



# **Conference for Food Protection**

**2020**

## **Biennial Meeting**

***held in a virtual format  
in August 2021***

### **Council I – Laws and Regulations**

***Issue Recommendations  
Submitted to the Assembly  
of State Delegates***

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**Council Leadership**

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**Ann Johnson, Chair**

Florida Department of Agriculture and Consumer Services,  
Tallahassee, FL

**Thomas McMahan, Vice-Chair**

Meijer, Grandville, MI

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**Regulatory Voting Members**

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Rodney Blanchard, Michigan Dept. of Agriculture and Rural  
Development, Petersburg, MI

Justin Daniel, Lincoln-Lancaster County Health Department,  
Lincoln, NE

Leah Ferris, Clay County Public Health Center, Liberty, MO

Joseph Graham, Washington State Department of Health,  
Olympia, WA

Julie Hults, City of Milwaukee Health Department, Milwaukee,  
WI

Adam Inman, Kansas Department of Agriculture, Manhattan,  
KS

Josh Jordan, North Carolina Department of Health and Human  
Services, Raleigh, NC

Christopher Sparks, Houston Health Department, Houston, TX

Tim Tewksbury, Ohio Dept. of Agriculture, Reynoldsburg, OH

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**Industry Voting Members**

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Dr. Al Baroudi, The Cheesecake Factory, Calabasas Hills, CA

Richard Daugherty, National Automatic Merchandising  
Association, Chicago, IL

Tom Ford, Compass Group, Charlotte, NC

Adam Friedlander, FMI – the Food Industry Association,  
Arlington, VA

Larry Kohl, Retail Business Services, LLC, Salisbury, NC

Michael Luczynski, Boar's Head Brand, Sarasota, FL

Traci Michelson, McDonald's Corporation, Chicago, IL

Kate Piché, National Restaurant Association, Chicago, IL

Kenesha Williamson, Publix Super Markets, Inc., Port Charlotte,  
FL

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**Academia Voting Members**

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Nicole Arnold, East Carolina University, Greenville, NC

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**Consumer Voting Member**

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Mitzi Baum, Stop Foodborne Illness, Chicago, IL

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**Council Consultants**

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Dr. Adam Kramer, CDC, Atlanta, GA

Mary Cartagena, FDA-CFSAN, College Park, MD

Erika Stapp-Kamotani, USDA-FSIS, Washington, DC

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**Parliamentarian**

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Belinda Clifton, FDA-ORA, Seattle, WA

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**Scribe**

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Lisa Doerr, Meijer, Grandville, MI

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**Regulatory Alternates**

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Sandra Craig, SC Department of Health and Environmental  
Control, Columbia, SC

Jim Dingman, City of Plano Environmental Health Div., Plano,  
TX

Sarah Good, Virginia Dept. of Agriculture and Consumer  
Services, Virginia Beach, VA

Todd Mers, Austin Department of Public Health, Austin, TX

Craig Nielsen, Georgia Department of Agriculture, Atlanta, GA

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**Industry Alternates**

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Chirag H. Bhatt, HealthSpace Data Systems, Houston, TX

Albert Espinoza, H-E-B, San Antonio, TX

Mike Haller, UL- Everclean, Agoura Hills, CA

James O'Donnell, Matrix Sciences, St. Louis, MO

Barry Parsons, Paster Training Inc., Gilbertsville, PA

Daniel Tew, YUM! Brands, Plano, TX

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**Consultant Alternates**

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Meghan Holst, CDC, Atlanta, GA

CDR Jessica Otto, FDA, College Park, MD

Tennetta Hazard, USDA-FSIS, Washington, DC

## Council I – 2020 Issue Listing

Number	Issue Title	As Submitted	As Amended	No Action	Assembly Action
I-001	Food Recovery Committee (FRC) Report	X			
I-002	FRC Infographic Handouts Acceptance for Approval and Posting		X		
I-003	FRC Food Code Amendment		X		
I-004	CFP- ISSC: Report and Recreate CFP- ISSC Joint Committee on Shellfish.		X		
I-005	CFP- ISSC Joint Committee on Shellfish; Amend Food Code	X			
I-006	Amend Food Code and Annex references to 21 CFR 110 with 21 CFR 117.	X			
I-007	Amend Food Code 1-201.10 replace Fruits and Vegetables with term Plant Food	X			
I-008	Amend Food Code 1-201.10 Statement of Application & Listing of Terms (PHF)			X	
I-009	Condition Control Food			X	
I-010	Amend Food Code – Clarify “Equipment” definition			X	
I-011	Amend Food Code – Clarify “Utensil” Definition			X	
I-012	Use Limitation of Untreated Wood for Cooking Surface		X		
I-013	Adding Utensils and other Food Contact Items to 7-203.11		X		
I-014	Enhancing Protection of Food Contact Surfaces - Section 3-304.11			X	
I-015	Amend Code to Include authority to conduct foodborne illness investigations		X		
I-016	Interpretation of Food Code for obtaining consumer purchase records			X	
I-017	Obtain Purchase Information as part of a Foodborne Outbreak Investigation			X	
I-018	Amend the Food Code to Require Consumer Notification of Food Recalls			X	
I-019	Storage in Toilet Rooms		X		
I-020	Sanitation Controls at Community Kitchens (AKA: Shared-Kitchens, Incubators)			X	
I-021	Use of Personal Containers for non-TCS Bulk Foods	<i>Transferred to Council III</i>			
I-022	Amend Food Code to Harmonize the Definition Reusable Container	<i>Transferred to Council III</i>			
I-023	Amend Food Code to Address New Reusable Scenarios in Food Retail	<i>Transferred to Council III</i>			
I-024	Creation of a Committee - Address Reusable Scenarios in Food Retail	<i>Transferred to Council III</i>			
I-025	Amend Food Code– Update definitions in relation to food for animals			X	
I-026	Amend Food Code – Preventing Contamination By (and To) Consumers			X	
I-027	Creation of Committee- Review of Food Code in relation to food for animals			X	
I-028	Amend Food Code – Permit Pet Dogs in Outdoor Dining Areas		X		
I-029	Prohibiting Animals to Allow for Dogs in Outside Areas of Premises			X	
I-030	Removing the Reference to Restricted Use Pesticides in 7-202.12(B)(2)	X			
I-031	Person in Charge 2-103.11	X			

Number	Issue Title	As Submitted	As Amended	No Action	Assembly Action
I-032	Whole Muscle Intact Beef Labeling		X		
I-033	Designated Areas to Include Vaping			X	
I-034	Eating, Drinking, or Using Tobacco to Include Vaping			X	
I-035	When to Wash to Include Vaping	X			

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-001**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

Food Recovery Committee (FRC) Report

**Recommended Solution: The Conference recommends...:**

acknowledgment of the 2018-I-24 Food Recovery (FR) Committee Report, with thanks to the members of the Committee for their work and dissolution of the FR committee.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-002**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  X  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

FRC Infographic Handouts Acceptance for Approval and Posting

**Recommended Solution: The Conference recommends...:**

1. Addition to the CFP's 2016 revision of the Comprehensive Resource for Food Recovery Programs the following four (4) info graphic sheets;

**1A Handout Draft – How Food Establishments Can Donate Food;**

**1B Handout Draft – How to Transport Donated Food;**

**1C Handout Draft – How to Serve Donated Food;**

**1D Handout Draft – Serving Highly Susceptible Populations**

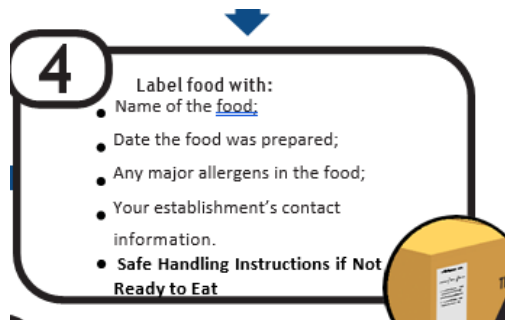
2. Amend the info graphic sheets listed under 1 above as follows:

**A. Handout - How Food Establishments Can Donate Food**

(1) added “label them with major allergen(s)” - *shown in bold*



(2) added “Safe Handling Instructions if Not Ready to Eat” – *shown in bold*



(3) removed reference to infant food - *remaining reference in bold*

#### Additional Donation Information

##### "Best by" Dates

Food packaging dates ("best by," "use by," and "sell by") are meant to tell consumers how long the product will be at peak quality. They do not indicate when the food is safe to eat. If handled properly, most foods will be safe to eat well after the "best by" date and could potentially be donated. Before donating foods that are past their "best by" date, confirm with the charitable feeding organization that it will accept them. **Throw away infant formula**

## B. Handout – How to Serve Donated Foods

(1) added to table "Expired Infant Formula" - *shown in bold*

Canned/Boxed Foods	Good Condition	<ul style="list-style-type: none"> <li>• Leaking, damaged, or bulging packaging</li> <li>• Open packages</li> <li>• Home-canned products</li> <li>• Packaged products that show evidence of insect or rodent damage or infestation</li> <li>• <b>Expired Infant Formula</b></li> </ul>
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## C. To All 4 info graphics sheets

(1) Add "\*\*Disclaimer: Information on this infographic is not attempting to describe a state/local regulation. For further information please contact the state or local public health authority responsible for food safety."

3. Authorizes the Conference to make any necessary edits prior to posting the document(s) on the CFP website to assure consistency of format and non-technical content; edits will not affect the technical content of the document.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-003**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

FRC Food Code Amendment

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting the following:

1. Amendment of the current FDA Food Code to include:

a) Add general provision as section 3-101.12 Donation of Food, acknowledging that it is appropriate for licensed retail and foodservice establishments to donate food to organizations provided that the food has been stored, held, prepared or displayed in a manner that is in accordance with the applicable food safety requirements contained in the Food Code. Text to be considered for inclusion in the CFP Issue submission could be as follows: "FOOD that has been received, stored, held, prepared, displayed, and labeled in accordance with Chapter 3 may be offered for FOOD DONATION."

b) Add a definition of the term "FOOD DONATION" to section 1-201.10 (B) to establish a recognized definition for that term so that when it is used in the Food Code, its meaning is widely understood as distributing food to another organization for charitable purposes with the intention that it be consumed by humans. Text to be considered for inclusion in the CFP Issue submission could be as follows: "FOOD DONATION: Practice by which a FOOD ESTABLISHMENT offers FOOD at no cost to an organization for distribution to, and consumption by, individuals."

c) Furthermore that section 8-101.10 (A) be modified to reflect that it also applies to food that is donated with the following modification: "The REGULATORY AUTHORITY shall apply this Code to promote its underlying purpose, as specified in § 1-102.10, of safeguarding public health and ensuring that FOOD is safe, unADULTERATED, and honestly presented when offered to the CONSUMER or for FOOD DONATION."

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-004**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

CFP- ISSC: Report and Recreate CFP- ISSC Joint Committee on Shellfish.

**Recommended Solution: The Conference recommends...:**

1. Please see attached committee report (CFP- ISSC Joint Committee on Shellfish; Issue: 2016 I-023).
2. The Co-Chairs would like the conference to acknowledge the committee report and thank the committee members for their work.
3. The Conference recommends CFP- ISSC Joint Shellfish Committee be recreated as a Council Committee. The attached annual report identifies the Committees work regarding a lack of resources available for State and Local retail food inspectors and retail food establishments. Therefore, the Committee recommends the following charges
  - a. Continue work to develop guidance documents for foodborne illness outbreak investigations for State and Local retail food inspectors and documents for best practices related to compliance for traceability for retail food establishments.
  - b. Report the committee's findings and recommendations at the next CFP Biennial Meeting.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-005**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

CFP- ISSC Joint Committee on Shellfish; Amend Food Code

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting that Sections 1-201.10 (B), 3-202.18, and 3-203.12 of the current FDA Food Code be amended to incorporate requirements from the Interstate Shellfish Sanitation Conference 2017 Model Ordinance. Specific proposed language as follow (*new language is underlined; existing language to be deleted is in strikethrough format*):

**1-201.10 (B)**

**"Certification number"** means ~~a unique combination of letters and numbers assigned by a shellfish control authority to a molluscan shellfish dealer according to the provisions of the National Shellfish Sanitation Program.~~ the unique identification number issued by the SHELLFISH CONTROL AUTHORITY to each dealer for each location. Each certification number shall consist of a one to five digit Arabic number preceded by the two letter State abbreviation and followed by a two letter abbreviation for the type of activity or activities the dealer is qualified to perform in accordance with this provision of the National Shellfish Sanitation Program using the following terms: shellstock shipper (SS), shucker-packer (SP), repacker (RP), and Depuration Processor(DP).

**"Commingle"** means:

1. To combine shellstock harvested on different days or from different growing areas as identified on the tag or label; ~~or~~
2. To combine shucked shellfish from containers with different container codes or different shucking dates; and
3. To combine in-shell product harvested on different days or from different growing areas as identified on the tag or label.

Add Definition **"In-shell Product"** means non-living, processed shellfish with one or both shells present.

**"Molluscan shellfish"** means ~~any edible~~ all species of fresh or frozen oysters, clams, mussels, whether shucked or in the shell, raw, including post-harvest processed, frozen or unfrozen, whole or in part; and scallops ~~or edible portions thereof in any form,~~ except when the scallop final product form ~~consists only of the shucked~~ is the adductor muscle only.

