**Conference for Food Protection**

**2016 Issue Form**

**Issue: 2016 I-040**

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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:**

FOOD guard criteria comprise a CORE item, not a PRIORITY ITEM.

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

a letter be sent to the FDA requesting the 2013 Food Code be amended as follows (language to be added is underlined; language to be deleted is in strikethrough format):

**Section 3-306.11** Food Display.

~~Except for nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling, or washing by the CONSUMER before consumption,~~ FOOD on display ~~shall~~ can be ~~protected from contamination~~ shielded by the use of PACKAGING; counter, service line, or salad bar FOOD guards; display cases; or other ~~effective~~ means ~~P~~. When FOOD guards are used, they shall be installed and maintained in a manner that allows self-serve consumers convenient access to the displayed foods.

**Section 4-204.12** Equipment Openings, Closures and Deflectors

(E) When FOOD guards are provided, they shall be installed and maintained in a manner that self-service consumers are allowed convenient access to the food in order to reduce the risk of inadvertent hand or clothing contact with other foods on display.

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.