Date Marking Food at Retail

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.

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.

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”

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.

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.

For more information contact your local health department or visit:

https://www.colorado.gov/pacific/cdphe/food-code-transition
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.

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.

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 2013 Annexes of the FDA Food Code.

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