**"Shellstock"** means ~~raw, in-shell~~ live molluscan shellfish in the shell.

**"Shucked shellfish"** means molluscan shellfish that have ~~one or~~ both shells removed.

### **3-202.18. Shellstock and In-shell Product Identification.**

(A) Shellstock shall be obtained in containers bearing legible source identification tags or labels that are affixed by a dealer that depurates, ships, or reships the shellstock, as specified in the National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish, and ~~that list are listed in the Interstate Certified Shellfish Shippers List.~~  
Pf

~~(1) Except as specified under (C) of this section, on the harvester's tag or label, the following information in the following order: Pf~~

~~(a) The harvester's identification number that is assigned by the SHELLFISH CONTROL AUTHORITY,~~

~~(b) The date of harvesting, Pf~~

~~(c) most precise identification of the harvest location or aquaculture site that is practicable based on the system of harvest area designations that is in use by the SHELLFISH CONTROL AUTHORITY and including the abbreviation of the name of the state or country in which the shellfish are harvested, Pf~~

~~(d) The type and quantity of shellfish, Pf~~

~~(e) The following statement in bold, capitalized type: "This tag is required to be attached~~

~~until container is empty or retagged and thereafter kept on file for 90 days; Pf~~  
~~and~~

~~(2)~~(1) Except as specified in (D) of this section, on each DEALER'S tag or label, the following information in the following order. Pf

(a) The dealer's name and address, and the certification number assigned by the SHELLFISH CONTROL AUTHORITY.<sup>Pf</sup>

(b) The original shipper's certification number including the abbreviation of the name of the state or country in which the shellfish are harvested. If depurated the original shellstock shipper's certification number is not required. <sup>Pf</sup>

~~(c) The same information as specified for a harvester's tag under Subparagraphs (A)(1)(b)–(d) of this section;~~ The harvest date; or if depurated, the date of depuration processing, or if wet stored, the original harvest date, and the final harvest date which is the date removed from wet storage. <sup>Pf</sup> and

~~(d) The following statement in bold, capitalized type: "This tag is required to be attached until container is empty and thereafter kept on file for 90 days. If wet stored or depurated, the wet storage or depuration cycle or lot number. The wet storage lot number shall begin with the letter "w".~~ <sup>Pf</sup>

~~(e) The most precise identification of the harvest location as is practicable including the initials of the State of harvest, and the SHELLFISH CONTROL AUTHORITY'S designation of the growing area.~~ <sup>Pf</sup>

~~(f) The type and quantity of shellstock.~~ <sup>Pf</sup>

~~(g) The following statement in bold, capitalized type: "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS. RETAILERS: DATE WHEN LAST SHELLFISH FROM THIS CONTAINER SOLD OR SERVED (INSERT DATE)~~ <sup>" Pf</sup>

~~(h) The statement "Keep Refrigerated" or an equivalent statement.~~ <sup>Pf</sup>

(B) A container of shellstock and in-shell product that does not bear a tag or label or that bears a tag or label that does not contain all the information as specified under subsection A of this section shall be subject to a hold order, as allowed by law, or seizure and destruction in accordance with 21 CFR Subpart D - Specific Administrative Decisions Regarding Interstate Shipments, Section 1240.60(d).<sup>Pf</sup>

~~(C) If a place is provided on the harvester's tag or label for a DEALER'S name, address, and CERTIFICATION NUMBER, the DEALER'S information shall be listed first.~~

~~(C) (D) If the harvester's tag or label is designed to accommodate each DEALER'S identification~~

~~as specified in Subparagraph's (A)(2)(a) and (b) of this section, individual DEALER tags or labels need not be provided. When both the dealer and the harvester tags appear on the container, the dealer's tag is not required to duplicate the information on the harvester's tag.~~ <sup>Pf</sup>

~~(D) (E) In-shell product shall be obtained in containers bearing legible source identification tags or labels that are affixed by a dealer that depurates, ships, or reships the in-shell product, as specified in the National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish, and that list:that are listed in the Interstate Certified Shellfish Shippers List.~~ <sup>P</sup>

(1) The dealer tag or label on in-shell product shall contain the following indelible, legible information in the order specified below: <sup>Pf</sup>

(a) The dealer's name and address; <sup>P</sup>

(b) The dealer's certification number as assigned by the SHELLFISH CONTROL AUTHORITY; <sup>Pf</sup>

(c) The original shellstock shipper's certification number. If depurated the original shellstock shipper's certification number is not required. <sup>Pf</sup>

(d) A "SELL BY DATE" or the words "BEST IF USED BY" followed by a date when the product is expected to reach its shelf life. The date shall include month, day, and year. <sup>Pf</sup>

(e) If depurated, the depuration cycle number or lot number. <sup>Pf</sup>

(f) The most precise identification of the harvest location as is practicable including the initials of the State of harvest, and the SHELLFISH CONTROL AUTHORITY'S designation

of the growing area.

(g) The type and quantity of in-shell product; <sup>Pf</sup>

(h) The following statement in bold, capitalized type: "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE, IN CHRONOLOGICAL ORDER, FOR 90 DAYS. RETAILERS: DATE WHEN LAST

SHELLFISH FROM THIS CONTAINER SOLD OR SERVED (INSERT DATE) \_\_\_\_\_." OR "THIS LABEL IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE, IN CHRONOLOGICAL ORDER, FOR 90 DAYS" RETAILERS: DATE WHEN LAST SHELLFISH FROM THIS CONTAINER SOLD OR SERVED (INSERT DATE) \_\_\_\_\_. <sup>Pf</sup>

(i) The statement "Keep Refrigerated" or an equivalent statement. <sup>Pf</sup>

### **3-203.12 Shellstock and in-shell product; maintaining identification.**

A. Except as specified under subdivision (C) (2) of this section, shellstock and in-shell product tags or labels shall remain attached to the container in which the shellstock and in-shell product are received until the container is empty.<sup>Pf</sup>

B. The date when the last shellstock and in-shell product from the container is sold or served shall be recorded on the tag or label.<sup>Pf</sup>

C. The identity of the source of shellstock and in-shell product that are sold or served shall be maintained by retaining shellstock and in-shell product tags or labels for 90 calendar days from the date that is recorded on the tag or label as specified in subsection B of this section, by:<sup>Pf</sup>

1. Using an approved recordkeeping system that keeps the tags or labels in chronological order correlated to the date that is recorded on the tag or label, as specified under subsection B of this section;<sup>Pf</sup> and

2. If shellstock and in-shell product are removed from its tagged or labeled container:

- a. Preserving source identification by using a recordkeeping system as specified under subdivision C 1 of this section,<sup>Pf</sup> and
- b. Ensuring that shellstock, in-shell product, or shucked shellfish from one tagged or labeled container are not commingled with shellstock, in-shell product, or shucked shellfish from another container with different certification numbers, different harvest dates, or different growing areas as identified on the tag or label before being ordered by the consumer.<sup>Pf</sup>

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-006**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

Amend Food Code and Annex references to 21 CFR 110 with 21 CFR 117.

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting that Section 3-501.17, Annex 2 and Annex 3 of the current FDA Food Code be amended to remove all references to 21 CFR 110 and replaced with 21 CFR 117.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-007**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

Amend Food Code 1-201.10 replace Fruits and Vegetables with term Plant Food

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting that Section 1-201.10 Statement of Application and Listing of Terms of the current Food Code be amended as follows (*new language is underlined; existing language to be deleted is in strikethrough format*):

**Section 1-201.10 Statement of Application and Listing of Terms**

(2) "Ready-to-eat food" includes:

- (a) Raw animal FOOD that is cooked as specified under § 3-401.11 or 3-401.12, or frozen as specified under § 3-402.11;
- (b) Raw fruits and vegetables that are washed as specified under § 3-302.15;
- (c) ~~Fruits and vegetables~~ Plant foods that are cooked for hot holding, as specified under § 3-401.13;
- (d) All TIME/TEMPERATURE CONTROL FOR SAFETY FOOD that is cooked to the temperature and time required for the specific FOOD under Subpart 3-401 and cooled as specified under § 3-501.14;

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-008**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Amend Food Code 1-201.10 Statement of Application & Listing of Terms (PHF)

**Recommended Solution: The Conference recommends...:**

no action because the term Potentially Hazardous Foods (PHF) remains a useful link as industry and jurisdictions continue to transition. For example, many laws, regulations, and scientific studies use the term PHF.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-009**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Condition Control Food

**Recommended Solution: The Conference recommends...:**

no action because the Issue is adequately addressed in the current FDA Food Code, Section 1-201.10(b) and that insufficient science or information has been provided to take action on the Recommended Solution.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-010**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Amend Food Code – Clarify “Equipment” definition

**Recommended Solution: The Conference recommends...:**

no action because the Issue is adequately addressed in the current FDA Food Code, Section 4-101.19.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-011**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Amend Food Code – Clarify “Utensil” Definition

**Recommended Solution: The Conference recommends...:**

no action because the Issue is adequately addressed in the current FDA Food Code, Sections 1-201.10(b), 3-304.15(a), 4-102.11, and 4-502.13.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-012**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Use Limitation of Untreated Wood for Cooking Surface

**Recommended Solution: The Conference recommends...:**

1. That a letter be sent to FDA requesting § 4-101.17 of the current FDA Food Code be amended as follows (*new language is underlined; existing language to be deleted is in strikethrough format*)

(A) Except as specified in paragraphs (B), (C), ~~and (D)~~, and (E) of this section, wood and wood wicker may not be used as a FOOD-CONTACT SURFACE.

(E) Untreated white and western red cedar wood planks which are made from safe and clean materials as specified in ¶ 4-102.11(B) and with the intention to be a food contact surface may be used as a single-use cooking utensil and may subsequently be used as the serving UTENSIL

2. That a letter be sent to FDA Office of Food Additive Safety requesting they conduct a safety assessment to determine if the use of untreated white and western red cedar as a food contact surface is a concern and to establish a reasonable certainty of no harm as a result of the proposed use, such that, the public health would be protected if a provision that allows untreated wood planks, such as cedar, for use as a cooking food contact surface is added to the food code.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-013**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Adding Utensils and other Food Contact Items to 7-203.11

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting that Section 7-203.11 of the current FDA Food Code be amended as follows (*new language is underlined; existing language to be deleted is in strikethrough format*):

**7-203.11 Poisonous or Toxic Materials**

A container previously used to store POISONOUS OR TOXIC MATERIALS may not be used to store, transport, or dispense:

- a. FOOD <sup>P<sub>1</sub></sup>
- b. EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE or SINGLE-USE ARTICLES. <sup>Pf</sup>

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-014**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Enhancing Protection of Food Contact Surfaces - Section 3-304.11

**Recommended Solution: The Conference recommends...:**

no action because the Issue is adequately addressed in the current FDA Food Code, Annex 3, Section 3-304.11.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-015**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  x  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Amend Code to Include authority to conduct foodborne illness investigations

**Recommended Solution: The Conference recommends...:**

establish a Foodborne Illness Investigation Committee to examine consumer purchase history with the following charges:

1. Determine if it would be appropriate to place language in the current Food Code to address regulatory authority for foodborne illness investigation and obtaining purchase history information. If appropriate, then;
  - a. Draft language for an amendment to the current FDA Food Code giving regulatory authorities authority for access during foodborne illness investigations
  - b. Draft language for an amendment to the Food code giving regulatory authorities access to consumer purchase history information.
  - c. Include maintaining customer data protection as confidential when managing a foodborne illness investigation.
2. Include methods to educate and collaborate with industry and regulatory authorities.
3. Report progress back at the next Biennial meeting and complete the charges by the subsequent Biennial Meeting.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-016**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Interpretation of Food Code for obtaining consumer purchase records

**Recommended Solution: The Conference recommends...:**

no action because the Issue was combined with Issues 2020 I-015 and 2020 I-017 and is addressed in Issue 2020 I-015.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-017**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Obtain Purchase Information as part of a Foodborne Outbreak Investigation

**Recommended Solution: The Conference recommends...:**

no action because the Issue was combined with Issues 2020 I-015 and 2020 I-016 and is addressed in Issue 2020 I-015.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-018**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Amend the Food Code to Require Consumer Notification of Food Recalls

**Recommended Solution: The Conference recommends...:**

no action because the Issue falls under the jurisdiction of the Food Safety Modernization Act in Section 211, the Federal Meat Inspection Act, the Poultry Product Inspection Act, and the Egg Product Inspection Act.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-019**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  X  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Storage in Toilet Rooms

**Recommended Solution: The Conference recommends...:**

1. A letter be sent to FDA requesting re-evaluation of the risk designation process as it relates to this Issue.
  
2. A letter be sent to FDA requesting amending the following sections of the current FDA Food Code from Core designation to Priority foundation (Pf) designation (*new language is underlined; existing language to be deleted is in strikethrough format*):

**3-305.12(B), Food Storage, Prohibited Areas**

(B) In toilet rooms Pf:

**4-401.11 Equipment, Clothes Washers and Dryers and Storage Cabinets, Contamination Prevention**

(A)(2) In toilet rooms Pf;

**4-903.12 Prohibitions**

(A)(2) In toilet rooms Pf

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-020**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Sanitation Controls at Community Kitchens (AKA: Shared-Kitchens, Incubators)

**Recommended Solution: The Conference recommends...:**

no action because the Issue is adequately addressed in the most current FDA Food Code Annex 4 and 5.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-025**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Amend Food Code– Update definitions in relation to food for animals

**Recommended Solution: The Conference recommends...:**

no action taken because this Issue is not within the scope of the most current FDA Food Code as discussed with Issues I-026 and I-027.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-026**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Amend Food Code – Preventing Contamination By (and To) Consumers

**Recommended Solution: The Conference recommends...:**

no action taken because this Issue is not within the scope of the most current FDA Food Code as discussed with Issues 2020 I-025 and 2020 I-027.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-027**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Creation of Committee- Review of Food Code in relation to food for animals

**Recommended Solution: The Conference recommends...:**

no action taken because this Issue is not within the scope of the most current FDA Food Code as discussed with Issues 2020 I-025 and 2020 I-026.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-028**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  X  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Amend Food Code – Permit Pet Dogs in Outdoor Dining Areas

**Recommended Solution: The Conference recommends...:**

a letter be sent to the FDA requesting the following:

1. Section 6-501.115 of the current FDA Food Code be amended as follows (*new language is underlined; existing language to be deleted is in strikethrough format*):

**6-501.115 Prohibiting Animals.**

A. Except as specified in ~~¶¶~~ (B) and (C) of this section, live animals may not be allowed on the premises of a food establishment.

B. Live animals may be allowed in the following situations if the contamination of food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles cannot result:

- 1) Edible fish or decorative fish in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems;
- 2) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;
- 3) In areas that are not used for food preparation and that are usually open for customers, such as dining and sales areas, service animals that are controlled by the disabled employee or person, if a health or safety hazard will not result from the presence or activities of the service animal;
- 4) Pets in the common dining areas of institutional care facilities such as nursing homes, assisted living facilities, group homes, or residential care facilities at times other than during meals if:

- a. Effective partitioning and self-closing doors separate the common dining areas from food storage or food preparation areas,
- b. Condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining areas when pets are present, and
- c. Dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service; ~~and~~

5) In areas that are not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined, such as in a variety store that sells pets or a tourist park that displays animals; and

6) Pet dogs under the control of a person in an outdoor dining area, or a designated portion of it, if:

- a. The owner of the food establishment elects to allow pet dogs,
- b. The pet dog is on a leash, confined to a pet carrier, or otherwise physically restrained.
- c. A separate outdoor entrance is present where pet dogs enter without going through the food establishment,
- d. Signs are conspicuously posted indicating that pet dogs are allowed in the outdoor dining area,
- e. Pet dogs are not allowed on chairs, benches, seats, or other fixtures,
- f. Pet dogs are not allowed to physically contact FOOD, serving dishes, UTENSILS, tableware, LINENS, unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES or other FOOD service items that may result in contamination of FOOD or FOOD-CONTACT SURFACES,
- g. Food and water provided to dogs shall only be in single-service containers,
- h. The outdoor dining area, including the exterior walls and floors, is maintained clean, and surfaces that have been contaminated with dog excrement or other bodily fluids (urine, saliva, and vomit, etc.) shall be immediately cleaned and sanitized,

i. A covered refuse container shall be located in the outdoor dining area and shall be used exclusively to store all pet waste generated.

j. The food establishment owner ensures compliance with local ordinances related to sidewalks, public nuisance, and sanitation, and

k. The food establishment owner shall request that a pet dog owner remove from the establishment any dog that menaces, threatens or bites any person or other dog. The food establishment owner shall not serve a dog owner who refuses to comply with a request to remove such a dog.

