**Conference for Food Protection**

**2012 Issue Form**

**Internal Number: 031**

**Issue: 2012 I-034**

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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:**

The 2009 FDA Food Code Introduced New Confusing Terms

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

The new terms introduced into the 2009 FDA Food Code are not food safety-related terms that are relevant to educating the public, the regulated industry and regulatory officials. Removing the public health naming convention of identifying violations as risk factors, public health interventions, or good retail practices requires a re-education process that does not emphasize food safety or foodborne illness prevention. Significant progress has been made in linking the terms (risk factors, public health interventions, good retail practices) to a culture of food safety. We are concerned that use of the terms listed below will create confusion and set back progress in improving compliance in all facilities, particularly in "mom and pop" food service operations.

**Core item**

1. **"Core item"** means a provision in this Code that is not designated as a priority item or a priority foundation item.
2. **"Core item"** includes an item that usually relates to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), facilities or structures, equipment design, or general maintenance.

**Priority Item.**

1. **"Priority item"** means a provision in this Code whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard.
2. **"Priority item"** includes items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, handwashing; and
3. **"Priority item"** is an item that is denoted in this Code with a superscript P? P.

**Priority Foundation Item.**

1. **"Priority foundation item"** means a provision in this Code whose application supports, facilitates or enables one or more priority items.
2. **"Priority foundation item"** includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling; and
3. **"Priority foundation item"** is an item that is denoted in this Code with a superscript Pf - Pf.

**Public Health Significance:**

The main purpose of the FDA Food Code is to assist regulators and the regulated industry in prioritizing actions that proactively improve food employee behaviors and food preparation practices mitigating and eliminating the risk of foodborne illness.

The new terms and levels of priority introduced in the 2009 FDA Food Code are difficult for regulators to articulate and difficult for regulated industry to understand. Without clear understanding there is a high probability of reducing the effectiveness of the Code itself. Time and effort spent re-educating regulators, operators and employees would be better spent on reinforcing the food safety-related and well-understood terms already in use.

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

the re-creation of the Critical Item Committee. The re-established Committee will be charged with:

1. Using the food safety terminology below in lieu of the terms listed above, or
2. Recommending easily understood (common usage) replacement terms that must be tested using surveys of both regulators and regulated industry,
3. Report back to the 2014 Biennial Meeting on Committee Activities and submit Issues that recommend revsion to the body of the code to align with the the revised language, and strike the existing terminology from the code (Core, Priority, etc.).

**Submitter offers the Proposed Revised language for the Committee's Consideration:**

**Good Retail Practices**

1. **"Good Retail Practices"** means a provision in this Code that is not designated as a Risk Factor or intervention ITEM.
2. **"Good Retail Practices "** includes an item that usually relates to general sanitation, operational controls, sanitation standard operating procedures (SSOPs), facilities or structures, equipment design, or general maintenance.

**Risk Factors and Intervention Items**

1. **"Risk Factor Item"** means a provision in this Code whose application supports, facilitates or enables one or more RISK FACTOR items.
2. **"Intervention Item "** includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling; and
3. **"Risk Factor Item"** is an item that is denoted in this Code with a superscript Rf - Rf.
4. **"Intervention Item"** is an item that is denoted in this Code with a superscript I - I.

**Submitter Information:**

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| Name: | Chuck Catlin | | |
| Organization: | P. F. Chang's China Bistro Inc. | | |
| Address: | 7676 E PINNACLE PEAK RD | | |
| City/State/Zip: | Scottsdale, AZ 85255 | | |
| Telephone: | 4808883262 | Fax: |  |
| E-mail: | chuck.catlin@pfcb.com | | |

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.