Program Standards](#)).
- b. **Two** (2) agencies (Mississippi Department of Agriculture and Commerce, and New York State Department of Agriculture and Markets) have not enrolled the Retail Program Standards, but they adopted Food Code.

Of the 62 State regulatory agencies which have adopted Food Code:

- a. **Twenty-eight** (28) agencies adopted Food Code by short-form.
- b. **Thirty-four** (34) agencies adopted Food Code by long-form.

Of the 62 State regulatory agencies which have adopted Food Code, some agencies' provisions are less stringent than the Food Code. For instance, if the rule making is based on the 2009 Food Code, but some areas in the rule making were omitted or are less stringent than the provisions in the 2009 Food Code.

- a. **Fifteen** (15) agencies' rulemaking in demonstration of knowledge area is less stringent than the provisions in the FDA Food Code.
- b. **Twelve** (12) agencies' rulemaking in compliance and enforcement area is less stringent than

the provisions in the FDA Food Code.

- c. **Nine** (9) agencies’ rulemaking in food from a source that compiles with law (“Approved” source) area is less stringent than the provisions in the FDA Food Code.
- d. **Eight** (8) agencies’ rulemaking in employee health area is less stringent than the provisions in the FDA Food Code.
- e. **Six** (6) agencies’ rulemaking in time/temperature relationship area is less stringent than the provisions in the FDA Food Code.
- f. **Five** (5) agencies’ rulemaking in consumer advisory area is less stringent than the provisions in the FDA Food Code.
- g. **Four** (4) agencies’ rulemaking in hands as a vehicle of contamination area is less stringent than the provisions in the FDA Food Code.
- h. **Two** (2) agencies’ rulemaking in highly susceptible populations area is less stringent than the provisions in the FDA Food Code.
- i. **Two** (2) agencies’ rulemaking in good retail practices area is less stringent than the provisions in the FDA Food Code.
- j. **One** (1) agency’s rulemaking in protection from contamination area is less stringent than the provisions in the FDA Food Code.

In summary, **twenty-seven** (27) agencies’ rulemaking has no less stringent area than the provisions in the Food Code, while **thirty-five** (35) agencies’ rulemaking has at least one area less stringent than the provisions in the Food Code.

List of State Regulatory Agencies and Food Code Adoption Status

Of the 64 State regulatory agencies, 62 State agencies have adopted codes patterned after the 2022, 2017, 2013, 2009, 2005, 2001, or 1995 versions of the FDA Food Code, whereas 2 State agencies have not adopted the FDA Food Code (Table 4).

Table 4: The list of State regulatory agencies and Food Code adoption status

No	ST	Agency Name	Food Code Version Adopted	Adoption Method	Oversight Responsibility	Effective Year
1	AK	Alaska Department of Environmental Conservation	2005	Long-Form	Both#	2005
2	AL	Alabama Department of Public Health	2013	Short-Form	Both#	2016
3	AR	Arkansas Department of Health	2013	Long-Form	Both#	2019
4	AZ	Arizona Department of Health Services	2017	Short-Form	Both#	2020
5	CA	California Department of Public Health, Food & Drug Program	None**	Not applicable	Both#	Not applicable
6	CO	Colorado Department of Public Health and Environment	2022*	Short-Form	Both#	2024
7	CT	Connecticut Department of Consumer Protection	2022*	Short-Form	Retail Food Stores	2023

No	ST	Agency Name	Food Code Version Adopted	Adoption Method	Oversight Responsibility	Effective Year
8	CT	Connecticut Department of Public Health	2022*	Short-Form	Both#	2023
9	DC	District of Columbia Department of Health	2009	Long-Form	Both#	2012
10	DE	Delaware Department of Health	2017	Long-Form	Both#	2020
11	FL	Florida Department of Agriculture and Consumer Services	2017	Short-Form	Both#	2020
12	FL	Florida Department of Business and Professional Regulations	2017	Short-Form	Restaurants	2019
13	FL	Florida Department of Health	2013	Long-Form	Restaurants	2018
14	GA	Georgia Department of Agriculture	2017	Long-Form	Retail Food Stores	2019
15	GA	Georgia Department of Public Health	2013	Long-Form	Restaurants	2015
16	HI	Hawaii Department of Health/Food Safety Branch	2013	Long-Form	Both#	2017
17	IA	Iowa Department of Inspections and Appeals	2017	Long-Form	Both#	2021
18	ID	Idaho Department of Health & Welfare	2013	Short-Form	Both#	2016
19	IL	Illinois Department of Public Health	2017	Short-Form	Both#	2019
20	IN	Indiana State Department of Health	2001	Long-Form	Both#	2004
21	KS	Kansas Department of Agriculture	2017 (w/Suppl.)*	Long-Form	Both#	2023
22	KY	Kentucky Cabinet for Health and Family Services-Food Safety Branch	2013	Short-Form	Both#	2019
23	LA	Louisiana Department of Public Health	2001	Long-Form	Both#	2002
24	MA	Massachusetts Department of Public Health	2013	Short-Form	Both#	2018
25	MD	Maryland Department of Health and Mental Hygiene	2009	Long-Form	Both#	2012
26	ME	Maine Department of Health and Human Services, Health Inspection Program	2009 (w/Suppl.)	Long-Form	Restaurants	2013
27	ME	Maine Department of Agriculture	2009 (w/Suppl.)	Long-Form	Retail Food Stores	2013
28	MI	Michigan Department of Agriculture and Rural Development	2009	Short-Form	Both#	2013
29	MN	Minnesota Department of Agriculture	2013	Long-Form	Both#	2019
30	MN	Minnesota Department of Health	2013	Long-Form	Both#	2019
31	MO	Missouri Department of Health and Senior Services	2009	Long-Form	Both#	2013
32	MS	Mississippi Department of Health	2022	Short-Form	Both#	2022
33	MS	Mississippi Department of Agriculture and Commerce	2022*	Short-Form	Retail Food Stores	2023

