**Conference for Food Protection**

**2012 Issue Form**

**Internal Number: 042**

**Issue: 2012 III-015**

**Title:**

Improving Ground Beef Food Safety in Restaurants and Food Service

**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):

1. §3-401.11 (Raw Animal Foods) (D)

A raw animal food such as raw egg, raw fish, raw-marinated fish, raw molluscan shellfish, or steak tartare; or a partially cooked food such as lightly cooked fish, soft cooked eggs, or rare meat other than whole-muscle, intact beef steaks as specified in ¶ (C) of this section, may be served or offered for sale upon consumer request or selection in a ready-to-eat form if:

(1) As specified under ¶¶ 3-801.11(C)(1) and (2), the food establishment serves a population that is not a highly susceptible population;

(2) The food, if served or offered for service by consumer selection from a children's menu, does not contain comminuted meat; Pf and

(3) The consumer is informed as specified under § 3-603.11 that to ensure its safety, the food should be cooked as specified under ¶ (A) or (B) of this section; or

**Revise subparagraph (D)(3) to read as follows:**

~~The consumer is informed as specified under § 3-603.11 that to ensure its safety, the food should be cooked as specified under ¶ (A) or (B) of this section~~ The food, if is beef or contains beef which is comminuted beef meat (e.g., ground beef), blade tenderized beef meat, or moisture-enhanced beef meat; it must be cooked to a minimal internal temperature of 160°F unless the food has been irradiated or guaranteed not to contain E. coli O157:H7 or other non-O157 STECs; or

2. §3-603.11 (Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise Processed to Eliminate Pathogens)

(A) Except as specified in ¶ 3-401.11(C) and Subparagraph 3-401.11(D)(4) and under ¶ 3-801.11(C), if an animal food such as beef, eggs, fish, lamb, milk, pork, poultry, or shellfish is served or sold raw, undercooked, or without otherwise being processed to eliminate pathogens, either in ready-to-eat form or as an ingredient in another ready-to-eat food, the permit holder shall inform consumers of the significantly increased risk of consuming such foods by way of a disclosure and reminder, as specified in ¶¶ (B) and (C) of this section using brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means. Pf

(B) Disclosure shall include:

(1) A description of the animal-derived foods, such as "oysters on the half shell (raw oysters)," "raw-egg Caesar salad," and "hamburgers (can be cooked to order)"; Pf or

**Revise subparagraph (B)(1) to read as follows**:

A description of the animal-derived foods, such as "oysters on the half shell (raw oysters)," "raw-egg Caesar salad," ~~and "hamburgers (can be cooked to order);"~~or

These amendments would be more descriptive of products that are currently recognized by USDA/FSIS as foods that are regularly associated with potential E. coli O157:H7 contamination. The Food Code was previously amended to disallow the sale of under cooked ground beef (i.e., comminuted meat) when it is selected from a children's menu. The E. coli O157:H7 pathogen is non-discriminatory and can potentially affect all people, regardless of age and immune system.

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.