**Conference for Food Protection**

**2012 Issue Form**

**Internal Number: 083**

**Issue: 2012 I-040**

**Title:**

Packaged Food Labeling Clarification

**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:

1) The FDA reinforces the legal definition of "packaged" in Section 1-201.10 (2), regarding the difference between durable and non-durable packaging.

2) The FDA adds language similar to the following to the next 2013 Food Code, Annex section 3 - Public Health Reasons/ Administrative Guidelines; Chapter 1 - Purpose and Definitions, that describes the circumstances that labeling of foods in non-durable packaging is exempt:

a) Foods in non-durable packaging held in a cold display unit in the service line are available to the customer in a self-service format. Foodservice employees and/ or information are available to address ingredient questions.

b) "Grab-n-go" type items in kiosks in the front of a restaurant are available as a convenience to the customer in a self-service format. Foodservice employees and/ or information are available to address ingredient questions.

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.