**Conference for Food Protection**

**2010 Issue Form**

**Internal Number: 021**

**Issue: 2010 III-019**

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| **Council Recommendation:** | Accepted as  Submitted |  | Accepted as Amended |  | No Action |  |
| **Delegate Action:** | Accepted |  | Rejected |  |  |  |

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

**Title:**

Reduce confusion in ROP Criteria with regard to Cook Chill and Sous Vide

**Issue you would like the Conference to consider:**

The currrent section on ROP criteria with regard to cook-chill or sous vide without a variance (3-502.12 Reduced Oxygen Packaging Without a Variance, Criteria) has two items that may be misinterpreted by regulators and operators. One section, 3-502.12 (B)(2) specifies conditions that permit storage of ROP at 41°F for up to 14 days. Another section, 3.502.12 (D)(2)(e) specifies holding temperature options of 38°F and 34°F. This section does not provide for a 41°F option at 14 days, yet does not exclude instructions provided in 3-502.12 (B)(2). Clarity is needed in the intent and wording of this section of the food code.

**Public Health Significance:**

When properly performed cook-chill and sous vide processing minimizes many risks of foodborne illness. When performed improperly, these processes may lead to growth of the foodborne pathogens Clostridium botulinum (psychrotrophic strains) or Listeria monocytogenes.

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

that a letter be sent to the FDA requesting that the FDA make changes to the Food Code Parts 3-502.12 Reduced Oxygen Packaging without a Variance, to clarify original storage temperature and shelf life intent to users by adding a new subsection (v) to Section 3-502.12. (D)(2)(e) as follows:

(v) maintained at 41°F for foods that meet criteria specified in 3-502.12 (B)(2).

**Submitter Information:**

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**Attachments:**

* "Food Code Section 3.502.12"

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.