**Conference for Food Protection**

**2014 Issue Form**

**Internal Number: 040**

**Issue: 2014 I-032**

**Title:**

Imminent Health Hazard - Modify the definition and enforcement action

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

that a letter be sent to the FDA requesting that paragraph 1-201.10 (B) and paragraph 8-404.11 (A) of the 2013 Food Code be amended as follows (underline format used for new language and striking through format used for language to be deleted):

1. Definitions 1-201.10 (B)

"Imminent health hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that cannot be controlled by ~~requires~~ immediate corrective action ~~correction~~ and requires ~~or~~ cessation of operation to prevent injury based on:

(1) The number of potential injuries, and

(2) The nature, severity, and duration of the anticipated injury.

2. Imminent Health Hazard

Section 8-404.11 Ceasing Operations and Reporting

(A) Except as specified in ¶ (B) of this section, a PERMIT HOLDER shall immediately discontinue operations and notify the REGULATORY AUTHORITY if a significant threat or danger to health may exist and corrective action cannot be taken to prevent an IMMINENT HEALTH HAZARD ~~may exist~~ because of an emergency such as a fire, flood, extended interruption of electrical or water service, SEWAGE backup, misuse of POISONOUS OR TOXIC MATERIALS, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health.

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.