**Conference for Food Protection**

**2016 Issue Form**

**Issue: 2016 I-024**

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| **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:**

Alignment of the Food Code with the FDA Juice HACCP Retail Definition

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

that a letter be sent to FDA requesting the 2013 FDA Food Code be amended to include the following (new language is in underline format):

**3-404.11 Treating Juice.**

JUICE PACKAGED in a FOOD ESTABLISHMENT shall be:

(A) Treated under a HACCP PLAN as specified in ¶¶ 8-201.14(B) -(E) to attain a 5-log reduction, which is equal to a 99.999% reduction, of the most resistant microorganism of public health significance; P or

(B) Labeled, if not treated to yield a 5-log reduction of the most resistant microorganism of public health significance: Pf

(1) As specified under § 3-602.11, Pf and

(2) As specified in 21 CFR 101.17(g) Food labeling, warning, notice, and safe handling statements, JUICES that have not been specifically processed to prevent, reduce, or eliminate the presence of pathogens with the following, "WARNING: This product has not been pasteurized and, therefore, may contain harmful bacteria that can cause serious illness in children, the elderly, and person with weakened immune systems." Pf

(C) And only at locations that are considered to be retail by the definition of a retail establishment as specified in 21 CFR 120.3 (l) and qualify for the retail exemption as specified in 21 CFR 120.3 (j) (2) (ii).

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.