

**Conference for Food Protection  
2018 Issue Form**

**Issue: 2018 III-031**

**Council Recommendation:** Accepted as Submitted \_\_\_\_\_ Accepted as Amended \_\_\_\_\_ No Action \_\_\_\_\_

**Delegate Action:** Accepted \_\_\_\_\_ Rejected \_\_\_\_\_

*All information above the line is for conference use only.*

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**Issue History:**

This is a brand new Issue.

**Title:**

Amend Food Code – Date Marking Requirements on Consumer Deli Meat

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

A recommendation is being made to amend the Food Code to require food establishments to disclose original date marking on deli meats cut and packaged within the food establishment.

**Public Health Significance:**

Listeria monocytogenes continues to be an organism of public health significance, with the Center for Disease Control and Prevention website providing information estimating an average of 1,600 illnesses and 260 deaths per year. Food such as deli meats, which have no further lethality step and are stored at refrigerated temperatures carry significant risk. Regulatory policy has been shaped over the last 10 years, including testing and cleaning requirements to reduce the risk<sup>1</sup>.

Consumer food safety practices have been previously studied using risk assessment and survey data. Consumer refrigeration storage temperatures have been found to be an average of 42.8°F, with a range between 30.5°F and 52.5°F<sup>2</sup>. Growth of listeria, combined with cross contamination of product in home kitchens, can lead to increased disease burden if not managed<sup>3</sup>.

Current regulatory requirements work to reduce risk of listeria monocytogenes by requiring ready to eat foods to be consumed or discarded within 7 days, with date the packaged opened being counted as day 1 (3-501.17). This means that deli meats which were sliced in an establishment would have to be used or discarded within 7 days of package being opened if the meat remained in the food establishment. However, there is no requirement for that date to be disclosed to a consumer when purchasing fresh sliced deli meats.

Consumer messaging currently recommends deli meats being used or discarded within 3-4 days of purchase. With the current regulatory requirements, deli meats could be opened for six days and then sold directly to a consumer who does not have knowledge of the original

opening date. Providing original date marking to the consumers allows for consumers to make a more informed risk management decision.

References (Noted above with superscript numerals)

1. Gottlieb et al, Clinical Infectious Diseases, Volume 42, Issue 1, 1 January 2006, Pages 29-36
2. James et al, International Journal of Refrigeration; Volume 15, Issue 5, 1992, Pages 299-306
3. Lianou et al, Food Microbiology 24 (2007) 433-443

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

That a letter be sent to the FDA requesting the most current edition of Food Code, Section 3-501.17 be amended to include the requirements for consumer portions of sliced deli meats to include the original date the package was opened.

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**Supporting Attachments:**

- "Multistate Outbreak of Listeriosis Linked to Turkey Deli Meat"
- "Consumer handling of chilled foods: Temperature performance"
- "Behavior of Listeria monocytogenes at 7 C in commercial turkey breast"

*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.*