

**Conference for Food Protection
2012 Issue Form**

**Internal Number: 062
Issue: 2012 I-007**

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:

Redefine "approved mushroom identification expert" in Food Code § 3-201.16

Issue you would like the Conference to consider:

By its own admission § 3-201.16 in Annex 3 of the 2009 FDA Food Code identifies that "regulatory authorities have expressed their difficulty in determining what constitutes a "wild mushroom identification expert" and enforcing the Food Code provisions associated with it." An attempt was made in 1998 by a Conference for Food Protection committee to more precisely provide guidance, however they were unable to provide the information in a useful way for stakeholders. Following two reported wild mushroom poisonings linked to exposure at food establishments in 2008 in Maine, the Health Inspection Program brought forward a proposal to the 2010 Conference for Food Protection (2010 Issue I-08) to overhaul § 3-201.16, but instead a committee was again charged to 'develop guidelines to help regulators address the issue of wild mushrooms in food establishments'.

Since 1993, this section has required an 'expert' to identify wild mushrooms. However after nineteen years, regulators are still having 'difficulty' identifying what an 'expert' is or how to evaluate one. Instead of documenting 'difficulty' with this section as described in Annex 3, this issue proposes a way forward to remove the challenges associated with this term to provide clarity for all stakeholders.

Public Health Significance:

Following the guidance set forth in the Food and Drug Administration's model Food Code, regulations in many jurisdictions require that wild harvested mushrooms sold to the public be identified by "an approved mushroom identification expert". However, the criteria for becoming an approved identifier are not identified or well established. The Food Code recommends that all food served to the public must come from safe sources. The Food Code stipulates that mushrooms species picked in the wild shall be obtained from sources where each mushroom is individually inspected and found to be safe by an approved mushroom identification expert, but does not establish what constitutes the basis for approval of an identification expert. Some jurisdictions require the identification expert to be someone who has successfully completed an identification course provided either by a college, university or mycological society. Due to the lack of established criteria and recognized training courses, eleven states have now entirely prohibited the sale of wild

harvested mushrooms. Other states have a limited program to allow specific species to be sold.

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting that Section 3-201.16 of the 2009 Food Code (as modified by the Supplement issued in 2011) be amended as follows: (new language in underline format, language to be removed in strike-through)

1) remove the term 'approved mushroom identification expert' from Section 3-201.16 (A) and replace it with the term 'approved mushroom identifier' as noted below.

(A) Except as specified in ¶ (B) of this section, mushroom species picked in the wild shall be obtained from sources where each mushroom is individually inspected and found to be safe by an APPROVED mushroom identifier ~~identification expert~~.^P

2) include the definition noted below regarding an approved mushroom identifier.

Approved Mushroom Identifier: *One who has successfully completed a required course on identification of selected species of harvested mushrooms, the appropriate harvest, storage and preparation of those species; and who has demonstrated competence by passing an exam acceptable to the regulatory authority.*

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