C. Live or dead fish bait may be stored if contamination of food; clean equipment, utensils, and linens; and unwrapped single-service and single-use articles cannot result.

2. Also to Amend 2-403.11(A) to properly reference the new ¶6-501.115 (B)(6):

#### **2-403.11 Handling Prohibition**

(A) Except as specified in ¶ (B) of this section, FOOD EMPLOYEES may not care for or handle animals that may be present such as patrol dogs, SERVICE ANIMALS, or pets that are allowed as specified in Subparagraphs 6-501.115(B)(2)-(5)(6). Pf

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-029**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Prohibiting Animals to Allow for Dogs in Outside Areas of Premises

**Recommended Solution: The Conference recommends...:**

no action because the Issue is already addressed in Issue 2020 I-028.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-030**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

Removing the Reference to Restricted Use Pesticides in 7-202.12(B)(2)

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA recommending that Section 7-202.12 of the current FDA Food Code be amended as follows (*new language is underlined; existing language to be deleted is in strikethrough format*):

**7-202.12 Conditions of Use.**

POISONOUS OR TOXIC MATERIALS shall be:

(A) Used according to:

- (1) LAW and this Code,
- (2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT, <sup>P</sup>
- (3) The conditions of certification, if certification is required, for use of the pest control materials, <sup>P</sup> and
- (4) Additional conditions that may be established by the REGULATORY AUTHORITY; and

(B) Applied so that:

- (1) A HAZARD to EMPLOYEES or other PERSONS is not constituted, <sup>P</sup> and
- (2) Contamination including toxic residues due to drip, drain, fog, splash or spray on FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE

and SINGLE-USE ARTICLES is prevented, and for a ~~RESTRICTED-USE PESTICIDE~~, pesticide this is achieved by: <sup>P</sup>

- (a) Removing the items, <sup>P</sup>
- (b) Covering the items with impermeable covers, <sup>P</sup> or
- (c) Taking other appropriate preventive actions, <sup>P</sup> and
- (d) Cleaning and SANITIZING EQUIPMENT and UTENSILS after the application. <sup>P</sup>

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-031**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

Person in Charge 2-103.11

**Recommended Solution: The Conference recommends...:**

send a letter to FDA requesting the addition of language under **2-103.11 Person In Charge** of the current FDA Food Code to include *(new language is underlined; existing language to be deleted is in strikethrough format)*:

(Q) EMPLOYEES are properly maintaining the temperatures of TIME/TEMPERATURE CONTROL FOR SAFETY FOODS during thawing through daily oversight of the EMPLOYEES' routine monitoring of FOOD temperatures.<sup>Pf</sup>

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-032**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Whole Muscle Intact Beef Labeling

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA and FSIS to continue the harmonization efforts in removing the supplier verification that steaks are intact while communicating how to determine when steaks are non-intact.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-033**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Designated Areas to Include Vaping

**Recommended Solution: The Conference recommends...:**

no action because the Issue is addressed in Issue 2020 I-035 as discussed with Issues 2020 I-034 and 2020 I-035.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-034**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Eating, Drinking, or Using Tobacco to Include Vaping

**Recommended Solution: The Conference recommends...:**

no action because the Issue is addressed in Issue 2020 I-035 as discussed with Issues 2020 I-033 and 2020 I-035.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-035**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	_____ <b>X</b> _____ No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	_____

*All information above the line is for conference use only.*

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**Title:**

When to Wash to Include Vaping

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA to request that they address vaping and similar activities in all locations in the current FDA Food Code where tobacco use is referenced.

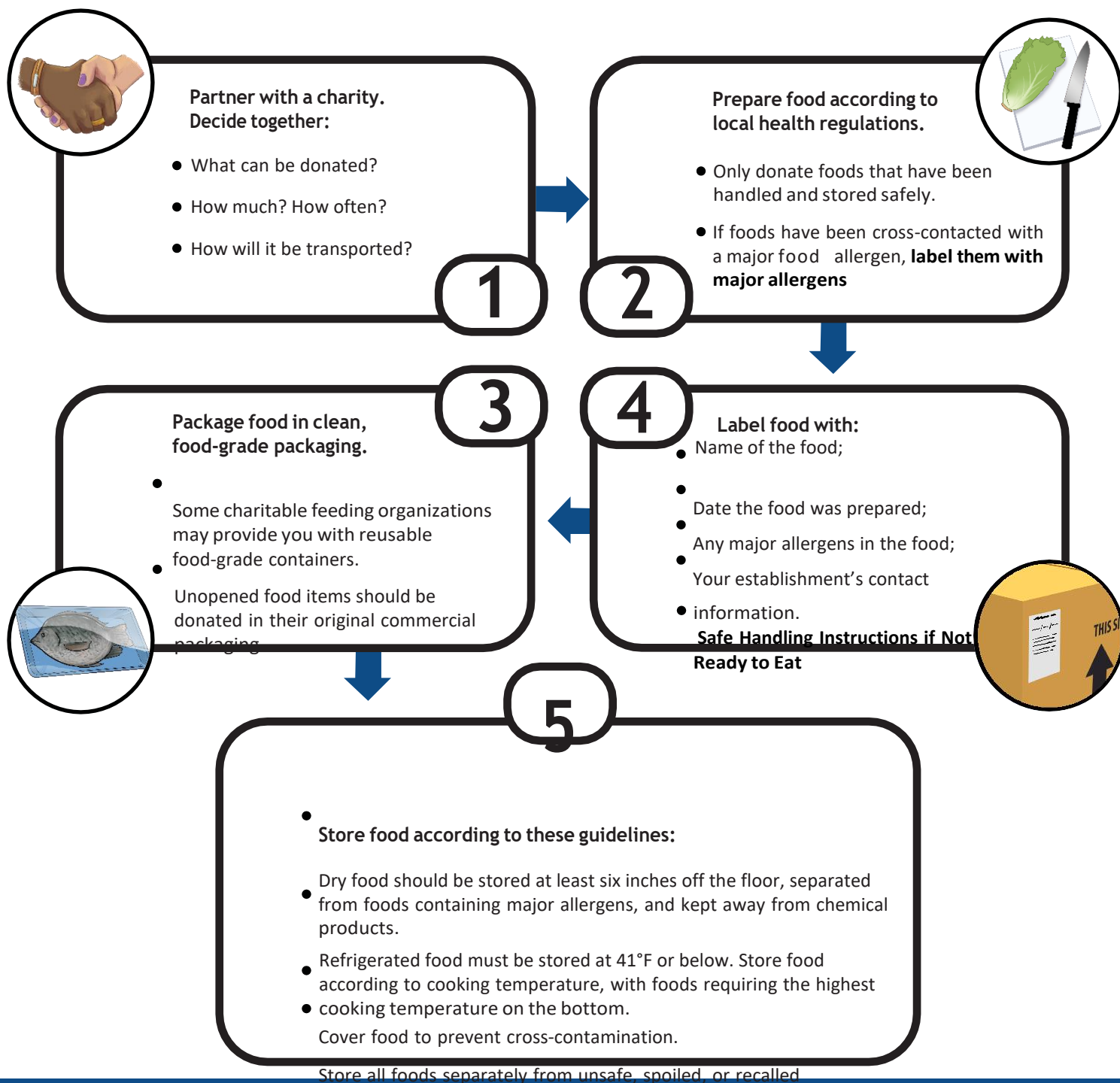
*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*



## How Food Establishments Can Donate Food

Businesses that donate food are protected from liability by the Bill Emerson Good Samaritan Food Donation Act and may be eligible for federal tax deductions or state tax incentives.

### Follow this process when donating surplus food:



foods.



## How to Hand Off Food

Before handing off donated food to a delivery driver, take these steps.

1. Ensure that the transporting vehicle has special equipment to keep hot foods hot and cold foods cold. Insulated coolers, insulated blankets, frozen ice packs, hot boxes, or refrigerated compartments can all be used to provide temperature control.

2. Keep the following records:

Name and location of food donor

Date the food was prepared/harvested

Type of food donated

Food temperature at pickup

Name of the person who transported the food



## Additional Donation Information

### “Best by” Dates

Food packaging dates (“best by,” “use by,” and “sell by”) are meant to tell consumers how long the product will be at peak quality. They do not indicate when the food is safe to eat. If handled properly, most foods will be safe to eat well after the “best by” date and could potentially be donated. Before donating foods that are past their “best by” date, confirm with the charitable feeding organization that it will accept them. **Throw away infant formula**



### Food Recalls

Contact the charitable feeding organization if a food recall is issued that you know affects donated food. The recipient organization is also responsible to help track food recalls.





## How to Serve Donated Food

As a volunteer for a charitable feeding organization, you should follow these basic food safety principles.

### When receiving new food donations, make sure:

All food is from approved suppliers.

Manufactured food is in original, sealed, and undamaged packages.

Food prepared at retail establishments is labeled with food name, date prepared, major allergens, and the establishment's contact information.

Food Type	Receiving Requirements	Foods to Avoid
Prepared Foods	Cold - 41° or below Hot - 135° F or above Frozen solid	<ul style="list-style-type: none"> <li>Foods that are in the danger zone (41° F - 135° F)</li> <li>Previously reheated foods</li> <li>Previously served foods</li> </ul>
Chilled Prepackaged Perishables	41° F or below	<ul style="list-style-type: none"> <li>Foods that are above 41° F</li> <li>Damaged or bulging packaging</li> <li>Raw or unpasteurized dairy products and juices</li> </ul>
Raw Meat Poultry, Fish	41° F or below (Unfrozen) Frozen solid	<ul style="list-style-type: none"> <li>Raw meat products that are above 41° F</li> <li>Frozen foods that are thawed (defrosted)</li> </ul>
Whole Produce	Good Condition	<ul style="list-style-type: none"> <li>Food that is dirty or has significant decay</li> <li>Foods grown without good agricultural practices (Exposed to contamination)</li> </ul>
Cut Produce	41° F or below	<ul style="list-style-type: none"> <li>Cut produce that is above 41° F</li> <li>Color change or decay</li> </ul>
Baked Goods	Good Condition	<ul style="list-style-type: none"> <li>Moldy or stale products</li> <li>Evidence of damaged packaging (mice, rats)</li> </ul>
Canned/Boxed Foods	Good Condition	<ul style="list-style-type: none"> <li>Leaking, damaged, or bulging packaging</li> <li>Open packages</li> <li>Home-canned products</li> <li>Packaged products that show evidence of insect or rodent damage or infestation</li> </ul> <p><b>Expired Infant Formula</b></p>



## Repackaging Food

If you repackage any food, label it with the food name, date prepared, and major allergens among the ingredients. Do not vacuum pack any food.

Don't handle food if you're feeling sick.

Wash hands frequently & always use gloves.

Only use potable (drinkable) water.



- Foods:**
- Poultry (chicken, turkey, duck, fowl)
  - Stuffing made with fish, meat, or poultry
  - Stuffed meat, fish, poultry, and pasta
  - Dishes made from previously cooked foods

**Temperature: 165°F**

*Time: instantaneous*

165°F

- Foods:**
- Ground meat, seafood, or ostrich meat
  - Injected, marinated, or tenderized meats
  - Eggs that will be hot-held for service

**Temperature: 155°F**

*Time: at least 17 seconds*

155°F

- Foods:**
- Whole seafoods
  - Beef, pork, veal, lamb (steaks and chops)
  - Roasts (4 minutes)
  - Eggs that will be served immediately

**Temperature: 145°F**

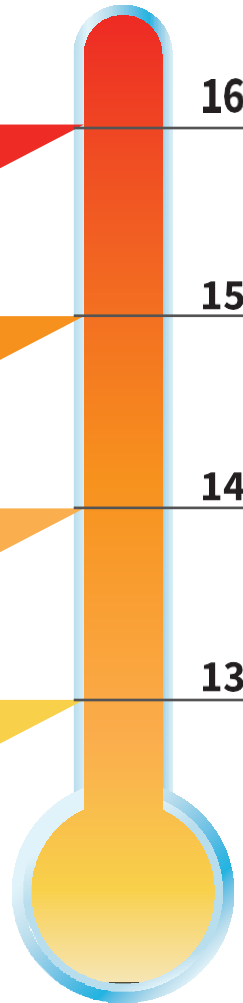
*Time: at least 15 seconds*

145°F

- Foods:**
- Commercially processed, ready-to-eat food that will be hot-held
  - Fruits, vegetables, grains, and legumes that will be hot-held

**Temperature: 135°F**

135°F



## Reheating and Holding Food

Keep cold food at 41°F or colder.

Keep hot food at 135°F or hotter.

Only reheat food one time using a microwave, oven, or stove.

Discard food that's been held without temperature control after four hours.