No	ST	Agency Name	Food Code Version Adopted	Adoption Method	Oversight Responsibility	Effective Year
34	MT	Montana Department of Health & Human Services	2013	Short-Form	Both#	2015
35	NC	North Carolina Department of Health and Human Services	2017 (w/Suppl.)	Short-Form	Both#	2021
36	ND	North Dakota Department of Health	2017 (w/Suppl.)*	Short-Form	Both#	2024
37	NE	Nebraska Department of Agriculture	2017	Long-Form	Both#	2020
38	NH	New Hampshire Department of Health and Human Services	2017	Short-Form	Both#	2019
39	NJ	New Jersey Department of Health, Public Health and Food Protection Program	2005	Long-Form	Both#	2013
40	NM	New Mexico Environment Department	2017	Long-Form	Both#	2019
41	NV	Nevada Department of Health and Human Services	2009	Long-Form	Both#	2013
42	NY	New York State Department of Health	None**	Not applicable	Restaurants	Not applicable
43	NY	New York State Department of Agriculture and Markets	2001	Long-Form	Retail Food Stores	2004
44	OH	Ohio Department of Health	2013 (w/Suppl.)	Long-Form	Both#	2019
45	OH	Ohio Department of Agriculture	2013 (w/Suppl.)	Long-Form	Retail Food Stores	2019
46	OK	Oklahoma State Department of Health	2017 (w/suppl.)	Long-Form	Both#	2022
47	OR	Oregon Department of Agriculture	2009	Long-Form	Retail Food Stores	2011
48	OR	Oregon Department Health/Food Pools Lodging	2009	Long-Form	Restaurants	2011
49	PA	Pennsylvania Department of Agriculture	2022	Short-Form	Both#	2022
50	RI	Rhode Island Department of Health	2017 (w/Suppl.)	Short-Form	Both#	2021
51	SC	South Carolina Department of Health and Environmental Control	2017	Long-Form	Both#	2019
52	SD	South Dakota Department of Health, Office of Health Protection	1995	Long-Form	Both#	1997
53	TN	Tennessee Department of Health Environmental Health Division	2009	Short-Form	Restaurants	2013
54	TN	Tennessee Department of Agriculture	2009	Short-Form	Retail Food Stores	2013
55	TX	Texas Department of State Health Services	2017 (w/Suppl.)	Short-Form	Both#	2021

No	ST	Agency Name	Food Code Version Adopted	Adoption Method	Oversight Responsibility	Effective Year
56	UT	Utah Department of Agriculture and Food	2013	Short-Form	Retail Food Stores	2016
57	UT	Utah Department of Health	2013	Short-Form	Restaurants	2016
58	VA	Virginia Department of Agriculture and Consumer Services	2017	Short-Form	Retail Food Stores	2021
59	VA	Virginia Department of Health	2017	Short-Form	Restaurants	2021
60	VT	Vermont Department of Health	2001	Long-Form	Both#	2003
61	WA	Washington State Department of Health	2017 (w/Suppl.)	Long-Form	Both#	2022
62	WI	Wisconsin Department of Agriculture Trade and Consumer Protection	2013 (w/Suppl.)	Long-Form***	Both#	2020
63	WV	West Virginia Department of Health and Human Resources	2013	Short-Form	Both#	2019
64	WY	Wyoming Department of Agriculture	2013 (w/Suppl.)	Long-Form	Both#	2020

Note:

Both#: the agency has responsibility for restaurants and retail food stores.

*: the agency completed rulemaking in 2023.

**: the agency did not adopt any version of FDA Food Code, no adoption.

***: FDA Food Code was used as an Appendix to Rule.