



Division of Environmental Health

Terry L. Pierce, Director

State of North Carolina
Michael F. Easley, Governor

Department of Environment and
Natural Resources
William G. Ross, Secretary

April 19, 2007

Chris Chestnut, QA
CKE Restaurants, Inc
1050 N. Wineville Ave.
Ontario, CA 91764

RE: CKE Restaurants, Inc. Processed Pasteurized Cheese

Mr. Chestnut:

The North Carolina Department of Environment and Natural Resources-Dairy and Food Protection Branch reviewed your request that the Pasteurized Processed Sliced Cheese, used by CKE Restaurants, Inc. in Carl's Jr., Green Burrito, Hardee's, Red Burrito and La Salsa restaurants, be allowed to be held at ambient temperature for up to 48 hours. The cheese is produced by Schreiber Foods and includes American, Monterey Jack, Processed Pepper Jack, and Swiss. The information submitted for review consisted of challenge studies conducted by Silliker Laboratories, a letter from Schreiber Foods, Inc., and an article from *Dairy and Food Sanitation* (Volume 3, Number 10, pp. 372-375, October 1983).

The product as described in the submitted data meets the definition of a potentially hazardous food as designated by the North Carolina rules governing foodhandling establishments. The Department requested a technical evaluation of your request from the Food Safety Standards Committee (FSSC). The FSSC is a committee consisting of members of academia and state and local regulatory entities that is tasked by the Department with advising the agency regarding reviewing requests from industry for alternate methods of compliance from the North Carolina rules governing food sanitation.

Based on the data submitted, the processed cheese may be kept at a temperature not to exceed 85⁰ F for a period not to exceed 48 hours, after which it must be discarded, as long as the following controls are effectively in place:

- A date/time/temperature log shall be maintained to verify compliance with the day, time, temperature, and discard requirements;
- Procedures shall be developed to train employees on the controls that must be used to meet the conditions of this approval;
- The Department shall be informed of any significant changes in the product or manufacturing process that may affect the accuracy of the challenge test data;
- The controls for meeting the conditions of this approval shall be assessed at each scheduled inspection.
- A copy of this approval letter and CKE's compliance plan must be kept in the establishment at all times and readily available for review by local health department field personnel or other regulatory authorities.
- The cheese manufacturer must be easily identifiable by local health department field personnel. The included pictures depicting manufacturer data on both the carton and product sleeve is the approved method of identification for American, Monterey Jack, Processed Pepper Jack, and Swiss.



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Based on these recommendations, the Department will consider you to be in compliance with the North Carolina *Rules Governing the Sanitation of Foodhandling Establishments* so long as the above controls are satisfactorily in place. These requirements apply to all CKE Restaurant, Inc.'s stores located within North Carolina.

If you have questions or comments concerning this approval, please feel free to contact me.

Sincerely,

Bart Campbell, RS, MPA
Section Chief
Environmental Health Services Section

CC. Cris Harrelson, Chair
Food Safety Standards Committee
Dairy and Food Protection Branch

