

**Conference for Food Protection
2012 Issue Form**

**Internal Number: 008
Issue: 2012 I-031**

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:

Modify FDA Food Code §3-304.11 to include linens and napkins

Issue you would like the Conference to consider:

The current wording of FDA Food Code §3-304.11 states that "food shall only contact surfaces of: (A) equipment and utensils that are cleaned as specified under Part 4-6 of this Code and sanitized as specified under Part 4-7 of this Code; or (B) single-service and single-use articles." By limiting the surfaces that food may contact to only equipment, utensils, single-service and single-use articles, this section negates the allowance for linens and napkins where they are approved for use. Linens and napkins are not included in the definitions of equipment, utensils, and single-service or single-use articles in the Food Code. However Food Code §3-304.13 allows for their use when they are lining containers for the service of food provided they're replaced each time the container is refilled for a new customer.

Public Health Significance:

By emphasizing what is permissible for food contact and what is not, the Food Code can avoid providing conflicting guidance to stakeholders. By including linens and napkins in §3-304.11, the Food Code will clearly identify that linens and napkins can be used for food contact, as specified in §3-304.13, without confusion.

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 as follows (new language shown with underline and deleted language shown with strike-through):

3-304.11 Food Contact with Equipment and Utensils

FOOD shall only contact surfaces of:

- (A) EQUIPMENT and UTENSILS that are cleaned as specified under Part 4-6 of this Code and SANITIZED as specified under Part 4-7 of this Code;^P or
- (B) SINGLE-SERVICE and SINGLE-USE ARTICLES;^Por
- (C) Linens and napkins as specified in §3-304.13.

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