

**Conference for Food Protection
2012 Issue Form**

**Internal Number: 108
Issue: 2012 III-027**

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:

Food Guards

Issue you would like the Conference to consider:

The 2009 FDA Food Code Section 1-103.1 states that THE CODE sets standards for FOOD EQUIPMENT, among other things. Section 3-306.11 provides criteria for the protection of ready to eat (RTE) food from the consumer, and this is shown to be a "Priority item"^(P). Sections 4-1 and 4-2 of Chapter 4 are intended to provide minimum reasonable safety criteria for foodservice EQUIPMENT. Therefore, the CODE should establish the minimum safety criteria for FOOD GUARDS and the criteria should be based on the science of preventing disease transmission. Currently, the CODE only refers in section 4-205.10 to an ANSI-accredited program for acceptability, stating that ANSI sanitation certified equipment is "deemed to comply" with the code. Recent changes to ANSI standards are not based on the science of preventing disease transmission and should be subject to criteria established by the conference and documented in the CODE.

Public Health Significance:

Because FOOD guards ^P comprise a Priority item in the 2009 FDA FOOD CODE, reasonable minimum safety criteria should be developed by the Conference. These new criteria will provide direction for ANSI's sanitation standards development organizations (SDO's) regarding the FOOD CODE's organisms of concern and guide all revisions to the standard criteria accordingly. Establishing reasonable minimum safety criteria is rightly the scope of the FDA FOOD CODE, whereas ANSI and/or ISO equipment standards are intended to establish best practice criteria for equipment cleanability and durability. The 2008 ANSI NSF Std 2 section 5.35 "FOOD Shields" standard criteria currently in use is complex and confusing for all stakeholders. The results are very expensive food guard structures that burden the food service operators with unnecessary costs and equipment that often interferes with food service. As a result many operators struggle to purchase equipment that can be adjusted into compliance for inspections and adjusted out of compliance for daily use. There are additional costs to all local jurisdictions as their agents attempt to enforce compliance with the standards and the required measurement calculations. This creates a distraction from risk-based inspection and presents an undue burden to the entire industry. Much if not all of the overly burdensome minutia of the current ANSI NSF Std 2 for food shields lacks validated scientific review or data, and though

current food shield standard criteria may be perceived to theoretically reduce the risk associated with transmission of virus particles from a cough or sneeze, these do not comprise food borne disease organisms of concern and there is no data to suggest the current ANSI NSF Std 2 criteria reduces the risk of disease transmission. It is interesting to note that the food shield is only required on the guest's side of the buffet and not on the server's side, yet the risk of disease transmission from an ill worker is well established by scientific data.

Recommended Solution: The Conference recommends...:

that a Committee be created to:

1. evaluate CDC statistical data relating to risk factors for consumer cross-contamination and disease transmission associated with buffet service,
2. report Committee findings back to the 2014 Biennial Meeting, and
3. recommend revisions to FDA Food Code Chapter 4 by submitting the proposed language in Issues to the Conference.

Submitter Information:

Name: Thomas Johnson
Organization: JDP, Inc., on behalf of Foodservice Consultant Society International
Address: 1408 Northland Dr.# 407
City/State/Zip: Mendota Heights, MN 55120
Telephone: 651-587-0418 Fax: 651-686-7670
E-mail: tomj@jdpinc.com

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