

Conference for Food Protection – Sub Committee Report

*Conference for Food Protection Issue 2016 II-009 –PSC 3-Recommendations from Issue 2014-II-005 subcommittee final report
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COMMITTEE NAME: Issue 2016 II-009-PSC 3- Recommendations from Issue 2014-II-005

DATE OF FINAL REPORT: January 10, 2018

COMMITTEE ASSIGNMENT: Council I Council II Council III Executive Board

REPORT SUBMITTED BY: Andre Pierce and Joyce Theard, Subcommittee Co-chairs

COMMITTEE CHARGE(S):

Issue # 2016 II – 009 – PSC 3 – Recommendations from Issue 2014-II-005

1. Identify areas where the Voluntary National Retail Food Regulatory Program Standards can be changed or improved to enhance enrollment and implementation; and
2. Work on a project to recognize levels of performance of Program Standards enrollees that will demonstrate the progress of enrollees in a meaningful way and acknowledging the enrollees for taking the necessary incremental steps toward meeting the Program Standards. As part of this project:
 - a. Provide a Cost/Benefit Analysis for recognizing partial achievement of the Retail Program Standards;
 - b. Identify different approaches that could be used to recognize partial achievement of the Retail Program Standards that would not require additional resources to perform or administer; and
 - c. Examine whether there is an additional burden placed on enrollees or FDA (in time, money, or added complexity of the Standards) associated with development of a system to ensure that jurisdictions are uniformly recognized for partial achievement of the Standards.
3. Serve as a sounding board for FDA with respect to ideas generated during collaboration with the other entities such as the National Association of County and City Health Officials (NACCHO), Partnership for Food Protection (PFP) and Association of Food and Drug Officials (AFDO).

COMMITTEE WORK PLAN AND TIMELINE:

1. The subcommittee was established by the Program Standards Committee. Monthly meetings were held via conference call and members used FoodSHIELD to post subcommittee documents for review and storage. We reviewed 8 out of the 9 Voluntary National Retail Program Standards (VNRFRPS) to determine if the standards could be modified or improved to enhance enrollment and implementation. However, Standard 8 was not included because it was assigned as a separate charge to another Program Standards subcommittee.
2. The sub-committee is one of four workgroups within the Program Standards Committee assigned 2016 CFP issues. The sub-committee was in communication with the Program Standards standing committee and provided status updates.

COMMITTEE ACTIVITIES:

1. *Dates of committee meetings or conference calls:*

The sub-committee met twelve times via conference calls: 10/26/2016, 11/17/2016, 12/15/2016, 1/19/2017, 2/16/2017, 3/16/17, 4/20/17, 5/18/17, 6/15/17, 7/19/17, 9/21/17, and 10/17/17.

2. *Overview of committee activities:*

The sub-committee spent most of their time working on Charge 1 of this issue. A Self-Assessment (SA) and Gap Analysis Audit Form was reviewed in an effort to assist jurisdictions in monitoring and tracking their progress. However, due to time constraints we were unable to discuss the charges related to Cost Benefit/Analysis for recognizing partial achievement of the Standards and any additional burden placed on enrollees or FDA with the development of a system to uniformly recognize jurisdictions for partial achievement of the Standards. It is recommended that the PSC be assigned these charges for the next biennium. We also recommend that the attached Self-Assessment - Audit Verification Summary & Gap Analysis document be used with the VNRFRPS Administrative Procedures.

The sub-committee noted that the language across the VNRFRPS is not consistent and recommends during the next biennium that the PSC identify the inconsistencies.

Sub-committee members were assigned to review the VNRFRPS and volunteer to lead a discussion of a standard during monthly meetings and assess if any changes were needed to enhance enrollment and implementation. The standards were reviewed with the following recommendations:

Standard 1 Regulatory Foundation:

Subcommittee members expressed a desire to recognize a jurisdiction for efforts made to achieve Standard 1 when control of the regulations was outside their control using the attached Self-Assessment - Audit Verification Summary & Gap Analysis document.

