

**Conference for Food Protection
2010 Issue Form**

**Internal Number: 038
Issue: 2010 I-018**

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:

Effective Risk Communication for Process HACCP

Issue you would like the Conference to consider:

The current FDA Food Code form of using "Priority, Priority foundation and Critical item" designations needs better clarification, categorization and communication within the code Annex.

Public Health Significance:

Use of the same terms but from different perspectives has led to confusion among food handlers, inspectors and the public relative to "critical limits" for critical control points.

Recommended Solution: The Conference recommends...:

that a letter be sent to FDA requesting that the following language be placed in the Food Code Annex 3 section 1-201.10, after "Accredited Program" section and before "egg" section:

There are up to *three different critical limit concepts* or points of refence for every *pathogen* related critical control point:

1. The science based critical limit. Lets call is the "SCL". It is the same in Saigon as in St. Paul. If we identify all of the environmental and food characteristics that give rise to the given microbial hazard, then we can agree upon peer reviewed published data and given statistical analysis and the consensus standards process establish a single fixed "SCL". With that, we'd likely say that 127.5F is the SCL for hot food holding based upon peer reviewed, published scientific research (*F. Busta, et al*).
2. The compliance critical limit. Lets call it the "CCL". In Minnesota, since their administrative rule (MR4626) is based on the 1995 FDA Food Code, that minimum hot safe food holding temp is 140F. In Maryland where they modeled code after the 2008 FDA Food code and their Title 10, subtitle 15 Chapt 03.06 states: "(7) Except as provided in §B(8)-(14) of this regulation, the internal temperature of a potentially hazardous food is kept at 41°F or less or 135°F or greater". The downward revision to 135F was hotly debated for several CFPs with data presented in council 3 to support the scientific critical limit was at least 12 degress below 140. The revision finally passed at the '08 conference. (comment: some will say that the point at which the critical limit should be measured is a core temp. *This is not true.* Surface temps

are most likely to be abused when you are hot or cold holding....not core temps.)
Note that the CCL's change based upon the local licensing authority, and the
method and means for measuring the critical limit may vary by interpretation and
inspector. Further confusion abounds do to differences in equipment performance
test standards critical limits and the food codes criteria. For example, the NSF/ANSI
standard 7 critical limit measurement point for cold holding is 1" below the surface of
the food. The food code requires all of the food to be at the stated CL or better
without exempting the top 1" layer of food. Then, where is the point of measurement
for hot holding critical limit relative to the code vs. NSF/ANSI Std 4? These "gaps"
reduce the effectiveness of the codes risk message.

3. The quality critical limit. Lets call this the "QCL". One of my global QSR clients sets
a QCL for hot food holding at 160F. One of their franchisees sets a QCL for his
stores at 165. QCL's change with each operator. In some cases it varies by
franchisor. But in others it may vary from one franchisee to another. Multiunit
operators food safety plans must have the flexibility to accommodate these
differences without confusing its food handlers and risk managers at corporate and
franchise levels.

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Attachments:

- "The Three Tiers for Microbial Critical Limits"

*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.*