Criticality Implementation and Education Committee
2008-2010

FREQUENTLY ASKED QUESTIONS

THE RE-DESIGNATION OF FOOD CODE PROVISIONS

Introductory

1. Why have the terms "critical and "non-critical" been replaced with other terms in the Food Code?

2. What is the rationale for utilizing three designations in the Food Code, rather than two designations?

3. What are the names of the three designations and what are the definitions?

4. Who was involved in the process to change from critical/non-critical to priority, priority foundation, and core?

5. Why was the FDA Criticality Work Group formed and who was on the work group?

6. Are there any plans for a focus group study to be conducted by the Conference for Food Protection's (CFP) Criticality Implementation and Education Committee or by FDA as was charged by the CFP?

7. What is the level of risk for each designation?

8. What are some examples of each designation?

    a. Priority Item Examples:

    b. Priority Foundation Item Examples:

    c. Core Item Examples:

9. Why is each subparagraph of the Food Code now designated?

10. Will all regulatory jurisdictions be required to adopt the new designations?

11. When will the regulatory jurisdictions be required to adopt the 2009 Food Code with these new designations in order to meet Program Standard #1?

12. Will regulatory jurisdictions be required to adopt the designations Priority, Priority Foundation and Core in order to meet Program Standard #1?

Food Safety Issues

1. How will the change to three designations (or categories) of importance improve food safety and reduce illness?

2. Are the priority foundation items a direct cause of foodborne illness?

3. Are the three designations based on scientific data and will they change if the science changes?

4. How can the three designations be used by Industry to minimize risk factors within their operation?

Regulatory Issues

1. Will the methods used to conduct inspections change because of the new designations?

2. How can regulatory inspectors use the three designation system to maximize their time during inspections?

3. How will the three designation system help prioritize the time of regulators and industry?

4. My jurisdiction is using the CFP inspection form. Will the three designation system result in a modification of the provisions listed in the risk factor and intervention code reference table? Will the Good Retail Practices code reference table be modified due the change to the three designation system?

5. Will the inspection form change due to the change to the three designation system?

6. How much time must a regulator allow a food establishment to correct violations in the following designations?

    a. Priority Item violations:

    b. Priority Foundation Item violations:

    c. Core Item violations:

7. What are some specific examples of the enforcement actions of the priority or priority foundation item violations?

a. If using a risk based assessment of a food establishment in a jurisdiction that enforces 41F, would TCS food held at 45F be considered a priority foundation item or priority item violation?

b. If using a risk based assessment of a food establishment in a jurisdiction that enforces 140F, would TCS food held at 135F be considered a priority foundation item or priority item violation?

c. If using a risk based assessment of a food establishment and the sanitizer sink solution in a refrigerated prep room falls below 75F, is this a priority item, priority foundation item, or core item violation or no violation?

8. Is there a recommended scoring mechanism or matrix relating violations of the three designations to points?

9. Will the new designations impact risk factor and intervention baseline activities that we are following as part of our enrollment in the FDA Program Standards?

Training / Industry Issues

1. When will the new three designation system be in effect?

2. Will there be a "transition time" from the old system to the three designation system?

3. Where can I find more information about the new three designation system?

4. When will the ANSI-CFP licensed examination providers integrate the new designations into their job analysis and examinations?

5. Will FDA revise the Standardization Procedures Manual to reflect the new three designation system? Will the new designations require any changes in the standardization process?

6. Are guidelines/tools being developed to assist local and state health jurisdictions in the process of evaluating their current risk-based inspection system based on the new designations?

7. Since uniform training is a priority to assure the knowledge and implementation of the new designations, will training workshops, materials or a PowerPoint be developed for industry and regulators?

8. Will the health department provide classes so we can understand the new designations?

9. How can industry use the new designations in training front line workers?

10. Will my health department inspection look different?

11. Is the new designation system more subjective?

12. Will a list of primary changes be provided?

13. What will cause a health code violation with the new designations?

14. How long will I have to correct violations in the following designations?

    a. Priority Item violations:

    b. Priority Foundation Item violations:

    c. Core Item violations:

15. What happens if my restaurant gets multiple violations?

16. What is an example of a Priority violation that was a critical violation?

17. A display of window glass cleaner over paper towels is now listed as a critical violation by my regulatory agency. Would this practice now be designated as a Priority Item violation or a Priority Foundation Item violation? Why?