Standard 3 Inspection Program Based on HACCP Principles:

The subcommittee recommended referencing Standard 4 quality elements within this standard to minimize the risk of having to update Standard 3 policies later. Suggested language was added as a note: "Consideration of the elements outlined in Standard 4 will ensure a strong foundation for a quality and uniform inspection program". In addition, current language for Standard 3 has two misspellings of the word "policies" under

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Description of Requirement page 3-2 and numbers 5 and 6. (See attached Std 3 Proposed Changes document.)

Standard 5 Foodborne Illness and Food Defense Preparedness and Response

The subcommittee recommended future edits to align with CIFOR Guidelines.

Standard 6 Compliance and Enforcement:

The members reached a consensus to recommend consideration of a proposal to allow jurisdictions to assess the effectiveness of their compliance and enforcement program using an alternative sampling method that provides the same level of statistical confidence as the prescribed method. The proposal uses the same assessment methodology currently described in Standard 6. (See the following two attachments Std 6 Proposed Changes document and Std 6 Instructions for Conducting a Self-Assessment document.)

The subcommittee recommended a standardized key that links to the FDA Code references, so jurisdictions may make comparisons of their Code risk factors and intervention strategies. (See attached Standard Key Crosswalk to Code document)

Other Considerations:

- Subcommittee members reached a consensus to explore the option to have the PSC include plan review in an existing VNRFRPS. An issue has been submitted to address this topic for the next biennium.
- The subcommittee recommends agencies use the Self-Assessment - Audit Verification Summary & Gap Analysis (SA) tool to assist with documenting partial compliance with the VNRFRPS. The committee recommends that the SA tool be marketed and posted on the CFP web site as a management tool.
- The subcommittee recommends the FDA web site containing the "Listing of Jurisdictions Enrolled in the Voluntary National Retail Food Regulatory Program Standards" be edited to help identify/recognize jurisdictions with partial achievement of a standard. For example, an asterisk (*) placed by an agency's name could denote partial achievement and a footnote that states the reason the jurisdiction cannot fully meet the particular standard.
- The subcommittee recommends the FDA modify the Listing of Jurisdictions Enrolled in the Voluntary National Retail Food Regulatory Program Standards to allow jurisdictions to self-identify their interest in auditing a particular standard(s). The subcommittee also recommends that the FDA consider collaboration with NACCHO to identify auditors.
- The subcommittee recommends referencing the Clearinghouse document whenever possible in the VNRFRPS to make it easier for the reader to find interpretations and facilitate implementation of the VNRFRPS.

3. Charges **COMPLETED** and the rationale for each specific recommendation:

- a. Areas were identified where the Voluntary National Retail Food Regulatory Program Standards (VNRFRPS) can be changed or improved to enhance enrollment and implementation. The Program Standards were reviewed and the following recommendations were made to enhance enrollment and implementation:
 - Standard 3 - the members recommended referencing Standard 4 quality elements to minimize the risk of having to update Standard 3 policies later. Suggested language was added as a note and corrections of two misspellings were addressed.
 - Standard 5 - recommended any future edits align with CIFOR Guidelines.
 - Standard 6 – the members recommended a proposal to allow jurisdictions to assess the effectiveness of their compliance and enforcement program using an alternative sampling method that provides the same level of statistical confidence as the prescribed method. The proposal uses the same assessment methodology currently described in Standard 6. In addition, the subcommittee recommended a standardized key that links to the FDA Code references, so jurisdictions may make comparisons of their Code risk factors and intervention strategies.
 - Other considerations:
 - Members expressed a desire to explore the option to have the Program Standards Committee to work with plan review or include plan review in an existing standard to facilitate construction that supports a reduction in the occurrence of risk factors.
 - The members recommend the FDA modify the Listing of Jurisdictions Enrolled in the Voluntary National Retail Food Regulatory Program Standards to allow jurisdictions to self-identify their interest in auditing specific standard(s). Consider collaboration with NACCHO to identify auditors.
 - The subcommittee recommended referencing the Clearinghouse document whenever possible to make it easier for the reader to find interpretations and facilitate implementation of the Program Standards.
- b. Different approaches were identified that could be used to recognize partial achievement of the Retail Program Standards that would not require additional resources to perform or administer.
 - Subcommittee members expressed a desire to recognize a jurisdiction for efforts made to achieve Standard 1 when control of the regulations was outside their control. Partial credit was recommended as an option to allow jurisdictions to show progress but not to meet the Standard.
 - The committee recommends agencies use a Self-Assessment (SA) tool to assist with documenting partial completion. The SA tool could be marketed and posted on the CFP web site as a management tool.
 - The committee recommends the FDA web site of the Listing of Jurisdictions Enrolled in the Voluntary National Retail Food Regulatory Program Standards (PS) be edited to help identify/recognize jurisdictions with partial achievement of a standard. For example, an asterisk (*) placed by an agency's name could denote partial achievement and a footnote that states the reason the jurisdiction cannot fully meet the particular standard.

