**Conference for Food Protection**

**2012 Issue Form**

**Internal Number: 056**

**Issue: 2012 I-032**

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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:**

Allowance for a Direct Drain Connection in Warewashing Equipment

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

Deleting the prohibition of a direct drain connection for warewashing sinks or warewashing machines from Section 5-402.11 of the 2009 FDA Food Code (as modified by the Supplement issued in 2011). This prohibition is in direct conflict with the major model plumbing codes such as the Universal Plumbing Code and the International Plumbing Code. Many localities adopt these codes, and this creates a tiered system whereby food establishments in localities without a plumbing code must submit to a requirement that establishments in areas with plumbing codes are often required not to comply with. In warewashing, the final step in the process is a sanitizing step with a solution with residual sanitizer or high temperature water. This step acts as a "fail-safe" to overcome the risk of an unnoticed sewage backup in the sink.

**Public Health Significance:**

There is minimal risk to public health from allowing a direct drain connection in a warewashing sink.

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

that a letter be sent to the FDA requesting an amendment to Section 5-402.11 of the 2009 Food Code (as modified by the Supplement issued in 2011) as specified below (deleted language is in strikethru format).

**5-402.11 Backflow Prevention.**

(A) Except as specified in ¶¶ (B)~~,~~ and (C)~~, and (D)~~ of this section, a direct connection may not exist between the sewage system and a drain originating from equipment in which food~~, portable equipment, or utensils are~~ is placed. P

(B) Paragraph (A) of this section does not apply to floor drains that originate in refrigerated spaces that are constructed as an integral part of the building.

~~(C) If allowed by law, a warewashing machine may have a direct connection between its waste outlet and a floor drain when the machine is located within 1.5 m (5 feet) of a trapped floor drain and the machine outlet is connected to the inlet side of a properly vented floor drain trap.~~

(~~D~~C) If allowed by law, a ~~warewashing or~~ culinary sink may have a direct connection.

**Submitter Information:**

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| Name: | Adam Inman | | |
| Organization: | Kansas Department of Agriculture | | |
| Address: | 109 SW 9th | | |
| City/State/Zip: | Topeka, KS 66612 | | |
| Telephone: | 785-296-5600 | Fax: | 785-296-6522 |
| E-mail: | adam.inman@kda.ks.gov | | |

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.