# **Conference for Food Protection**

**2020**

**Biennial Meeting**

***held in a virtual format  
in August 2021***

**Council II –  
Administration,  
Education, and  
Certification**

***Issue Recommendations  
Submitted to the Assembly  
of State Delegates***

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***Council Leadership***

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**Sharon Wood, Chair**

H-E-B (recently retired), San Antonio, TX

**Joetta DeFrancesco, Vice Chair**

Florida Department of Agriculture and Consumer Services,  
Tallahassee, FL

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***Regulatory Voting Members***

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Wendy Bell, Mecklenburg County Health Department,  
Charlotte, NC

Hector Dela Cruz, Los Angeles Department of Public Health,  
Los Angeles, CA

Lisa Harrison, Indiana State Department of Health, Indianapolis,  
IN

DeBrena Hilton, Tulsa Health Department, Tulsa, OK

Naomi Macias, Houston Public Health, Houston, TX

David C. Martin, Oregon Health Authority, Portland, OR

Michael Schaffer, Harris County Public Health Dept., Pasadena,  
TX

Mark Speltz, Iowa Department of Inspections and Appeals, Des  
Moines, IA

Christine Sylvis, Southern Nevada Health District, Las Vegas,  
NV

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***Industry Voting Members***

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Bryan Chapman, State Food Safety, Orem, UT

Liz Corchado-Torres, National Registry of Food Safety  
Professionals, Orlando, FL

Ashley Eisenbeiser, FMI – the Food Industry Association,  
Arlington, VA

Courtney Halbrook, Top Golf, Dallas, TX

Jeff Hawley, Harris Teeter, Matthews, NC

Helen Kor, Motif Foodworks, Boston, MA

Geoffrey Luebkekmann, Florida Restaurant and Lodging Assn.,  
Tallahassee, FL

Tara Paster Cammarata, Paster Training, Gilbertsville, PA

Larry Sigler, Waffle House, Norcross, GA

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***Academia Voting Member***

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Bridgett Sweet, Johnson & Wales University, Providence, RI

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***Consumer Voting Member***

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Anne Dolhanyk, Stop Foodborne Illness, West Linn, OR

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***Council Consultants***

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Beth Wittry, CDC, Atlanta, GA

Robert Sudler, FDA, College Park, MD

Brad Webb, USDA-FSIS, Washington, DC

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***Parliamentarian***

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Michael Antee, FDA-ORA, Seattle, WA

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***Scribe***

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Catherine Hosman, Association of Food and Drug Officials,  
Peabody, MA

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***Regulatory Alternates***

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Robert Gilliland, Clay County Public Health Center, Liberty, MO

Stevan Walker, City of Lubbock Health Department, Lubbock,  
TX

Lindy Wiedmeyer, City of West Allis Health Department, West  
Allis, WI

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***Industry Alternate***

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Victoria Burgess, Publix Super Markets, Inc., Boynton Beach,  
FL

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***Academic Alternate***

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Allen Reich, Northern Arizona University, Flagstaff, AZ

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***Consumer Alternate***

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Dr. James Kinchehoe, Center for Science in the Public Interest,  
Washington, DC

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***Consultant Alternates***

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Dr. Erin Moritz, CDC, Atlanta, GA

Katey Kennedy, FDA, Beaverton, OR

Tennetta Hazard, USDA-FSIS, Washington, DC

## Council II – 2020 Issue Listing

Number	Issue Title	As Submitted	As Amended	No Action	Assembly Action
II-001	FPMCC Final Report - Food Protection Manager Certification Committee	X			
II-002	FPMCC Standards for Accreditation of Food Protection Manager Certification	X			
II-003	FPMCC - Bylaw Revisions	X			
II-004	Limit CFPM accredited exam certificate validity to four years		X		
II-005	Report-Constitution Bylaws and Procedures Committee (CBPC)	X			
II-006	CBPC 2 - Revised CFP Constitution and Bylaws	X			
II-007	CBPC #3 - At Large Committee Membership		X		
II-008	CBPC 4: Memorandum of Understanding between CFP and NACCHO	X			
II-009	Reestablishment of a Food Defense Committee		X		
II-010	Local Regulator Voting Representation on the Assembly of State Delegates.		X		
II-011	Allergen Committee (AC) Report		X		
II-012	AC #2 - Post Food Allergy Notifications Guidance Document on CFP Website		X		
II-013	AC #3 - Amend Food Code for Major Food Allergen Training for Food Employees		X		
II-014	AC#4 Amend Food Code for Notification of Major Food Allergens in Bulk Foods	X			
II-015	AC #5 - Amend Food Code for Written Notification of Major Food Allergens		X		
II-016	AC#6 Amend Food Code:Major Food Allergen Notification Upon Consumer Request			X	
II-017	PSC Issue #1: Report - 2018-2020 Program Standards Committee	X			
II-018	PSC Issue #2 New assessment tool for Standard 8 Staffing Level Criteria	X			
II-019	PSC Issue #3 Posting updated Crosswalk - Requirements for Foodborne Illness	X			
II-020	PSC Issue #4 Maintenance and Posting of the Self-Assessment Tool (SA Tool)		X		
II-021	Creation of a Digital Food Safety System Committee		X		
II-022	Creation of a Digital Temperature Monitoring Equipment Committee			X	
II-023	PSC #5 Continuation of Issue 2018 II-014 PSC2	X			
II-024	PSC Issue #6 Amend Standard 2 Appendix B-1 format	X			
II-025	PSC Issue #7 Amend Std 2 curriculum to replace select courses with updates		X		
II-026	PSC Issue #8 Amend Standard 2 to include additional "pre" and "post" topics		X		
II-027	PSC Issue #9 Amend Std 2 to increase the time for completion of Steps 1-4	X			
II-028	PSC Issue #10 Amend CFP Training Manual to add Quality Program Elements	X			
II-029	CFP Model Code		X		
II-030	Creation of a Food Safety Management System (FSMS) Committee		X		

Number	Issue Title	As Submitted	As Amended	No Action	Assembly Action
II-031	Standard 1 Update to Require 80% of Certain Provisions	X			
II-032	Amend VNRFRPS Standard 6, Compliance and Enforcement	X			
II-033	Refer Standard 5 to Program Standards Committee for Review and Updating		X		
II-034	CBPC 5 - Revised CFP Constitution and Bylaws	X			

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-001**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

FPMCC Final Report Food Protection Manager Certification Committee

**Recommended Solution: The Conference recommends...:**

acknowledgement of the 2018 - 2020 Food Protection Manager Certification Committee (FPMCC) Final Report and thanking the committee members for their work.

The Conference further recommends the continuation of the following charge (from Issue #: 2018 II-009) assigned to the Food Protection Manager Certification Committee (FPMCC), a standing committee, for the next biennium:

To carry out charges assigned via the Conference Issue process and from the Conference Executive Board relating to food protection manager certification and to adopt sound, uniform accreditation standards and procedures that are accepted by the Conference while ensuring that the conference Standards for Accreditation for Food Protection Manager Certification programs and the accreditation process are administered in a fair and responsible manner.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-001**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

FPMCC Final Report Food Protection Manager Certification Committee

**Recommended Solution: The Conference recommends...:**

acknowledgement of the 2018 - 2020 Food Protection Manager Certification Committee (FPMCC) Final Report and thanking the committee members for their work.

The Conference further recommends the continuation of the following charge (from Issue #: 2018 II-009) assigned to the Food Protection Manager Certification Committee (FPMCC), a standing committee, for the next biennium:

To carry out charges assigned via the Conference Issue process and from the Conference Executive Board relating to food protection manager certification and to adopt sound, uniform accreditation standards and procedures that are accepted by the Conference while ensuring that the conference Standards for Accreditation for Food Protection Manager Certification programs and the accreditation process are administered in a fair and responsible manner.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-002**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

FPMCC Standards for Accreditation of Food Protection Manager Certification

**Recommended Solution: The Conference recommends...**

1. approval of the revised **Standards for Accreditation of Food Protection Manager Certification Programs** (attached to Issue titled: **FPMCC Final Report - Food Protection Manager Certification Committee**; attachment title: **Attachment III\_CFP Food Protection Manager Certification Standards Version 1.9.2020.**);
2. authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document; and
3. that the revised Standards be posted on the CFP website in PDF format.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-003**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

FPMCC - Bylaw Revisions

**Recommended Solution: The Conference recommends...:**

1. approval of the revised **Food Protection Manager Certification Committee Bylaws** (attached to Issue titled: **FPMCC Final Report**; attachment title: **Attachment IV\_ FPMCC Bylaws 2019**);
2. authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document; and
3. that the revised Bylaws be posted on the CFP website in PDF format.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-004**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Limit CFPM accredited exam certificate validity to four years

**Recommended Solution: The Conference recommends...:**

that the Food Protection Manager Certification Committee review the impact and feasibility of changing the frequency of required certification examination to a time period not to exceed four years from date of issuance, aligning knowledge demonstration by examination with the routine four-year update and publication of the FDA Retail Food Code.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-005**

<b>Council</b>	Accepted as		Accepted as	
<b>Recommendation:</b>	Submitted	<u>  x  </u>	Amended	<u>          </u> No Action <u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>

*All information above the line is for conference use only.*

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**Title:**

Report-Constitution ByLaws and Procedures Committee (CBPC)

**Recommended Solution: The Conference recommends...:**

acknowledgement of the 2018-2020 Constitution Bylaws and Procedures Committee Final Report and thanking the committee members for their hard work.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name  
or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-006**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

CBPC 2 - Revised CFP Constitution and By-Laws

**Recommended Solution: The Conference recommends...:**

1. Acceptance of the Draft of Revised CFP Constitution and By-Laws submitted in Final Report Issue, Content Document #5
2. These governing documents be reviewed on a recurrent basis every biennium, prioritized in this manner
  1. Constitution
  2. Biennial Meeting/CFP Procedures document
  3. Position descriptions
  4. Policy documents

unless the Executive Board determines there is a need for a change in priority

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-007**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

CBPC #3 - At Large Committee Membership

**Recommended Solution: The Conference recommends...:**

Amending the Conference for Food Protection Constitution and By-Laws 2018 as follows:

Article XV Duties of the Committees

**Section 13.** Council Committee Size and Constituency: Council Committee membership discussion is limited to Council Committees only. Membership on Standing Committees or ~~Executive~~ Board Ad Hoc Committees is defined by the CFP ~~Executive~~ Board.

**Subsection 1.** Committee size.

Voting membership for Council Committees should be comprised of at least eleven (11) voting members with a maximum of ~~no more than~~ twenty-three (23) voting members. Non-voting membership should be comprised of a maximum of 36 non-voting alternates.

1. Minimum size: Voting membership for a minimum size committee is the Chair, Vice Chair, o n e ( 1 ) representative from state regulatory, one (1) representative from local regulatory, two (2) representatives from industry, one (1) from an academic institution, one (1) consumer representative, and three elective (3) representatives which may be selected from any Conference constituency with an emphasis on expertise specific to the committee's charge(s).
2. Maximum size: Voting membership for a maximum size committee is the Chair, Vice Chair, four (4) representatives from state regulatory, four (4) representatives from local regulatory, eight (8) representatives from industry, one (1) from an academic institution, one (1) consumer representative, and three elective (3) representatives that may be selected from any Conference constituency with an emphasis on expertise specific to the committee's charge(s).
3. Any committee comprised of membership numbers between the minimum and maximum shall make every reasonable effort to maintain constituency balances.

**Subsection 2. Committee Membership Selection.** ~~The Council Committee Chair and Vice Chair of a Council Committee~~ may be selected from any of the Conference constituencies as approved by the Conference Chair ~~Council Chair and the Executive Board~~, provided each is from a different constituency. The Council Committee Chair and Vice Chair are responsible for selecting the voting members and alternates from the list of committee volunteers. If a Council Committee Chair does not receive sufficient volunteers in the appropriate constituencies, they shall confer with the Council Chair to seek volunteers from the Conference membership, making every reasonable effort to maintain constituency balance. The Council Committee Chair, in conference with the Council Chair and/or ~~Executive Board~~, shall have the flexibility to fill vacancies in the voting membership with unbalanced constituency representation, if deemed necessary, to reach a minimum of 11 voting committee members. All proposed committee members must be approved by the ~~Executive Board~~ in accordance with Article XIII, Section 6, Subsection 4 of the Constitution and Bylaws. All voting members and alternate non-voting members shall be identified as such on the approved committee roster along with their respective constituency.

**Subsection 3. Alternate member duties.** ~~A maximum of 23 voting members are permitted on a council committee. All volunteers not selected for a voting position shall be offered an "at-large" non-voting position on the committee. There is no limit to the number of at-large non-voting members that may participate. At-large~~ Alternate members will be included and allowed to participate in all committee functions, including but not limited to, meetings, conference calls, emails, deliberations, research and activities, but will not have an individual vote on committee actions. ~~All voting members and at-large non-voting members shall be identified as such on the committee roster along with their respective constituency.~~

**Subsection 4. Committee voting member vacancies.** In the event a Council Committee voting member departs ~~such a committee during a biennial cycle, an at-large-alternate~~ member of the same constituency as the departing member shall be selected by the Council Chair to fill the vacancy, ~~subject to approval by the Council Conference Chair and Executive Board in accordance with Article XIII, Section 6, Subsection 4 of the Constitution and Bylaws.~~ If a Council Committee voting member changes constituency during a biennial cycle, and there is no vacancy in that member's new constituency, the member will need to transition from service as a voting member on that committee and may continue to serve as an ~~at-large-alternate~~ non-voting member for the remainder of the biennial cycle. This transition will occur upon notification to the Council Committee Chair.

**Subsection 5. Committee membership continuity.** ~~The Chair of a council committee~~ A Council Committee Chair that continues over more than one biennial cycle shall assess the immediate previous committee membership to ensure at least 50% of the ongoing committee's voting membership are new members that did not serve as voting members on the immediate previous committee. This will ensure that an increased number of ~~at-large~~ Conference members ~~or others~~ have an opportunity to

participate as a voting member over time when there are a large number of volunteers.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-008**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

CBPC 4: Memorandum of Understanding between CFP and NACCHO

**Recommended Solution: The Conference recommends...:**

Adoption of the Memorandum of Understanding with the National Association of County and City Health Officials (NACCHO). *Note: Document is attached to Issue titled Report - CFP Constitution, By-Laws, and Procedures Committee (CBPC), Document #6.*

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-009**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	<u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

**Title:**

Reestablishment of a Food Defense Committee

**Recommended Solution: The Conference recommends...:**

that a Food Defense Committee be reestablished to evaluate ways to improve Food Defense awareness for both operators and regulators in food establishments. Charges for the committee are:

1. Identify current food defense references to be included in Appendix 2, Section 4.
2. Recommend whether an additional knowledge area under 2-102.11(C) relating to Food Defense in food establishments is appropriate.
3. Report the committee's findings and recommendations back to the Conference at the next Biennial Meeting.
4. The Committee would work closely with the FDA Food Defense and Emergency Coordination staff in CFSAN.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-010**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Local Regulator Voting Representation on the Assembly of State Delegates.