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4. Charges **INCOMPLETE and to be continued to next biennium:**

- a. Provide a Cost/Benefit Analysis for recognizing partial achievement of the Retail Program Standards. This charge is still pending. The PSC asks for clarification from the FDA on the cost/benefit analysis to continue this charge in the next biennium.
- b. Examine whether there is an additional burden placed on enrollees or FDA (in time, money, or added complexity of the Standards) associated with development of a system to ensure that jurisdictions are uniformly recognized for partial achievement of the Standards. The sub-committee was unable to adequately complete this task to uniformly recognize jurisdictions. It was acknowledged there is a burden to find auditors.
- c. The Program Standards Committee did not receive any requests from FDA to serve as a sounding board for FDA with respect to ideas generated during collaboration with the other entities such as the National Association of County and City Health Officials (NACCHO), Partnership for Food Protection (PFP) and Association of Food and Drug Officials (AFDO).

COMMITTEE REQUESTED ACTION FOR EXECUTIVE BOARD:

No requested Executive Board action at this time; all committee requests and recommendations are included as an Issue submittal.

LISTING OF CFP ISSUES TO BE SUBMITTED BY COMMITTEE:

1. Issue #1: Report – Issue 2016 II-09 Subcommittee

a. List of content documents submitted with this Issue:

- (1) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title: Issue 2016 II-009 Subcommittee Final Report
- (2) Other content documents:

b. List of supporting attachments: *No supporting attachments submitted*

- (1) Self-Assessment - Audit Verification Summary & Gap Analysis.pdf
- (2) Self-Assessment - Audit Verification Summary & Gap Analysis.xlsx
- (3) Std 3 Proposed Changes.doc
- (4) Std 6 Proposed Changes.doc
- (5) Std 6 Instructions for Conducting a Self-Assessment.doc
- (6) Standardized Key Crosswalk to Code .pdf

2. Issue #2: PSC - Recommendations from Issue 2016 II-009

a. List of content documents related to this Issue:

- (1) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title: Standard 6 Summary of Proposed Change (see attached PDF)
- (2) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title Standardized Key Crosswalk to Code (see attached PDF)

b. List of supporting attachments: *No supporting attachments submitted*

- (1) Issue 2016 II-009 Subcommittee Final Report (see attached PDF)
- (2) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title Self-Assessment – Audit Verification Summary & Gap Analysis Audit
- (3) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title Self-Assessment – Audit Verification Summary & Gap Analysis Audit MS Excel document

3. Issue #3: PSC – Posting of Self-Assessment Tool on CFP Website

a. List of content documents submitted with this Issue: *None*

b. List of supporting attachments:

- (1) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title Self-Assessment – Audit Verification Summary & Gap Analysis Audit
- (2) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title Self-Assessment – Audit Verification Summary & Gap Analysis Audit MS Excel document

4. Issue #4: PSC – Amendment of Retail Program Standard 3

a. List of content documents related to this Issue:

- (1) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title: Standard 3 Proposed Changes

b. List of supporting attachments: *No supporting attachments submitted*

5. Issue #5: PSC – Amendment of Retail Program Standard 6

a. List of content documents related to this Issue:

- (1) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title: Std 6 Proposed Changes (see attached PDF)
- (2) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title: Std 6 Summary of Proposed Changes (see attached PDF)
- (3) See Issue titled: Report – 2016-2018 Program Standards Committee; Attachment title: Std 6 Instructions for Conducting a Self-Assessment (see attached PDF)

b. List of supporting attachments: *X No supporting attachments submitted*