**Conference for Food Protection**

**2016 Issue Form**

**Issue: 2016 III-031**

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| **Council Recommendation:** | Accepted asSubmitted |  | Accepted as Amended |  | No Action |  |
| **Delegate Action:** | Accepted |  | Rejected |  |  |  |

*All information above the line is for conference use only.*

**Issue History:**

This is a brand new Issue.

**Title:**

Amend Food Code – Include Definition for Curing

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

A recommendation is being made to change the 2013 FDA Food Code Section 1-201.10 (B) to include a definition for "curing."

The FDA Food Code Section 3-502.11 discusses specialized processing methods that require a variance from the regulatory authority. A clear definition of what is considered "curing" is needed to provide both industry and regulatory personnel guidance on proceeding with variance submittal and HACCP Plan development.

**Public Health Significance:**

The FDA Food Code Annex 3 explains the rationale for FDA Food Code Section 3-502.11 by stating: "specific food processes that require a variance have historically resulted in more foodborne illness than standard processes." Also, these methods require specialized equipment or knowledge by food employees to be done safely, and can present a significant health risk if not done properly1. When a variance is required, the FDA Food Code Section 8-201.13 states that a HACCP Plan must be prepared by the permit applicant or permit holder and approved by the regulatory authority. Creation of HACCP Plans by food service establishments can be costly2, and therefore it is important to eliminate confusion regarding curing which requires a HACCP Plan.

Confusion results from products which may be considered "cured" to establishments due to the addition of curing salt or sodium nitrate but are kept otherwise within the time/temperature parameters outlined in the FDA Food Code Sections 3-501.16 and 3-501.17. The Code of Federal Regulations describes in 21CFR172.175 acceptable levels of sodium nitrite (200 parts per million) and sodium nitrate (500 parts per million) for use as a food additive. Because these products are allowable under 21CFR172.175, the addition of sodium nitrate or sodium nitrite with no other variation in the time/temperature parameters of the FDA Food Code would be regulated as Protection from Unapproved Additives, FDA Food Code Section 3-302.14, and would also be held to the requirements of FDA Food Code Sections 3-202.12 Additives. Clarification needs to be provided in the FDA Food Code so that food establishments using sodium nitrite or sodium nitrate as a food additive only, without using it for true food preservation, do not use unnecessary resources on HACCP Plan development.

The FDA Food Code Annex 6 describes the process of curing in terms of food processing criteria. United States Department of Agriculture (USDA) has a widely accepted definition of curing that is used for their regulations3. This definition is used throughout resources for food establishments4,5. Additionally, the use of natural nitrate and nitrites from vegetable powders and juices should be considered in the definition of curing due to the increase popularity of natural foods6.

References:

1. "Annex 3." FDA 2013 Food Code. College Park, MD: U.S. Dept. of Health and Human Services, Public Health Service, Food and Drug Administration, 2013. 465. Print.

2. Sharma, A., Roberts, K., & Seo, K. 2010. HACCP Cost Analysis in Retail Food Establishments. Food Protection Trends.

3. "What Is Curing?" Ask Karen. FSIS USDA, 26 Mar. 2009. Web. 28 Dec. 2015.

4. Forest JC, Aberle ED, Hedrick HB, Judge MD, Merkel RA. Principle of meat science. San Francisco: Freeman; 1975.

5. B.A. Nummer and Andress, E.L. 2002. Curing and Smoking Meats for Home Food Preservation Literature Review and Critical Preservation Points. Athens, GA: The University of Georgia, Cooperative Extension Service.

6. Sebranek, Joseph G., Bacus, James N. 2007. Cured meat products without direct addition of nitrate or nitrite: what are the issues? Meat Science.

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

that a letter be sent to the FDA recommending the 2013 Food Code be amended to include a new definition under Section 1-201.10 for "curing." Recommended language to read (new language underlined):

1-201.10 Statement of Application and Listing of Terms

(B) Terms Defined As used in this Code, each of the terms listed in ¶ 1-201.10(B) shall have the meaning stated below.

**"Curing"** means the addition of salt, nitrates or nitrites (either manufactured or naturally occurring), for preservation, color development, and flavor.

**Submitter Information:**

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| Name: | Veronica Bryant |
| Organization:  | NC DHHS/EH Food Protection Branch |
| Address: | 1632 Mail Service Center |
| City/State/Zip: | Raleigh, NC 27699-1632 |
| Telephone: | 704-718-7866 |  |  |
| E-mail: | veronica.bryant@dhhs.nc.gov |  |  |

**Supporting Attachments:**

* "Cured meat products without direct addition of nitrate or nitrite: what are"

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.