**Recommended Solution: The Conference recommends...:**

that a committee be formed to evaluate local regulator voting representation on the Assembly of Delegates and report to the Executive Board for consideration of the following:

1. Examining the current by-laws to include an historical perspective and exploring methods to provide representation of local regulators on the Assembly of State Delegates
2. Reporting back to the Executive Board before the next biennium to make a recommendation for consideration for issue submittal during the next biennium
3. Including representation from the Constitution and By-laws Committee to assist in the development of recommendations and amendments from the findings determined in charge

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-011**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  x  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Allergen Committee (AC) Report

**Recommended Solution: The Conference recommends...:**

Acknowledgement of the 2018 - 2020 Allergen Committee Final Report, thanking the committee members for the completed work,

and

Re-creation of the Allergen Committee to complete the following three charges:

1. Develop an operational framework for food allergy prevention and control using existing research and other evidence-based materials (for example: CDC guidance in schools and guidance developed by retail food industry) in retail food establishments including:
  - a. A written template retail food establishments can use to reduce the risk of food allergy reactions and respond to any reactions that do occur. The template can incorporate findings, lessons, materials, etc. from items 2-6.
  - b. Steps to take during a food allergy emergency and identify key components of food allergy emergency plans.
  - c. Food allergy training for food workers and identify educational content and training needs based on employees' assigned duties.
  - d. Findings, recommendations, and materials from the 2018 Allergen Committee to ensure retail food establishments have tools to notify customers when menu items contain major food allergens.
  - e. Food-handling practices, policies, and procedures to prevent food allergens from unintentionally contacting another food.
  - f. Equal considerations for alternate food sources, such as food pantries and food banks, to ensure equity and access.
- 2: Recommend changes to the Food Code that support retail food establishments to operationalize framework to prevent and control food allergic reactions.

3: Report back findings and recommendations to the next Biennial Meeting of the Conference for Food Protection.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-012**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>x</b>  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

AC #2 - Post Food Allergy Notifications Guidance Document on CFP Website

**Recommended Solution: The Conference recommends...:**

1. Acceptance of the committee generated guidance document entitled "**Food Allergy Notifications: A Guidance for Industry**" (attached as content document 3 to Issue titled: Allergen Committee Report); and
2. Authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document; and
3. Prior to posting the final document on the CFP website in PDF format, it will be reviewed to remove any potential violations of the CFP Commercialism and Comity Policy.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-013**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

AC #3 - Amend Food Code for Major Food Allergen Training for Food Employees

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA requesting that Paragraph 2-103.11(N) of the current Food Code be amended as shown below (stricken language with strikeout), and a new Paragraph be added to Section 2-103.11, as shown below (*new language underlined*):

**2-103.11 Person in Charge**

The PERSON IN CHARGE shall ensure that:

(N) Employees are properly trained in FOOD safety, ~~including FOOD allergy awareness~~, as it relates to their assigned duties;

EMPLOYEES are properly trained in FOOD allergy awareness, as it relates to their assigned duties. This training shall include, but is not limited to:

- Identification of the major FOOD allergens;
- FOOD allergen ingredient identities and labeling;
- Knowledge of cross-contact concerning the major FOOD allergens;
- Recognition of symptoms of an allergic reaction;
- How to respond to an allergic reaction.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-014**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  x  </u>	Accepted as Amended	<u>        </u>	No Action	<u>        </u>
<b>Delegate Action:</b>	Accepted	<u>        </u>	Rejected	<u>        </u>		

*All information above the line is for conference use only.*

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**Title:**

AC#4 Amend Food Code for Notification of Major Food Allergens in Bulk Foods

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA requesting that Subparagraph 3-602.11(C)(2) of the current FDA Food Code be amended as shown below (*new language underlined*):

**3-602.11 Food Labels.**

(C) Bulk FOOD that is available for CONSUMER self-dispensing shall be prominently labeled with the following information in plain view of the CONSUMER:

- (1) The manufacturer's or processor's label that was provided with the FOOD; or
- (2) A card, sign, or other method of notification that includes the information specified under Subparagraphs (B)(1), (2), (5) and (6) of this section.

The referenced Subparagraph 3-602.11(B)(5) states:

(B) Label information shall include:

- (5) The name of the FOOD source for each MAJOR FOOD ALLERGEN contained in the FOOD unless the FOOD source is already part of the common or usual name of the respective ingredient. Pf

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-015**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	_____ <b>x</b> _____ No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

AC #5 - Amend Food Code for Written Notification of Major Food Allergens

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA requesting that a new Paragraph be added to Section 3-602.12 of the current FDA Food Code as shown below (*new language underlined*).

**3-602.12 Other Forms of Information**

(C) The PERMIT HOLDER shall notify CONSUMERS of the presence of MAJOR FOOD ALLERGENS as ingredients in unpackaged FOOD items using brochures, deli case or menu notifications, label statements, table tents, placards, electronic, or other effective written means. CONSUMER notifications of MAJOR FOOD ALLERGENS must be specific to FOOD items that contain MAJOR FOOD ALLERGENS and must include either the common name or an image of the relevant MAJOR FOOD ALLERGEN.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-016**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<b>x</b> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

AC#6 Amend Food Code: Major Food Allergen Notification Upon Consumer Request

**Recommended Solution: The Conference recommends...:**

No action since the Issue is addressed in Issue 2020-II-015.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-017**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  x  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

PSC Issue #1: Report - 2018-2020 Program Standards Committee

**Recommended Solution: The Conference recommends...:**

1. Acknowledgment of the 2018-2020 Program Standards Committee Final Report; and
2. Thanking the Committee members for their work and dedication during the 2018-2020 biennium.
3. The Conference further recommends the Program Standards Committee, a CFP standing committee, be charged with the following during the next biennium:
  - a. Identify inconsistencies in language between all Standards in the Retail Program Standards;
  - b. Continue review of initiatives (existing, new or under development) involving the training, evaluation and/or certification of food safety inspection officers to ensure the sharing of information and eliminate unnecessary redundancy in the creation of work products or assignments of tasks/responsibilities; and
  - c. Maintain the "Crosswalk - Requirements for Foodborne Illness Training Programs" document as a resource for content baseline for foodborne illness training.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-018**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

PSC Issue #2 New assessment tool for Standard 8 Staffing Level Criteria

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA asking them to modify the "Description of Requirements" for "Staffing Level" in Standard 8 by including the proposed model assessment tool as an alternative option to assess compliance for the Voluntary National Retail Food Regulatory Program Standards.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-019**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

PSC Issue #3 Posting updated Crosswalk - Requirements for Foodborne Illness

**Recommended Solution: The Conference recommends...:**

1. Approval of the updated document titled "Crosswalk - Requirements for Foodborne Illness Training Programs" (Crosswalk) (revision date 10/24/19) and authorizing the Conference to make any necessary edits before posting the document on the CFP website.
2. Replace the existing PDF file on the CFP website with the updated Crosswalk document.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-020**

<b>Council</b>	Accepted as		Accepted as	
<b>Recommendation:</b>	Submitted	_____	Amended	<u>  x  </u> No Action _____
<b>Delegate Action:</b>	Accepted	_____	Rejected	_____

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**Title:**

PSC Issue #4 Maintenance and Posting of the Self-Assessment Tool (SA Tool)

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA asking them to maintain the Self- Assessment (SA) Tool that aligns with revisions of the Retail Program Standards

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-021**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>x</b>  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Creation of a Digital Food Safety System Committee

**Recommended Solution: The Conference recommends...:**

the creation of a Digital Food Safety System Committee to complete the following charges and report its findings at the next CFP Meeting.

The Committee will be charged with:

1. Identifying best practices, existing guidance documents, and research that relate to the use of digital food safety management systems including digital temperature monitoring equipment.
2. Developing a guidance document for food establishments and regulatory authorities that establishes General Best Practice Guidelines for Digital Food Safety Management Systems including digital temperature monitoring equipment.
3. Determining appropriate methods of sharing the committee's work, including but not limited to a recommendation that a letter be sent to FDA requesting that the Food Code, Annex 4 (Management of Food Safety Practices - Achieving Active Managerial Control of Foodborne Illness Risk Factors), Annex 2 (References, Part 3-Supporting Documents) be amended by adding references to the new guidance document as well as any existing guidance documents that the committee recommends, and the posting of information on the CFP website.
4. Reporting the committee's findings and recommendations to the next Biennial Meeting of the Conference for Food Protection.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-022**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<b>x</b>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Creation of a Digital Temperature Monitoring Equipment Committee

**Recommended Solution: The Conference recommends...:**

No action since the Issue is addressed in Issue 2020-II-021.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-023**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  x  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

PSC #5 Continuation of Issue 2018 II-014 PSC2

**Recommended Solution: The Conference recommends...:**

1. The Program Standards committee and FDA staff continue to explore the feasibility of incorporation of plan review functions into the standards either as a stand-alone standard or inserted into the existing standards in the Voluntary National Retail Food Regulatory Program Standards.
2. Acknowledgement of the Preliminary Plan Review Proposal document to be utilized as a starting point for the 2020-2022 Program Standards Committee work on this issue.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-024**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  <b>x</b>  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

PSC Issue #6 Amend Standard 2 Appendix B-1 format

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting that Voluntary National Retail Food Regulatory Program Standards, Standard 2: Trained Regulatory Staff, Appendix B-1: Curriculum for Retail Food Safety Inspection Officers be reformatted into a table with curriculum topics in one column and courses which fulfill the curriculum topics in another column. Appendix B-1 Reformatted 1st Draft and 2nd Draft better show that other courses may be used if deemed equivalent by the regulatory jurisdiction.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-025**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

PSC Issue #7 Amend Std 2 curriculum to replace select courses with updates

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting the review for possible replacement of the following courses with committee suggested courses as they contain material that is a significant upgrade in course content and provide more relevant and up-to-date information:

(1) the replacement of FD252 Allergen Management in Standard 2, Trained Regulatory Staff, "post" curriculum with coursework such as the International Food Protection Training Institute course B2 Allergens (CC8029W);

(2) the replacement of FDA35 Basic Food Law for State Regulators in Standard 2, Trained Regulatory Staff, "pre" curriculum with coursework such as the International Food Protection Training Institute course B17 Laws, Regulations, Policies, and Procedures (CC8039W);

(3) the replacement of FDA36 Public Health Principles with an updated course, such as the International Food Protection Training Institute Course B23 Public Health Principles (CC8026W) in the "pre" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;

(4) the replacement of MIC13 Aseptic Sampling with an updated course, such as the International Food Protection Training Institute Course B25 Sampling (CC8035W) in the "pre" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards; and

(5) the replacement of MIC15, "Cleaning & Sanitizing," with an updated course, such as the International Food Protection Training Institute Course B26 Sanitation Practices (CC8032W) in the "pre-requisite" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-026**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

PSC Issue #8 Amend Standard 2 to include additional "pre" and "post" topics

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting the following coursework be reviewed for possible addition to Standard 2 Appendix B1 that are not currently covered in the Standard curriculum and are necessary for a new Food Safety Inspection Officer's baseline knowledge:

- (1.) The addition of coursework on environmental hazards, such as the International Food Protection Training Institute Course B8 Environmental Hazards (CC8024W) to the "pre" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;
- (2.) The addition of coursework on integrated food safety system, such as the International Food Protection Training Institute Course B12 Integrated Food Safety System (CC8018W) to the "post" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;
- (3.) The addition of coursework on jurisdictional authority, such as the International Food Protection Training Institute Course B15 Jurisdiction (CC8037W) to the "pre" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;
- (4.) The addition of coursework on labeling, such as the International Food Protection Training Institute Course B16 Labeling (CC8038W) to the "post" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;
- (5.) The addition of coursework on pest control, such as the International Food Protection Training Institute Course B19 Pest Control to the "pre" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;
- (6.) The addition of coursework on plumbing, such as the International Food Protection Training Institute Course B20 Plumbing (Course under development-upgrade from

CC8001W) to the "pre" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;

(7.) The addition of coursework on professionalism, such as the International Food Protection Training Institute Course B22 Professionalism (CC8025W) to the "pre" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;

(8.) The addition of coursework on recalls, such as the International Food Protection Training Institute Course B24 Recalls (CC8041W) to the "post" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards;

(9.) The addition of coursework on traceability, such as the International Food Protection Training Institute Course B27 Traceability (CC8042W) to the "post" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards; and

(10.) The addition of coursework on transportation, such as the International Food Protection Training Institute Course B28 Transportation (CC8036W) to the "post" curriculum for Standard 2 in the Voluntary National Retail Food Regulatory Program Standards.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-027**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  x  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

PSC Issue #9 Amend Std 2 to increase the time for completion of Steps 1-4

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS), Standard 2: Trained Regulatory Staff be amended to increase the timeframe for completion of Steps 1 - 4 to 24 months.

Amended language for VNRFRPS Standard 2:

***Description of Requirement***

Ninety percent (90 %) of the regulatory retail food program inspection staff (Food Safety Inspection

Officers - FSIO) shall have successfully completed the required elements of the 5-step training and

standardization process:

- Steps 1 through 4 within 24 months of hire or assignment to the retail food regulatory program.
- Step 5 every 36 months after the initial 24 months of training.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-028**

<b>Council Recommendation:</b>	Accepted as Submitted <u>  x  </u>	Accepted as Amended <u>      </u>	No Action <u>      </u>
<b>Delegate Action:</b>	Accepted <u>      </u>	Rejected <u>      </u>	

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**Title:**

PSC Issue #10 Amend CFP Training Manual to add Quality Program Elements

**Recommended Solution: The Conference recommends...:**

for better alignment of Standard 2 with Standard 2 that the CFP Training Manual and Attachment A - CFP Training Plan and Log (see *Draft CFP Training Plan Revision* and *Draft Attachment A - CFP Training Plan and Log Revision*) be amended to address:

(1) Quality Assurance Program Element III in Section I Pre-inspection, #2. Reviews establishment file for previous inspection report, complaints on file, and if applicable, required HACCP Plans or documents supporting the issuance of a variance by the agency by including "current risk category assigned." This will result in additional language for Section I performance element #2 on pg. 7 of the CFP Training Manual;

(2) Quality Assurance Program Element III in Section I Pre-inspection, #2. Reviews establishment file for previous inspection report, complaints on file, and if applicable, required HACCP Plans or documents supporting the issuance of a variance by the agency by including the statement "Reviewed establishment file for documentation indicating the assigned risk category." This will result in a total of five items under Section I performance element #2 in Attachment A - CFP Training Plan and Log;

(3) Quality Assurance Program Element III in Section II Inspection Observations and Performance, #3 Uses a risk-based inspection methodology to correctly assess regulations related to employee practices and management procedures essential to the safe storage, preparation, and service of food by including the statement "and verify the establishment is assigned the correct risk category." This will result in additional language for Section II performance element #3 on pg. 8 of the CFP Training Manual;

(4) Quality Assurance Program Element III in Section II Inspection Observations and Performance, #3 Uses a risk-based inspection methodology to correctly assess regulations related to employee practices and management procedures essential to the safe storage, preparation, and service of food by including the statement "Verified the establishment is assigned the correct risk category, and when necessary, informs the supervisor when the

establishment is not in the proper risk category." This will result in a total of sixteen items under Section II performance element #3 in Attachment A - CFP Training Plan and Log;

