**Conference for Food Protection**

**2018 Issue Form**

**Issue: 2018 III-018**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **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 issue was submitted for consideration at a previous biennial meeting, see issue: 2012 III-003; the recommended solution has been revised.

**Title:**

Amend Food Code - Clarify 3-301.11(D) for Single Ingredient Food

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

Clarify the intent of the exception, which allows bare hand contact with certain ready-to-eat foods that will receive heat treatment, with regard to single ingredient food items that are handled immediately before cooking, heating or reheating for hot holding. The Food Code defines ready-to-eat food as food that is edible without additional preparation to achieve food safety. The exception in section 3-301.11(D), as currently written in the 2013 Food Code, only applies to ready-to-eat food that is being added as an ingredient to another food item. Many food products (including chicken nuggets and tenders, hot dogs, corn dogs, popcorn shrimp, empanadas, stuffed potato balls, breaded onion rings, etc.) are received by retail establishments in a ready-to-eat, heat and serve form. In addition, some menu items consist of only a single ready-to-eat ingredient, such as baked potatoes and corn on the cob.

**Public Health Significance:**

Allowing bare hand contact with single ingredient ready-to-eat food items immediately before they are cooked, heated or reheated for hot holding to an appropriate temperature will ensure the touched food item is not mistakenly included in a menu item that will not receive adequate heat treatment. Restricting the bare hand contact to immediately prior to cooking, heating or reheating for hot holding will reduce the likelihood of the production of Staphylococcus aureaus toxins due to bare hand contact.

There is no indication that bare hand contact with a single ingredient ready-to-eat food item poses a greater risk than bare hand contact with a ready-to-eat food item that is added as an ingredient to another food item.

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

that a letter be sent to the FDA requesting an interpretation that clarifies Section 3-301.11(D) in relation to bare hand contact with single ingredient ready-to-eat food items immediately prior to cooking, heating or reheating for hot holding and that the final interpretation document be posted to the Food Code Reference System.

**Submitter Information 1:**

|  |  |
| --- | --- |
| Name: | Ann Johnson |
| Organization:  | Florida Department of Agriculture and Consumer Services |
| Address: | 3125 Conner Blvd. |
| City/State/Zip: | Tallahassee, FL 32399 |
| Telephone: | 850-728-5894 |  |  |
| E-mail: | anna.johnson@freshfromflorida.com |  |  |

**Submitter Information 2:**

|  |  |
| --- | --- |
| Name: | Joetta DeFrancesco |
| Organization:  | Florida Department of Agriculture and Consumer Services |
| Address: | 3125 Conner Blvd. |
| City/State/Zip: | Tallahassee, FL 32399 |
| Telephone: | 850-245-5559 |  |  |
| E-mail: | joetta.defrancesco@freshfromflorida.com |  |  |

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.