**Section 760.2040 Safety Barriers**

Prior to July 1, 1996, refrigeration at 45°F is required as the primary safety barrier. Effective July 1, 1996, all retail processed foods in reduced oxygen packages shall be refrigerated at 41°F or below, at all times, except as otherwise provided in Section 760.2030. Only refrigerated foods that possess one or more of the following secondary safety barriers can be packaged in a reduced oxygen atmosphere at retail:

a) Foods with a water activity (a[w]) below .93, or

b) Foods with an acidity (pH) of less than 4.6, or

c) Foods with high levels of non-pathogenic competing organisms that prohibit the growth of pathogenic bacteria, or

d) Meat or poultry products processed under U.S.D.A. or Illinois Department of Agriculture supervision with a nitrite level of at least 120 PPM and a minimum brine concentration of 3.5%, or

e) Frozen foods provided the product is maintained in a frozen state before, during and after packaging.

(Source: Amended at 20 Ill. Reg. 2201, effective January 20, 1996)