(5) Quality Assurance Program Element IX in Section II, Inspection Observations and Performance, #6 Verifies correction of out of compliance observations identified during previous inspection by including the statement "Discussed options for the long-term control of risk factors." This will result in additional language for Section II performance element #6 on pg. 8 of the CFP Training Manual;

(6) Quality Assurance Program Element IX in Section II, Inspection Observations and Performance, #6 Verifies correction of out of compliance observations identified during previous inspection by including the statement "Discussed options for the long-term control of risk factors with establishment managers when the same out-of-control risk factor occurs on consecutive inspections (e.g., risk control plans, standard operating procedures, equipment and/or facility modification, menu modification, buyer specifications, remedial training, or HACCP plans)." This will result in a total of two items under Section II performance element #6 in Attachment A - CFP Training Plan and Log;

(7) Quality Assurance Program Element XVIII in Section IV Written Communication, #1 Completes inspection form per jurisdiction's administrative procedures (e.g., observations; corrective actions; public health reason; applicable code reference; compliance dates) by including the statement "options for the long-term control of risk factors." This will result in additional language for Section IV performance element #1 on pg. 8 of the CFP Training Manual; and

(8) Quality Assurance Program Element XVIII in Section IV Written Communication, #1 Completes inspection form per jurisdiction's administrative procedures (e.g., observations; corrective actions; public health reason; applicable code reference; compliance dates) by including the statement "Documented that options for the long-term control of risk factors were discussed with establishment managers when the same out-of-control risk factor occurs on consecutive inspections." This will result in a total of eight items under Section IV performance element #1 in Attachment A - CFP Training Plan and Log.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-029**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

CFP Model Code

**Recommended Solution: The Conference recommends...:**

the Executive Board enter purposeful discussion with FDA with the goal of increasing the number of Issues recommended by the assembly of delegates for incorporation into the model code that are adopted and continue to publish and promote response letters from the FDA detailing the substantive reasoning for the decisions on actions they anticipate taking on each recommendation. That a letter be written to the Conference by the Executive Board and the FDA of the outcomes.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-030**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  x  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Creation of a Food Safety Management System (FSMS) Committee

**Recommended Solution: The Conference recommends...:**

a Food Safety Management System (FSMS) Committee be created and work with stakeholders such as but not limited to the Retail Food Safety Regulatory Association Collaborative to identify recommendations for developing and implementing documented, HACCP principles-based Food Safety Management Systems (FSMSs) in all food establishments to support FDA's blueprint for a New Era of Smarter Food Safety. The FSMS Committee should consider:

1. Identifying barriers to the universal *voluntary* development and implementation of documented FSMSs consistent with Annex 4 of the Food Code.
2. Identifying solutions for overcoming the identified barriers in #1 and provide recommendations for how to promote the solutions.
3. Conducting a pros/cons assessment of including a requirement for the development and implementation of documented FSMSs, consistent with Annex 4, in a future edition of the Food Code. In the assessment, the committee should consider providing feedback on: a) the hurdles/challenges involved in such a requirement; and b) recommendations on how a requirement might best be incorporated to proactively control foodborne illness risk factor occurrence while recognizing the diversity within the retail and food service industries. The committee should also consider a gap analysis of § 2-103.11 as a starting point.
4. Developing recommendations on next steps to promote universal development and implementation of documented FSMSs consistent with Annex 4.
5. The committee should report its findings and recommendations at the next Biennial Meeting of the Conference for Food Protection. While FDA's efforts will be ongoing during this time, the findings and recommendations will continue to be useful to the agency as it continues to implement its blueprint on retail modernization.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-031**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  x  </u>	Accepted as Amended	_____	No Action	_____
<b>Delegate Action:</b>	Accepted	_____	Rejected	_____		

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**Title:**

Standard 1 Update to Require 80% of Certain Provisions

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting that the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS), Standard 1 - Regulatory Foundation be amended as follows:

Many times policy makers such as state legislatures and others outside the retail food program make decisions that impact the ability of the retail food program to meet all of the interventions and risk factors. This proposes changing the evaluation component to eighty percent adopting a percentage standard similar to the Good Retail Practices and not requiring a full-adoption of all intervention and risk factors after the second self-assessment. For example, a legislature may choose to not ban barehand contact of ready-to-eat foods and all regulatory programs with the state automatically do not meet one of the of the 11 areas and after the second self-assessment would no-longer meet the Standard 1, because of an action completed un-related to the conduct of the regulatory program.

1. **Amend Standard 1, Description of Requirement, lettered paragraph "A" as follows (language to be deleted is in strikethrough format; language to be added is underlined):**

**A. *Food Code* Interventions and Risk Factor Control Measures**

The regulatory foundation contains provisions that are at least as stringent as the public health interventions and the provisions that control risk factors known to contribute to foodborne illness contained in the current published edition of the *Food Code* or one of the two most recent previous editions of the *Food Code*. Jurisdictions that meet Standard 1 but who may become noncompliant due to the release of a new edition of the *Food Code* are considered to continue meeting the Standard for a period of two years from the release date of the new *Food Code* edition in order to complete the process of updating its regulations.

To meet this element of the Standard, regulations must have a corresponding requirement for the *Food Code* sections as listed and summarized in the *Standard 1: Self-Assessment*

*Worksheet for Part I*, from #1 "Demonstration of Knowledge" through #11 "Highly Susceptible Populations." ~~For initial listing, the~~ The regulatory foundation must ~~contain~~ include at least 80% ~~9 of the 11~~ interventions and risk factor controls. ~~In order to meet fully the requirements of the Standard, the regulatory foundation must meet all 11 of the interventions and risk factor controls by the third audit.~~

1. **Amend Standard 1 Instructions and Worksheet for Conducting a Self-Assessment as follows., Step 3, as follows (language to be deleted is in strikethrough format; language to be added is underlined):**

### **STEP 3 - Document the Self-Assessment Results for Part I**

A summary table is provided in Part I of the *Standard 1: Self-Assessment Worksheet* to document the results of the self-assessment for each of the 11 public health intervention and risk factor control measures. For ~~80~~ each public health intervention and risk factor control measure, the self-assessor must record the findings from the self-assessment. If each *Food Code* section listed under an Intervention/ Risk Factor has a check in the "Full Intent is Met" column, the Standard criteria is met. Place an "X" in the Self-Assessment Results "YES" column.

If any of the *Food Code* sections are missing, or the jurisdiction's regulatory requirements only partially meet the intent of the language, place an "X" in the Self-Assessment Results "NO" column for that intervention/risk factor control measure.

At the bottom of Part I of the *Standard 1: Self-Assessment Worksheet*, the self-assessor must record the jurisdiction's name and the number of interventions/risk factors that are met. ~~For initial participation and listing purposes, the~~ The jurisdiction's self-assessment must indicate conformance with at least ~~9 of the 11~~ 80% of the intervention/risk factor categories. ~~By the third verification audit, the jurisdiction must meet 11 of the 11 intervention/risk factor control categories in order to meet the Standard 1 criteria.~~

Examples of documents that may be reviewed:

Ø The jurisdiction's statute, regulation, rule, ordinance or other prevailing set of regulatory requirements that govern the operation of its food establishments

Ø Version of the *Food Code* that was used for the self-assessment

Ø Completed *Standard 1: Self-Assessment Worksheet*, Part I - *Food Code* Interventions and Risk Factor Controls

Ø If applicable, documents discussing or comparing code provisions excepted if adoption was made by reference with exceptions.

1. **Amend Standard 1 Instructions and Worksheet for Conducting a Verification Audit as follows Step 4, as follows (language to be deleted is in strikethrough format; language to be added is underlined):**

## STEP 4 - Document the Verification Audit Results for Part I

Part I of the *Standard 1: Self-Assessment Worksheet*, included at the end of these instructions, contains 11 public health interventions and risk factor controls:

1. Demonstration of Knowledge
2. Employee Health
3. Consumer Advisory
4. Approved Source
5. Time/Temperature
6. Protection from Contamination
7. Control of Hands as a Vehicle of Contamination
8. Good Hygienic Practices
9. Chemical
10. Conformance with Approved Procedures
11. Highly Susceptible Population

To meet any one of the 11 public health intervention and risk factor controls identified under the self-assessment process, the self-assessment must indicate that the jurisdiction's regulatory requirements address all *Food Code* sections listed for that area. ~~For initial listing, the~~ The jurisdiction's regulatory foundation must contain include at least 9 of the 11 80% of public health interventions and risk factor controls. ~~In order to fully meet the requirement of the Standard, the regulatory foundation must meet all 11 of the interventions and risk factor controls by the third verification audit cycle.~~

If four or more of the 15 selected code sections reviewed during the audit process do not meet the stringency of language criteria, the Standard 1, Part I element fails to meet the criteria, and no further sampling is necessary. If one, two or three of the 15 selected code sections do not meet the stringency of the language criteria but the jurisdiction continues to meet the required number of interventions and risk factor controls to meet the Standard, then randomly select an additional 15 *Food Code* sections. No more than three total disagreements are acceptable in the thirty (30) Code sections drawn for comparison in order for the audit to confirm the Part I element of Standard 1 as met. In addition, at least 9 out of the 11 (80%) interventions and risk factor controls must still be met at the end of the first audit after the disagreements are taken into account, ~~and the jurisdiction must meet 11 out of the 11 interventions and risk factor controls by the third regular audit in order to meet the Standard 1 criteria.~~

Examples of documents that may be reviewed:

ØThe jurisdiction's statute, regulation, rule, ordinance or other prevailing set of regulatory requirements that govern the operation of its food establishments

ØVersion of the *FDA Food Code* that was used for the self-assessment Ø? Completed  
*Standard 1: Self-Assessment Worksheet, Part I - Food Code Interventions and Risk Factor Controls*

ØIf applicable, documents discussing or comparing code provisions excepted if adoption was made by reference with exceptions.

**d) Amend any forms and instructions as needed to conform with the above changes.**

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-032**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  x  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

Amend VNRFRPS Standard 6, Compliance and Enforcement

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA requesting that the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS), Standard 6 - Compliance and Enforcement be amended as follows:

1. Allow jurisdictions to assess the effectiveness of their compliance and enforcement program using an alternative sampling method that provides the same level of statistical confidence as the prescribed method in VNRFRPS Standard 6.

**a) Amend Standard 6, Documentation, by adding additional options #5 and #6 (language to be added is underlined):**

5. If necessary, a copy of the jurisdiction's established written procedures used to measure the effectiveness of the compliance and enforcement program

6. If necessary, statistical confidence level documentation from a statistician

**b) Amend Standard 6 Instructions and Worksheet for Conducting a Self-Assessment, Step 2, as follows (language to be deleted is in strikethrough format; language to be added is underlined):**

STEP 2 - Assess the Effectiveness of the Compliance & Enforcement Program

~~Randomly selected establishment files will be reviewed to determine if documented violations were resolved satisfactorily in the establishment. The results of the review will be used to assess the success of the compliance and enforcement program. This section of the self-assessment process has been broken down into the following four parts:~~

Each jurisdiction shall measure the effectiveness of their compliance and enforcement program by either reviewing each inspection when a FBI Risk Factor or Public Health intervention was marked out of compliance or by using a statistical method to determine if

the jurisdiction has satisfactorily resolved FBI Risk Factor and Public Health Intervention violations. The jurisdiction shall establish written procedures that:

- Describe the compliance and enforcement review process;
- Include a review of the routine inspections that have at least one Foodborne Illness or Public Health Intervention Violation marked OUT of compliance. The number of inspections reviewed and method of selection must provide a statistical confidence level equal to or greater than the published Standard 6 statistical model; and
- Include supporting documentation and worksheets. If a jurisdiction does not wish to establish independent written procedures, the jurisdiction may use the method set forth in Parts I-IV

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-033**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  x  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Refer Standard 5 to Program Standards Committee for Review and Updating

**Recommended Solution: The Conference recommends...**

that the Program Standards Committee, a CFP standing committee, be charged with the following during the next biennium:

1. Conduct a thorough review of Standard 5 "Foodborne Illness and Food Defense Preparedness and Response of the FDA Voluntary National Retail Food Regulatory Program Standards (VNRFRPS);
2. The review should include comparing the Standard to other similar FDA standards in food;
3. Review the "Description of Requirements" to ensure the requirements provide program flexibility and include items generally part of a retail food program;
4. Review Standard 5 "Data Review and Analysis" from a sampling of jurisdictions to determine if certain data analysis requirements typically have no or such limited data to make the information not valuable;
5. Review the Center for Disease Control and Prevention's National Environmental Assessment Reporting System (NEARS), Environmental Assessment Training Series (EATS), and Council to Improve Foodborne Outbreak Response (CIFOR) to consider inclusion of specific components.
6. Propose amendments to Standard 5 of the VNRFRPS;
7. Report back committee findings and recommendations to the next Biennial Meeting.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 II-034**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  x  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:** CBPC 5 - Revised CFP Constitution and Bylaws

**Recommended Solution: The Conference recommends...:**

approval for Constitution and By-Laws Committee Chair to insert the following amendments into the most current edition of the Conference for Food Protection Constitution and By-Laws

1. Amend the Preface to chronicle the impact of the COVID-19 pandemic on the Conference:

On March 11, 2020, the Novel Coronavirus disease, COVID-19, was declared a pandemic by the World Health Organization. On March 13, 2020, the United States declared a national emergency concerning the Covid-19 outbreak. The Executive Board acted on March 19, 2020, to postpone the 2020 Biennial Meeting originally scheduled to begin on March 29, 2020. The Executive Board members serving on March 19, 2020, continued to serve in their capacity until the 2020 Biennial Meeting was held virtually August 15-21, 2021. The Executive Board took administrative actions necessary to maintain working efficiency of the Conference during the pandemic."

All Caucuses met during the virtual Biennial Meeting, to elect Executive Board members whose terms expired in 2020. With the year and a half postponement of the Biennial Meeting some Executive Board members exceeded the six and twelve year term limits.

