**Conference for Food Protection**

**2018 Issue Form**

**Issue: 2018 I-014**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Council Recommendation:** | Accepted as  Submitted |  | Accepted as Amended |  | No Action |  |
| **Delegate Action:** | Accepted |  | Rejected |  |  |  |

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

**Title:**

Amend Food Code - Exempt Restaurant-Type Food from label requirements

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

that a letter be sent to the FDA requesting that the most current published edition of the Food Code be amended as follows (with new language being shown with underline and language to be deleted indicated with ~~strike-thru~~):

1) New definitions be added in Section 1-201.10(B)

**Restaurant-type food** means food that is:

Usually eaten on the premises, while walking away, or soon after arriving at another location; and either:

(A) Served in restaurants or other establishments in which food is served for immediate human consumption or which is sold for sale or use in such establishments; or

(B) Processed and prepared primarily in a retail establishment, ready for human consumption, of the type described in paragraph (ii)(A) of this definition, and offered for sale to consumers but not for immediate human consumption in such establishment and which is not offered for sale outside such establishment.

**Self-service food** means restaurant-type food that is available at a salad bar, buffet line, cafeteria line, or similar self-service facility and that is served by the customers themselves. Self-service food also includes self-service beverages

2) Amend the definition of **"Packaged"** as follows:

**Packaged**

(2) **"Packaged"** does not include RESTAURANT-TYPE FOOD wrapped or placed in a carry-out container to protect the FOOD ~~during service or delivery to the CONSUMER, by a FOOD EMPLOYEE, upon CONSUMER request~~.

3) Amend Section 3-602.11(C)(2) as follows:

(2) A card, sign, or other method of notification that includes the information specified under Subparagraphs (B)(1), (2), and (6) of this section; or

4) Amend Section 3-602.11 to add subparagraph (C)(3) to read as follows:

(C) (3) Prominently post a notification in a clear and conspicuous manner stating the information specified in Subparagraphs (B) (1) (2) (5) and (6) of this section is available upon request.

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.