

**Conference for Food Protection  
2014 Issue Form**

**Internal Number: 039  
Issue: 2014 II-003**

<b>Council Recommendation:</b>	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
<b>Delegate Action:</b>	Accepted _____	Rejected _____	

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**Title:**

Align Competency of Inspectors (8-402.10) with Standard 2

**Issue you would like the Conference to consider:**

Regulatory staff working across the country at different levels of government making food establishment inspections and conducting plan review do not have a specified standard for evaluating their respective knowledge, skills, and abilities to conduct the duties of the position. Currently, the codified language of the Food Code only identifies that regulatory staff simply have the 'knowledge, skills, and abilities [KSAs] to adequately perform the required duties' (section 8-402.10). Without an identified standard describing the minimum knowledge, skills and abilities necessary to perform the duties of the job in the codified language, regulatory agencies are left to develop standards independently, leading to a potential patchwork of food safety regulatory enforcement across the country.

**Public Health Significance:**

The Food Code clearly recognizes in section 8-402.10 that the competency of inspectors is vital to assuring that food at retail is safe and properly protected and presented. However, by failing to include a 'guiding star' or standard directly in the codified language to help regulatory authorities assure the safety of retail food in their jurisdictions, it lacks the framework necessary for successful implementation.

The Voluntary National Retail Food Regulatory Program Standards have set forth criteria describing what a 'trained regulatory staff' looks like in Standard #2 and provides the benchmarks necessary for verification. Over the past several years, staff from FDA has engaged regulatory authorities in an effort to enroll them into the Standards. However as of October 2013, only 563 jurisdictions out of an estimated 3000 have enrolled (~19%). The Food Code does suggest Standard #2 as an option for regulatory staff that inspects restaurants in Annex 3, located 333 pages after the codified language.

The Food Code also recognizes the importance of having competent food protection managers. Following the 2010 Conference for Food Protection Biennial Meeting, the Food Code began requiring every food establishment have at least one employee who passed a test that is part of an accredited program (section 2-201.12). Since food safety is a collaborative effort, it's important to provide clear expectations for all stakeholders and fundamentally assure a competent, professional workforce.

**Recommended Solution: The Conference recommends...:**

That a letter be sent to the FDA requesting the 2013 Food Code be amended as follows (new language is underlined):

**8-402.10 Competency of Inspectors**

An authorized representative of the REGULATORY AUTHORITY who inspects a FOOD ESTABLISHMENT or conducts plan review for compliance with this Code shall have the knowledge, skills and ability as specified in Standard #2 of the FDA's Voluntary National Retail Food Regulatory Program Standards to adequately perform the required duties.

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