2. Amend the Biennial Meeting cycle from even to odd years:

Article II, Section 2. The Conference shall meet at least biennially during odd numbered years with additional meetings as the need arises as determined by the Board.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*



# **Conference for Food Protection**

**2020**

**Biennial Meeting**

***held in a virtual format  
in August 2021***

**Council III –  
Science and  
Technology**

***Issue Recommendations  
Submitted to the Assembly  
of State Delegates***

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***Council Leadership***

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**Dr. Keith Jackson, Chair**

Performance Food Group, Richmond, VA

**Christine Applewhite, Vice Chair**

Connecticut Department of Public Health, Hartford, CT

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***Regulatory Voting Members***

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Veronica Bryant, North Carolina Dept. of Health and Human Services, Raleigh, NC

Nikki Burns-Savage, Southern Nevada Health District, Las Vegas, NV

Deanna Copeland, Harris County Public Health, Pasadena, TX

Amber English, Washoe County Health District, Reno, NV

Amanda Garvin, Michigan Department of Ag. and Rural Development, South Haven, MI

James Higley, Ohio Department of Health, Columbus, OH

Jeff Jackson, Arkansas Department of Health, Little Rock, AR

Courtney Mickiewicz, Virginia Department of Agriculture, Virginia Beach, VA

Carrie Pohjola, Wisconsin Department of Agriculture, Trade and Consumer Protection, Galesville, WI

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***Industry Voting Members***

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Anthony Auffray, Beachbody, LLC, El Segundo, CA

Dr. Donna Garren, American Frozen Food Institute, McClean, VA

Dr. Clyde "Chip" Manuel, GOJO Industries, Akron, OH

Steve Oswald, Wakefern Corp. Elizabeth, NJ

Dr. Anna Starobin, Ecolab, Greensboro, NC

Dr. Hilary Thesmar, FMI – The Food Industry Association, Arlington, VA

Melissa Vaccaro, Paster Training, Gilbertsville, PA

Dilshika Wijeskera, InstaCart, San Francisco, CA

Tom Woodbury, ComplianceMate, Holladay, UT

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***Academia Voting Members***

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Dr. Ben Chapman, North Carolina State University, Raleigh, NC

Dr. Don Schaffer, Rutgers University, New Brunswick, NJ

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***Council Consultants***

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Dr. Donald Sharp, CDC, Atlanta, GA

Dr. Girvin Liggans, FDA-CFSAN, College Park, MD

Kristi Barlow, USDA-FSIS, Washington, DC

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***Parliamentarian***

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Brent Higgs, FDA-ORA, Salt Lake City, UT

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***Scribe***

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Sally Born, Mesa County Health Department, Grand Junction, CO

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***Regulatory Alternates***

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Diane Davis, Harris County Health Department, Pasadena, TX

Randall "Travis" Patton, Kentucky Food Safety Branch, Vanceburg, KY

Debbie Pickle, Tennessee Department of Health, Nashville, TN

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***Industry Alternates***

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Jean Edsall, Matrix Sciences, Centreville, VA

Michael Goscinski, National Automatic Merchandising Assn., Chicago, IL

Dr. Dale Grinstead, Emeritus, Racine, WI

Dr. Jill Hollingsworth, Chemstar Corp., Hilton Head Island, SC

Jason Horn, In-N-Out Burger, Baldwin Park, CA

Jeffrey Lindholm, iCertainty, Chevy Chase, MD

Eric Moore, Testo North America, West Chester, PA

Arash Nasibi, Hazel Analytics, Seattle, WA

Mario Seminara, Food Safety Works, Lakewood, CO

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***Academic Alternates***

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Karl Matthews, Rutgers University, New Brunswick, NJ

Ellen Thomas Shumaker, RTI International, Research Triangle Park, NC

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***Consultant Alternates***

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Shideh Ebrahim-Zadeh, CDC, Atlanta, GA

Veronica Moore, College Park, MD

Tennetta Hazard, USDA-FSIS, Washington, DC

### Council III – 2020 Issue Listing

Number	Issue Title	As Submitted	As Amended	No Action	Assembly Action
III-001	SHC-RPC - 1 Report - Safe Handling and Cooking of Roaster Pigs Committee	X			
III-002	SHC-RPC - 2 Approval of Guidance Document for Roaster Pig Cooking	X			
III-003	SHC-RPC - 3 Sharing of Guidance Document for Roaster Pig Cooking		X		
III-004	Report of the Direct to Consumer Delivery Committee (DTCDC)	X			
III-005	DTCDC #2 Approve/Post Guidance Document - DTC and TPD service food delivery	X			
III-006	DTCDC #3 Request Food Code Annex be amended to include guidance document		X		
III-007	PWWC - Issue 1: Report of Produce Wash Water Committee (PWWC)	X			
III-008	PWWC - Issue 2: Approval and Posting of Guidance Document.	X			
III-009	PWWC- Issue 3: Amend Food Code to include Produce Wash Testing Devices		X		
III-010	Report–Product Assessment Committee (PAC)	X			
III-011	PAC 2–Approval of guidance, “Using NACMCF Parameters for Retail Food...”		X		
III-012	PAC 3–Approval of Checklist for Retail Establishment Challenge Study	X			
III-013	PAC 4– Approve Challenge Testing Worksheet	X			
III-014	PAC 5–Amend Food Code Reference Approved Documents in FDA Food Code Annex 3		X		
III-015	Committee to Update CFP Guidance on Beef Ground at Retail		X		
III-016	Creation of a Committee: Intended use STEC hazards in retail environment			X	
III-017	Create Committee – Standardization of HACCP Plans for Sushi at Retail		X		
III-018	Creation of a Rotisserie Chicken Food Safety Committee			X	
III-019	Amend Food Code – Frozen Food Cook Requirements for HSP		X		
III-020	Amend Food Code to Require Detergent for Equipment Cleaning			X	
III-021	Amend Food Code: Hand Cleanse-Sanitize Protocol Not Requiring Water			X	
III-022	Amend 2017 Food Code to improve the sanitary transport of wet wiping cloths			X	
III-023	Amend Food Code – Clarification on allowable sanitizers in 4-501.114		X		
III-024	Amend Food Code by removing the flavor enhancers monosodium glutamate	X			
III-025	Amend definition of TCS to include caramel apples with an inserted stick			X	
III-026	Amend 3-302.11: When Raw Animal Products Do Not Need Separation from RTE		X		
III-027	Temperature of Water for Handwashing Sinks		X		
III-028	Amend 5-202.12 of Food Code to Change Hot Water Temperature			X	
III-029	3-306.13 Consumer Self-Service Operations			X	
III-030	Cleaning of Food Contact Surfaces- Time as a Public Health Control			X	

Number	Issue Title	As Submitted	As Amended	No Action	Assembly Action
III-031	Deletion of "Use Limitations" for Cast Iron Cookware			X	
III-032	Manufacturer cooking instructions and disclosures	X			
III-033	Standardization for the Critical Limit and pH Monitoring of Acidified Rice			X	
III-034	Inclusion of the phrase "expelled air" in the definition of ROP		X		
III-035	Amend Food Code: clarify language for disinfection of food-contact surfaces		X		
III-036	Amend Food Code – Define & outline DISINFECTION, modify SANITIZATION definition			X	
<b><i>Issues Transferred to Council III</i></b>					
I-021	Use of Personal Containers for non-TCS Bulk Foods			X	
I-022	Amend Food Code to Harmonize the Definition Reusable Container			X	
I-023	Amend Food Code to Address New Reusable Scenarios in Food Retail			X	
I-024	Creation of a Committee - Address Reusable Scenarios in Food Retail		X		

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-001**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

SHC-RPC - 1 Report - Safe Handling and Cooking of Roaster Pigs Committee

**Recommended Solution: The Conference recommends...:**

the following:

1. Acknowledgment of the 2018-2020 Safe Handling and Cooking of Roaster Pigs Committee report;
2. Thanking the members of the Committee for their work; and
3. That the Committee be disbanded; all charges have been completed.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-002**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

SHC-RPC - 2 Approval of Guidance Document for Roaster Pig Cooking

**Recommended Solution: The Conference recommends...:**

the following:

1. Approval of the committee document entitled "*Whole Roaster Pigs: Guidance for the Safe Handling and Cooking*" (attached to Issue titled: Report - Safe Handling and Cooking of Roaster Pigs Committee);
2. Authorizing the Conference to make any necessary edits prior to posting the document to assure consistency of format and non-technical content; edits will not affect the technical content of the document; and
3. Posting the guidance document on the CFP website in a downloadable PDF format with functional hyperlinks.

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**1. Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-003**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

SHC-RPC - 3 Sharing of Guidance Document for Roaster Pig Cooking

**Recommended Solution: The Conference recommends...:**

1. A letter be sent to the Food and Drug Administration (FDA) requesting:

that the current Food Code (Annex 2, Part 3 - Supporting Documents) be amended to include a reference to the CFP document titled "*Whole Roaster Pigs: Guidance for the Safe Handling and Cooking*" with phrasing similar to:

*"Roaster pigs present unique challenges for handling and cooking due to their variable, and sometimes, large size. This guidance document provides practical recommendations for the safe handling, preparation, and cooking of roaster pigs. This discussion describes the food safety risks associated with certain practices and practical recommendations to mitigate the food safety risks";*

and

2. That charges be assigned to the CFP Publications Committee as follows:

- Make recommendations to the Board to address how Conference for Food Protection publications are disseminated to ensure that all publications are distributed and communicated equally and adequately to reach the applicable constituency groups
- Oversee dissemination of approved publications following said recommendations

*Note: Draft CPF guidance document is attached to Issue titled: Report - Safe Handling and Cooking of Roaster Pigs Committee (SHCRPC); approval of the document is requested in Issue titled: SHCRPC - Approval of Guidance Document the Safe Handling and Cooking of Roaster Pigs*

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-004**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

Report of the Direct to Consumer Delivery Committee (DTCDC)

**Recommended Solution: The Conference recommends...:**

the following:

1. Acknowledge the committee final report.
2. Thank the voting members, at large non-voting members, federal consultants and observers for their tireless service.
3. Disband the committee.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-005**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

DTCDC #2 Approve/Post Guidance Document - DTC and TPD service food delivery

**Recommended Solution: The Conference recommends...:**

the following:

1. Acceptance of the committee generated draft guidance document entitled "Guidance Document for Direct-to-Consumer and Third-Party Delivery Service Food Delivery".  
(See document attached to Issue titled: Report of the Direct to Consumer Delivery Committee)
2. Posting the guidance document on the CFP website in a down-loadable PDF format; and
3. Authorizing the Conference to make any necessary edits prior to posting the document to assure consistency of format and non-technical content; edits will not affect the technical content of the document.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-006**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

DTCDC #3 Request Food Code Annex be amended to include guidance document

**Recommended Solution: The Conference recommends...:**

a letter be sent to FDA requesting that the current FDA Food Code be amended to include a reference to the "Guidance Document for Direct-to-Consumer and Third-Party Delivery Service Food Delivery" as follows (*new language is underlined; existing language to be deleted is in strikethrough format*):

Annex 2-References, Part 3-Supporting Documents

W. Guidance Document for Direct-to-Consumer and Third-Party Delivery Service Food Delivery, 2019

Companies that engage in direct-to-consumer and third-party delivery service food delivery have increased in recent years. In 2018 the Conference for Food Protection recommended formation of a committee to revise the existing guidance for direct-to-consumer (mail order) food companies to include guidance for companies engaging in third-party delivery serviced for food delivery. This guidance document provides food safety best practices for managing or performing Direct to Consumer (DTC) or third-party delivery (TPD) services.

The Conference recognizes that FDA may implement this solution in a different manner than what is written here and supports this action.

*Note: The guidance document referenced is attached to Issue titled: Report of the Direct to Consumer Delivery Committee.*

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-007**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

PWWC - Issue 1: Report of Produce Wash Water Committee (PWWC)

**Recommended Solution: The Conference recommends...:**

the following:

- a. Acknowledgement of PWWC Report and Roster
- b. Thank you and acknowledgement of Committee Members and their work
- c. Disbanding of the Committee.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-008**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

PWWC - Issue 2: Approval and Posting of Guidance Document.

**Recommended Solution: The Conference recommends...:**

1. Approval of the committee document entitled *"Guide for Washing and Crisping Whole, Raw Fruits and Vegetables at Retail Food Establishments"* (attached to Issue titled: PWWC - Issue 1 Report of Produce Wash Water Committee)
2. Authorizing the Conference to make any necessary edits prior to posting the document to assure consistency of format and non-technical content; edits will not affect the technical content of the document; and
3. Posting the guidance document on the CFP website in a downloadable PDF format.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-009**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

PWWC- Issue 3: Amend Food Code to include Produce Wash Testing Devices

**Recommended Solution: The Conference recommends...:**

Amend the current FDA Food Code by adding a new section: "4-302.15 Fruit and Vegetable Wash Solutions, Testing Devices" as follows (*new language is underlined; existing language to be deleted is in strikethrough format*):

**4-302.15 Fruit and Vegetable Wash Solutions, Testing Devices.**

For establishments using an EPA registered antimicrobial wash solution for treatment of fruit and vegetable wash water, a test kit or other device that accurately measures the active ingredient concentration of fruit and vegetable wash solution shall be provided to ensure compliance with EPA registered label use instructions <sup>Pf</sup>

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-010**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

Report–Product Assessment Committee (PAC)

**Recommended Solution: The Conference recommends...:**

1. Acknowledgement of 2018-2020 Product Assessment Committee Report;
2. Thank committee members for their work;
3. Committee be disbanded.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-011**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	_____ <b>X</b> _____ No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

PAC 2–Approval of guidance, “Using NACMCF Parameters for Retail Food...”

**Recommended Solution: The Conference recommends...:**

the following actions:

1. Acceptance of the amended committee generated guidance document entitled *"Using NACMCF Parameters for Challenge Study Protocols for Retail Food Operators and Regulators"* \*amended to remove C.perfringens from Section 10 and Chart 11.1
2. Authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document;

and

3. Posting the final document on the CFP website in PDF format

*Note: Content document is attached to the Issue titled: Report - Product Assessment Committee*

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-012**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

PAC 3–Approval of Checklist for Retail Establishment Challenge Study

**Recommended Solution: The Conference recommends...:**

1. Acceptance of the **Checklist for Retail Establishment Challenge Study** (attached as a content document to Issue titled: Report - Product Assessment Committee).
2. Authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document.
3. Posting the final document on the CFP website in PDF and editable Word format

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-013**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

*All information above the line is for conference use only.*

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**Title:**

PAC 4– Approve Challenge Testing Worksheet

**Recommended Solution: The Conference recommends...:**

1. Approval of the ***Challenge Testing Worksheet to Determine Microbiological Stability of Formulation*** (attached as a content document to Issue titled: Report - Product Assessment Committee).
2. Authorizing the Conference to make any necessary edits prior to posting the document on the CFP web site to assure consistency of format and non-technical content; edits will not affect the technical content of the document.
3. Posting the final document on the CFP website in PDF and editable Word format

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-014**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

PAC 5—Amend Food Code Reference Approved Documents in FDA Food Code Annex 3

**Recommended Solution: The Conference recommends...:**

a letter be sent to FDA requesting that the most recent edition of the Food Code Annex 3 be amended to include a reference to all of the approved documents/tools from the Product Assessment Committee at the end of the section as follows (*new language is underlined; existing language to be deleted is in strikethrough format*):

**1-201.10 Statement of Application and Listing of Terms.**

**(B) Terms Defined**

**Time/Temperature Control for Safety Food**

When a "Product Assessment" is indicated in Table A or Table B, a challenge study may be done to determine the shelf life of the product, or the time a product can be maintained at ambient temperature. Documents have been developed through the Conference for Food Protection (CFP) Product Assessment Committee to assist operators and regulators with the National Advisory Committee on Microbiological Criteria for Foods (NACMCF) Parameters for Determining Inoculated Pack/Challenge Study Protocols. These documents include Guidance Document on Using NACMCF Parameters for Challenge Study Protocols for Retail Food Operators and Regulators, Checklist for Retail Establishment Challenge Study, and Challenge Testing Worksheet to Determine Microbiological Stability of Formulation. These documents can be found on the CFP website.

