**Conference for Food Protection**

**2018 Issue Form**

**Issue: 2018 II-006**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Council Recommendation:** | Accepted as  Submitted |  | 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 2-103.11 Person in Charge.

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

Section 2-103.11 of the 2013 Food Code states that the person in charge shall ensure that requirements in paragraphs (A) through (P) are implemented in the establishment. The use of the word "and" after paragraph (O) implies that the person in charge must make certain that all of these elements are met, even if certain elements are not applicable to the food establishment's operations.

**Public Health Significance:**

The person in charge shall only be required to ensure elements as they relate to the specific food operation. For example, an establishment that does not engage in cooking time/temperature control for safety food should not be required to have a person in charge that ensures employees are properly cooking time/temperature control for safety food.

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

that a letter be sent to the FDA requesting that the most current edition of the Food Code be amended as follows (new language is underlined):

Section 2-103.11 Person in Charge

The person in charge shall ensure, as they relate to the specific food operation, that:

(with no change to the wording in paragraphs A through P)

**Submitter Information 1:**

|  |  |  |  |
| --- | --- | --- | --- |
| Name: | Sarah Good | | |
| Organization: | Virginia Department of Agriculture and Consumer Services | | |
| Address: | 5700 Thurston AveSuite 104 | | |
| City/State/Zip: | Virginia Beach, VA 23455 | | |
| Telephone: | 757-708-5970 |  |  |
| E-mail: | sarah.good@vdacs.virginia.gov |  |  |

**Submitter Information 2:**

|  |  |  |  |
| --- | --- | --- | --- |
| Name: | Courtney Mickiewicz | | |
| Organization: | Virginia Department of Agriculture and Consumer Services | | |
| Address: | 5700 Thurston AveSuite 104 | | |
| City/State/Zip: | Virginia Beach, VA 23455 | | |
| Telephone: | 757-363-3840 |  |  |
| E-mail: | courtney.mickiewicz@vdacs.virginia.gov |  |  |

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.