**Conference for Food Protection**

**2018 Issue Form**

**Issue: 2018 I-028**

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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.*

**Issue History:**

This is a brand new Issue.

**Title:**

Amend Food Code - Clarify 3-301.11(D) When Reheating for Hot Holding

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

Clarify that the exception to allow ready-to-eat food to be added as an ingredient to another ready-to-eat food applies to foods which are reheated as well as cooked. The exception in section 3-301.11(D)(2), as currently written in the 2013 Food Code, only applies to a food that does not contain raw animal food but is to be cooked. Adding ready-to-eat ingredients to commercially processed food products as well as ready-to-eat foods cooked and cooled onsite is quite common. Ready-to-eat meat is added to macaroni and cheese, vegetables and pasta are added to soups, and mashed potatoes are enhanced with cheese, sour cream and bacon bits just to name a few.

**Public Health Significance:**

The risks associated with using bare hand contact to add ready-to-eat ingredients to either plant foods that are cooked or other ready-to-eat foods that are reheated for hot holding would be equivalent.

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

that a letter be sent to the FDA requesting that Section 3-301.11(D) of the most current edition of the Food Code be amended as follows: (new language is underlined)

(D) Paragraph (B) of this section does not apply to a FOOD EMPLOYEE that contacts exposed, READY-TO-EAT FOOD with bare hands at the time the READY-TO-EAT FOOD is being added as an ingredient to a FOOD that:

(1) contains a raw animal FOOD and is to be cooked in the FOOD ESTABLISHMENT to heat all parts of the FOOD to the minimum temperatures specified in ¶¶3-401.11(A)-(B) or §3-401.12; or

(2) does not contain a raw animal FOOD but is to be cooked in the FOOD ESTABLISHMENT to heat all parts of the FOOD to a temperature of at least 63°C (145°F); or

(3) does not contain a raw animal FOOD but is to be reheated in the FOOD ESTABLISHMENT to heat all parts of the FOOD to the minimum temperatures specified in ¶¶3-403.11(A)-(C).

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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.