*Note: All documents are attached to "Report - Product Assessment Committee (PAC)" and submitted for CFP approval and posting in Issues "PAC 2-4".*

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-015**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Committee to Update CFP Guidance on Beef Ground at Retail

**Recommended Solution: The Conference recommends...:**

that a Committee for the Evaluation of Intended Use Hazards during Retail Meat Grinding be created. This committee should include members from all constituencies in the CFP, including USDA personnel as a consultant.

The Committee will be charged with:

- 1.) Evaluate prior developed 'CFP Beef Grinding Log Template Guidance Document' to consider inclusion of information for the prevention of common hazards known to be associated with grinding processes:
  - A.) "Intended Use" policy, purpose, and control measures including supply chain communication.
  - B.) Examples of common control measures, such as supplier guarantees or certificates of analysis and ongoing verification;
  - C.) Reference to FSIS guideline for minimizing STEC in Raw Beef Processing Operations (<https://www.fsis.usda.gov/guidelines/2021-0007>)
- 2.) Consider developing educational materials (e.g., handout(s) to support grinding log assessment by regulatory authorities, industry personnel, and the public. Examples may include:
  - A.) Educational fact sheets detailing hazards represented by the non-intact handling of beef intended for whole intact use;
  - B.) Plain language explanations of "Intended Use" policy purpose.
- 3.) Evaluating potential changes to the Food Code to address the hazards associated with establishments grinding of beef that is manufactured as "Intended for Intact Use".
- 4.) Determining appropriate mechanisms for sharing the committee's work, and
- 5.) Reporting progress back to the next Biennial Meeting in 2023 and the committee's findings and recommendations may be presented at the subsequent Biennial Meeting if necessary.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-016**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Creation of a Committee: Intended use STEC hazards in retail environment

**Recommended Solution: The Conference recommends...:**

no action as the Issue is adequately addressed in 2020-III-015

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-017**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	_____ <b>X</b> _____ No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Create Committee – Standardization of HACCP Plans for Sushi at Retail

**Recommended Solution: The Conference recommends...:**

that a committee be convened to review the current CFP documents and science relating to production of sushi. This committee shall be composed of industry, academic, and regulatory stakeholders and charged with the following:

- Review current industry practices, collect available guidance documents, and current state codes pertaining to the production of sushi prepared at retail establishments.
- Updating the current CFP guidance document for the production of sushi prepared at retail establishments.
- Referencing the guidance document in the Food Code Annex, or wherever the committee deems appropriate.
- Identifying whether the Food Code adequately addresses sushi production at retail as a whole and make suggestions for changes (if necessary) at the next CFP Biennial Conference.
- Identifying the recommended methods to disseminate the committee's findings.
- Reporting the committee's findings at the next CFP Biennial Conference.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-018**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Creation of a Rotisserie Chicken Food Safety Committee

**Recommended Solution: The Conference recommends...:**

no action because the Issue is adequately addressed in the current FDA Food Code  
SECTION 3-401.11

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name  
or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-019**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  X  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

*All information above the line is for conference use only.*

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**Title:**

Amend Food Code – Frozen Food Cook Requirements for HSP

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA recommending:

1. the most recent version of the FDA Food Code within the HIGHLY SUSCEPTIBLE POPULATION (HSP) section 3-8 address the Issue as presented in 2020-III-032.

and

2. that foods addressed within the Issue which have the disclosure or cooking instructions on them should not be given directly to the HSP without further heat treatment.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-020**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

*All information above the line is for conference use only.*

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**Title:**

Amend Food Code to Require Detergent for Equipment Cleaning

**Recommended Solution: The Conference recommends...:**

No action for the reason that the intention of the Issue is unclear and since there is insufficient science around validation of removal of major food allergens.

*It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-021**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  <b>X</b>  </u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Amend Food Code: Hand Cleanse-Sanitize Protocol Not Requiring Water

**Recommended Solution: The Conference recommends...:**

No action since this Issue is adequately addressed in the current FDA Food Code, Sections 2-301.16(A)(3) Hand Antiseptic, 2-301.12 Cleaning Procedure, 2-301.15 Where to Wash Hands 5-204.11(A) Handwashing Sinks, 5-205.11(A) Using a Handwashing Sink, and 6-301.11 Handwashing Cleanser, Availability

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-022**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Amend 2017 Food Code to improve the sanitary transport of wet wiping cloths

**Recommended Solution: The Conference recommends...:**

No action since this Issue is adequately addressed in the current FDA Food Code, Section 3-304.14.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-023**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>X</u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Amend Food Code – Clarification on allowable sanitizers in 4-501.114

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA requesting that Section 4-501.114 of Annex 3 - Public Health Reasons/Administrative Guidelines be amended as follows (*added language underlined and italicized*):

With respect to chemical sanitization, section 4-501.114 addresses the proper use conditions for the sanitizing solution, i.e., chemical concentration range, pH, and temperature minimum levels and, with respect to quaternary ammonium compounds (quats), the maximum hardness level. If these parameters are not as specified in the Code or on the EPA-registered label, then this provision is violated. *This section is not intended to limit formulation of food contact sanitizers to only chlorine, iodine, or quaternary ammonium compounds. Alternative active ingredients are permitted as long as they are listed in 40 CFR 180.940 and listed by EPA as food contact sanitizers.*

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-024**

**Council Recommendation:** Accepted as Submitted   X   Accepted as Amended        No Action       

**Delegate Action:** Accepted        Rejected       

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**Title:**

Amend Food Code by removing the flavor enhancers monosodium glutamate

**Recommended Solution: The Conference recommends...:**

that a letter be send to the FDA requesting that the current FDA Food Code be amended as follows (*language to be removed is in strikethrough format*):

**"Annex 4, Table 2b- Added Chemical Hazard at Retail, Along with Their Associated Foods and Control Measures."** on page 564 of 767.

Added Chemical Hazards	Associated Foods	Control Measures
<del>Flavor enhancers Monosodium glutamate (MSG)</del>	<del>Asian or Latin American Food</del>	<del>Avoid using excessive amounts</del>

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-025**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Amend definition of TCS to include caramel apples with an inserted stick

**Recommended Solution: The Conference recommends...:**

No action due to submitter recommending that the Issue be withdrawn

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-026**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  X  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Amend 3-302.11: When Raw Animal Products Do Not Need Separation from RTE

**Recommended Solution: The Conference recommends...:**

that a letter be sent to FDA requesting that Section 3-302.11 be clarified to indicate when raw animal products do not need separation from RTE when packaged together.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-027**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  X  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Temperature of Water for Handwashing Sinks

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA recommending a change to the current Food Code section **5-202.12 Handwashing Sink, Installation (A)** to read as follows (*new language is underlined; language to be removed is in strikethrough format*):

**5-202.12 Handwashing Sink, Installation (A)**

(A) A HANDWASHING SINK shall be equipped to provide tempered water ~~at a temperature of at least 38°C (100°F)~~ through a mixing valve or combination faucet. <sup>Pf</sup>

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-028**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Amend 5-202.12 of Food Code to Change Hot Water Temperature

**Recommended Solution: The Conference recommends...:**

no action since this Issue has been addressed in Issue 2020-III-027

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-029**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

3-306.13 Consumer Self-Service Operations

**Recommended Solution: The Conference recommends...:**

no action due to insufficient science or evidence to support the Recommended Solution

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-030**

<b>Council</b>	Accepted as		Accepted as	
<b>Recommendation:</b>	Submitted	_____	Amended	_____
			No Action	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted	_____	Rejected	_____

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**Title:**

Cleaning of Food Contact Surfaces- Time as a Public Health Control

**Recommended Solution: The Conference recommends...:**

No action since the Issue is adequately addressed in Food Code Section 4-602.11(D)(1)

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or a commercial proprietary process.*

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-031**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Deletion of "Use Limitations" for Cast Iron Cookware

**Recommended Solution: The Conference recommends...:**

no action since insufficient science or evidence has been provided to take action on the Recommended Solution.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-032**

<b>Council Recommendation:</b>	Accepted as Submitted	<u>  X  </u>	Accepted as Amended	<u>          </u>	No Action	<u>          </u>
<b>Delegate Action:</b>	Accepted	<u>          </u>	Rejected	<u>          </u>		

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**Title:**

Manufacturer cooking instructions and disclosures

**Recommended Solution: The Conference recommends...:**

a letter be sent to FDA requesting that the current FDA Food Code address the cooking of Foods That Bear a Manufacturer's Cooking Instructions or That Disclose That the Food Has Not Been Processed to Control Pathogens specifying that:

- (1) packaged food that bears a manufacturer's cooking instructions shall be cooked according to those instructions before use in foods that will not be cooked or offered to the consumer in unpackaged form for consumption (e.g., frozen vegetables used in refrigerated salads or served on salad bars) unless the manufacturer's instructions also specify that the food also can be consumed without cooking (e.g., dried soup mix with instructions to be cooked as a soup or used uncooked in preparing a dip);

and

- (2) food that bears a disclosure that it has not been processed to control pathogens shall be cooked before use in ready-to-eat (RTE foods) or offered to the consumer for consumption.

**Note:** This revision is not intended to apply to raw animal foods

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-033**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Standardization for the Critical Limit and pH Monitoring of Acidified Rice

**Recommended Solution: The Conference recommends...:**

No action since the Issue is adequately addressed in the current FDA Food Code, section 3-502.11.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-034**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Inclusion of the phrase "expelled air" in the definition of ROP

**Recommended Solution: The Conference recommends...:**

remove the phrase "which have the air expelled" from the definition of Reduced Oxygen Packaging 2(b) Cook Chill PACKAGING as found in Section 1-201.10 of the current FDA Food Code and Annex 6 in the definition of Cook Chill (*new language is underlined; existing language to be deleted is in strikethrough format*):

**Section 1-201.10**

(d) Cook chill PACKAGING, in which cooked FOOD is hot filled into impermeable bags ~~which have the air expelled~~ and are then sealed or crimped closed. The bagged FOOD is rapidly chilled and refrigerated at temperatures that inhibit the growth of psychrotrophic pathogens;

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-035**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended <u>  X  </u>	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Amend Food Code: clarify language for disinfection of food-contact surfaces

**Recommended Solution:**

that a committee be formed to address the term DISINFECTANTS in the Food Code, Food Code Annex, and with the recommended constituencies, including federal partners like FDA, EPA, USDA, and CDC.

Recommended Committee charges include:

1. Review current regulations related to disinfectant use.
2. Develop a guidance document for posting on the CFP website for use by retail food facility operators (chain and independent operators), food safety trainers, and regulators to explain the appropriate use of disinfectants on food-contact surfaces in a retail food facility. Suggested topics include, but are not limited to:
  - a. Why to use, including an explanation of the difference between sanitization and disinfection.
  - b. When to use to treat a surface exposed to viruses (e.g., vomiting and diarrheal events, foodborne illness outbreaks, COVID-19 illness(es)).
  - c. What to use (e.g., EPA-registered products).
  - d. How to use (e.g., in accordance with EPA-registered label use instructions).
  - e. Recommended protocols for clean-up of vomiting and diarrheal events as specified in FDA Food Code section 2-501.11.
  - f. List of existing resources, such as federal agency guidance documents, federal regulations (referencing specific, applicable sections), and other publicly available resources to prevent information duplication or contradiction.
3. Consider recommending changes to the FDA Food Code to clarify the use of disinfectants in retail food facilities on food-contact surfaces.
4. Report progress back to the next Biennial Meeting in 2023 and the committee findings and recommendations may be presented at subsequent Biennial Meetings if necessary.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 III-036**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Amend Food Code – Define & outline DISINFECTION, modify SANITIZATION definition.

**Recommended Solution: The Conference recommends...:**

No action as this Issue is addressed in Issue 2020-III-035.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-021**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Use of Personal Containers for non-TCS Bulk Foods

**Recommended Solution: The Conference recommends...:**

no action since there is insufficient science to take action on the Recommended Solution.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-022**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<b>X</b> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____		

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**Title:**

Amend Food Code to Harmonize the Definition Reusable Container

**Recommended Solution: The Conference recommends...:**

no action because there is insufficient science and a committee has been formed in Issue 2020 I-024 to address this Issue.

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-023**

<b>Council</b>	Accepted as		Accepted as	
<b>Recommendation:</b>	Submitted	_____	Amended	_____
			No Action	<u><b>X</b></u>
<b>Delegate Action:</b>	Accepted	_____	Rejected	_____

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**Title:**

Amend Food Code to Address New Reusable Scenarios in Food Retail

**Recommended Solution: The Conference recommends...:**

no action because there is insufficient science and because a committee has been formed in 2020 I-024 to address this Issue

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**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-024**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action <u>  X  </u> _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Creation of a Committee - Address Reusable Scenarios in Food Retail

**Recommended Solution: The Conference recommends...:**

that a committee be created to address the safe use of reusable containers in restaurants, markets, temporary food facilities and vending. This includes a review of the current FDA Food Code, specifically section 3-304.17,

Scenarios for Committee consideration:

- The use of consumer-owned containers for the sale of bulk dry goods, baked goods, and other food categories
- The filling of customer-owned containers for restaurant takeaway (dining & to-go)
- The appropriate handling of Time/Temperature Control for Safety Foods when sold in reusable containers

The Committee charges are:

1. Clarify the scenarios related to reusable containers within the scope of regulation.
2. Identify and analyze the scientific and other literature related to consumer-owned containers at retail.
3. Draft recommended guidance around those scenarios and create a definition of reusable container.
4. Provide recommended Code language changes, if necessary, to FDA
5. Report progress back to the next Biennial Meeting in 2023 and the committee findings and recommendations may be presented at the subsequent Biennial Meeting if necessary

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