

**Conference for Food Protection
2012 Issue Form**

**Internal Number: 054
Issue: 2012 III-016**

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
Delegate Action:	Accepted _____	Rejected _____	

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Title:

Separation of Non-Intact Meats from Whole-Muscle Cuts of the Same Type

Issue you would like the Conference to consider:

Clarification on the storing and displaying of comminuted or otherwise non-intact meats above whole-muscle intact cuts of meat unless they are packaged in a manner that precludes the potential for cross-contamination.

As amended by the 2011 FDA Food Code Supplement, subparagraphs 3-302.11(A)(2) and (3) of the FDA Food Code read:

3-302.11 Packaged and Unpackaged Food - Separation, Packaging, and Segregation.

(A) Food shall be protected from cross contamination by:

(1) [not relevant to Issue]

(2) *Except when combined as ingredients*, separating types of raw animal foods from each other such as beef, fish, lamb, pork, and poultry during storage, preparation, holding, and display by:

(a) Using separate equipment for each type, ^P or

(b) Arranging each type of food in equipment so that cross contamination of one type with another is prevented, ^P and

(c) Preparing each type of food at different times or in separate areas; ^P

(3) Not storing and displaying comminuted or otherwise non-intact meats above whole-muscle intact cuts of meat unless they are packaged in a manner that precludes the potential for cross-contamination

The requirements conflict, because (A)(2) specifies "types of raw animal foods" "such as beef" and "pork" while (A)(3) adds a distinction between comminuted meats and whole-muscle meats of the same type.

Based on the Public Health Reasons for 3-401.11 regarding comminuted meats, the difference in cooking temperatures between ground meats and pork and whole-muscle intact cuts is based on the lack of come-up/come-down time, not different pathogens or different microbial loads. "Come up time" is the time it takes the product to reach the specified temperature, "come down time" is the time it takes for the product to cool down. The Public Health Reason for 3-401.11 reads, in pertinent part:

"When USDA established the time and temperature parameters for 9 CFR 318.23 Heat-Processing and Stabilization Requirements for Uncured [sic] Meat Patties (known as the "patty rule"), the Agency based the 5D for *Salmonella* on extrapolations applied to the

research done by Goodfellow and Brown to account for the lack of a "come up, come down" time in the thin, small mass beef patties. Consequently, there is no linear relationship between the patty rule and roast beef time and temperature parameters. The patty rule also provided for an 8D reduction in the number of Shiga toxin-producing *Escherichia coli*. The time and temperature requirements in the Food Code for comminuted meats are comparable to the USDA requirements."

Therefore, there is no reason to impose extra requirements on the storage or display of same types (beef, pork, poultry, fish, etc.) simply because they are ground or otherwise not intact.

Public Health Significance:

This requirement to store non-intact meats separately from whole-muscle cuts of the same type is unnecessary and leads to confusion among regulators and the regulated community.

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting the 2009 Food Code (as modified by the Supplement issued in 2011) be amended to delete Section 3-302.11(A)(3) and delete corresponding Public Health Reason language from the Model Food Code as follows (deleted language shown with strike-through):

Section 3-302.11 Packaged and Unpackaged Food - Separation, Packaging, and Segregation.

~~(3) Not storing and displaying comminuted or otherwise non-intact meats above whole-muscle intact cuts of meat unless they are packaged in a manner that precludes the potential for cross-contamination;~~

(Public Health Reason) Section 3-302.11

Packaged and Unpackaged Food - Protection Separation, Packaging, and Segregation.

~~Storing or displaying comminuted or otherwise non-intact meats above whole-muscle intact cuts of meat can also present a cross-contamination hazard unless they are packaged and displayed in a manner that creates a barrier to prevent leakage of contents from one package to the other. Cooking recommendations assume that lower levels of contamination will be present in whole muscle products than in non-intact meats. If the whole muscle product is subject to cross-contamination, the recommended cooking temperature may not be sufficient to ensure the safety of the product.~~

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