

**Conference for Food Protection  
2010 Issue Form**

**Internal Number: 025  
Issue: 2010 I-020**

<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:**

American National Standards for Food Equipment - Clarification of Food Code

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

Section 4-205.10 of the Food Code, titled *Food Equipment, Certification and Classification* currently references ANSI accredited certifications or classifications of food equipment, but the Food Code language is not clear or specific as to what the certification or classification programs should be based on. In the U.S., state and local regulatory agencies routinely require retail foodservice equipment to comply with the specific requirements of American National Standards, which in turn comply with the requirements of the Food Code. Expanding the Food Code to reflect the wide range and complexity of retail foodservice equipment technical requirements is not practical. This considerable level of technical detail has traditionally, and effectively, been dealt with by reference to American National Standards. As such, it is requested that the Conference for Food Protection clarify this section of the Food Code to reflect the original intent and current practice. This is efficiently accomplished by adding "...to the corresponding American National Standard listed in Annex 8," to *Section 4-205.10*.

**Public Health Significance:**

The rapid increase of imported foods and food equipment, and the many public health related issues associated with imported products, makes it vitally important to have products comply with American National Standards, where specific requirements for compliance are clearly spelled out. Manufacturers, exporters, importers, wholesalers, retailers, consultants and regulators at all levels understand the role and importance of American National Standards, and participate in their development and maintenance. Specification of the appropriate national standards in the Model Food Code clarifies the original intent, increases consistency of certifications, and results in increased public health protection. Having clearly defined equipment requirements is essential to increasing regulatory compliance.

**Background**

Equipment sanitation is a critical component of state and local regulatory food safety programs, and is an integral part of the Model Food Code. Food equipment materials, performance, design and cleanability are all critical components of the Model Food Code and are detailed in the American National Standards for Food Equipment. The purpose of

the current Section 4-205.10 of the Food Code is to reference ANSI-accredited third party certifications or classifications of Food Equipment. It is implied that the certifications or classifications are to the requirements of specific American National Standards. Given the widespread adoption of the Model Food Code at the State and Local levels, it is very important that the intent of the FDA and the CFP is without question.

The 2009 Model Food Code currently references "Acceptability" of foodservice equipment in Section 4-205.10, titled Food Equipment, Certification and Classification. This section of the Food Code currently reads:

**Acceptability** 4-205.10 Food Equipment, Certification and Classification.

- *FOOD EQUIPMENT that is certified or classified for sanitation by an American National Standards Institute (ANSI)-accredited certification program is deemed to comply with Parts 4-1 and 4-2 of this chapter.*

Section 4 of the 2009 Model FDA Food Code addresses foodservice equipment sanitation requirements for only limited types of commercial food equipment, whereas today, the scope of food equipment used in the foodservice industry is much broader. This wider scope of equipment is collectively covered by the combined American National Standards established for commercial foodservice equipment listed in the attached Annex 8.

Referencing the ANSI standards simply reflects what manufacturers and regulators use today. Listing the ANSI Standards does not preclude other standards from being accepted by the state or local regulatory authorities.

Adoption of the proposed language recognizes that the technical requirements established in American National Standards for foodservice equipment meet the same minimum technical requirements of the 2009 Food Code, and more importantly, clarify that the American National Standards are the basis of ANSI-accredited certification programs, as currently cited in Section 4-205.10 of the Food Code.

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

sending a letter to the FDA requesting the addition of the language specified below to the Food Code, as well as Annex 8 that lists the relevant American National Standards.

**Acceptability** 4-205.10 Food Equipment, Certification and Classification.

- *FOOD EQUIPMENT that is certified or classified for sanitation to the corresponding American National Standard listed in Annex 8. by an American National Standards Institute (ANSI)-accredited certification program is deemed to comply with Parts 4-1 and 4-2 of this chapter.*

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**Attachments:**

- "Proposed ANNEX 8 of Food Code"
- "NEHA Letter of Support"

*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.*

## **Proposed ANNEX 8 of Food Code**

### **List of ANSI Food Equipment Standards**

The following standards were established and adopted by the ANSI process as minimum voluntary consensus standards and are also used internationally:

NSF/ANSI 2	Food equipment
NSF/ANSI 3	Commercial warewashing equipment
NSF/ANSI 4	Commercial cooking, rethermalization, and powered hot food holding and transport equipment
NSF/ANSI 5	Water heaters, hot water supply boilers, and heat recovery equipment
NSF/ANSI 6	Dispensing freezers
NSF/ANSI 7	Commercial refrigerators and freezers
NSF/ANSI 8	Commercial powered food preparation equipment
NSF/ANSI 12	Automatic ice making equipment
NSF/ANSI 13	Refuse processors and processing systems
NSF/ANSI 18	Manual food and beverage dispensing equipment
NSF/ANSI 20	Commercial bulk milk dispensing equipment
NSF/ANSI 21	Thermoplastic refuse containers
NSF/ANSI 25	Vending machines for food and beverages
NSF/ANSI 29	Detergent and chemical feeders for commercial spray-type dishwashing machines
NSF/ANSI 35	High pressure decorative laminates (HPDL) for surfacing food service equipment
NSF/ANSI 36	Dinnerware
NSF/ANSI 37	Air curtains for entranceways in food and food service establishments
NSF/ANSI 51	Food equipment materials
NSF/ANSI 52	Supplemental flooring
NSF/ANSI 59	Mobile food carts
NSF/ANSI 169	Special purpose food equipment and devices
ANSI/UL 2333	Infrared Thermometers



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To Whom It May Concern:

The National Environmental Health Association (NEHA) is pleased to provide this letter of support for the 2010 CFP issue titled: *American National Standards for Food Equipment – Clarification of Food Code Intent*, which was drafted by NSF International and Underwriters Laboratories Inc.

While Section 4-205.10 of the Model Food Code identifies the need for food service equipment to be certified by an ANSI-Accredited organization, it is lacking with respect to identifying a specific standard(s) for the equipment certification. The language proposed in this issue submission identifies the appropriate national standard(s) for product certification. Addition of this language completes both the need for certification as well as the means of certification.

NEHA urges the Conference for Food Protection to accept this issue and incorporate the suggested language into the Model Food Code.

Sincerely,

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NEHA President