

**Conference for Food Protection
2014 Issue Form**

**Internal Number: 019
Issue: 2014 I-028**

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:

Automatic Vending Machines

Issue you would like the Conference to consider:

Automatic food and beverage vending machines have seen significant growth in recent years, with an increase in variety of foods and beverages offered, all without the supervision of FOOD EMPLOYEES. One of the risks associated with automatic unsupervised vending was addressed in the 2013 FDA Food Code Section 4-204.111 with the automatic shut-off feature for machines vending temperature control for safety foods when danger zone temperatures are experienced. But the automatic lock out feature pursuant to the code is not required to be initiated when there is inadequate cleaning and sanitizing frequency of an automatic vending machine where foods make physical contact with internal equipment surfaces. An example of this is an automatic ice machine where bulk ice products are packaged integrally in the machine and then vended for resale.

Public Health Significance:

Technological advances in vending machines enable better control over the safety of the foods and beverages that they vend. The recent update of National Sanitation Foundation (NSF) American National Standards Institute (ANSI) Standard 25 provides far more comprehensive safety criteria than that of the prescriptive criteria detailed in the 2013 FDA Food Code Sections 4-204.14, 15, 16, 17, 18, 19, and 4-204.111. Included in the ANSI NSF Standard 25 is a performance certification test using challenge organisms to ensure that the EQUIPMENT design and function enables reasonably effective cleaning and sanitizing procedures to prevent contamination of food. Where Section 4-204.13 of the FDA Food Code makes reference to ANSI NSF Std 18-2006 for "Manual" Dispensing Equipment, Protection of Equipment and Food for operations where there is FOOD EMPLOYEE supervision, Section 4-204.14 which pertains to "Automatic" Vending Machines that operate without any FOOD EMPLOYEE supervision lacks appropriate FOOD EQUIPMENT safety criteria reference.

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA amending Sections 4-204.14 through 4-204.111 of the 2013 Food Code to read as follows (strike through format used for deleted language and underlining used for new language):

4-204.14 Vending Machine, Vending Stage Closure.

The dispensing compartment of a VENDING MACHINE including a machine that is designed to vend prePACKAGED snack FOOD that is not TIME/TEMPERATURE-CONTROL FOR SAFETY FOOD such as chips, party mixes, and pretzels shall be equipped with a self-closing door or cover if the machine is:

(A) Located in an outside area that does not otherwise afford the protection of an enclosure against the rain, windblown debris, insects, rodents, and other contaminants that are present in the environment; or

(B) Available for self-service during hours when it is not under the full-time supervision of a FOOD EMPLOYEE.

Automatic Vending Machines.

Automatic Food and Beverage Vending EQUIPMENT will be labeled by an ANSI certifying body to NSF/ANSI 25-2012- Vending Machines for Food and beverages ^P

4-204.15 Bearings and Gear Boxes, Leak proof.

EQUIPMENT containing bearings and gears that require lubricants shall be designed and constructed so that the lubricant cannot leak, drip, or be forced into FOOD or onto FOOD-CONTACT SURFACES

4-204.16 Beverage Tubing, Separation.

Except for cold plates that are constructed integrally with an ice storage bin, BEVERAGE tubing and cold-plate BEVERAGE cooling devices may not be installed in contact with stored ice.

4-204.17 Ice Units, Separation of Drains.

Liquid waste drain lines may not pass through an ice machine or ice storage bin.

4-204.18 Condenser Unit, Separation.

If a condenser unit is an integral component of EQUIPMENT, the condenser unit shall be separated from the FOOD and FOOD storage space by a dust proof barrier.

4-204.19 Can Openers on Vending Machines.

Cutting or piercing parts of can openers on VENDING MACHINES shall be protected from manual contact, dust, insects, rodents, and other contamination.

4-204.111 Vending Machines, Automatic Shutoff.

(A) A machine vending TIME/TEMPERATURE CONTROL FOR SAFETY FOOD shall have an automatic control that prevents the machine from vending FOOD: (1) If there is a power failure, mechanical failure, or other condition that results in an internal machine temperature that cannot maintain FOOD temperatures as specified under Chapter 3; ^P and (2) If a condition specified under Subparagraph (A)(1) of this section occurs, until the machine is serviced and restocked with FOOD that has been maintained at temperatures specified under Chapter 3. ^P

(B) When the automatic shutoff within a machine vending TIME/TEMPERATURE CONTROL FOR SAFETY FOOD is activated:

(1) In a refrigerated vending machine, the ambient air temperature may not exceed 5°C (41°F) for more than 30 minutes immediately after the machine is filled, serviced, or restocked; ^P or

(2) In a hot holding vending machine, the ambient air temperature may not be less than 57°C (135°F) for more than 120 minutes immediately after the machine is filled, serviced, or restocked. ^P

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