**Conference for Food Protection**

**2016 Issue Form**

**Issue: 2016 I-046**

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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:**

Removing the Reference to Restricted Use Pesticides in 7-202.12(B)(2)

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

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

**7-202.12 Conditions of Use.**

POISONOUS OR TOXIC MATERIALS shall be:

(A) Used according to:

(1) LAW and this Code,

(2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT, P

(3) The conditions of certification, if certification is required, for use of the pest control materials, P and

(4) Additional conditions that may be established by the REGULATORY AUTHORITY; and

(B) Applied so that:

(1) A HAZARD to EMPLOYEES or other PERSONS is not constituted, P and

(2) Contamination including toxic residues due to drip, drain, fog, splash or spray on FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES is prevented, and ~~for a RESTRICTED USE PESTICIDE,~~ this is achieved by: P

(a) Removing the items, P

(b) Covering the items with impermeable covers, P or

(c) Taking other appropriate preventive actions, P and

(d) Cleaning and SANITIZING EQUIPMENT and UTENSILS after the application. P

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.