

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 III-029

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:

3-306.13 Consumer Self-Service Operations

Issue you would like the Conference to consider:

The 2017 FDA Food Code allows Raw, Frozen, shell-on shrimp or lobster in a consumer self-service but does not allow raw meat. Overwrapped raw animal foods, such as beef, lamb, pork, poultry, and fish are no riskier to the public health of shoppers than if they buy unpackaged product. These overwrapped products leak and have meat juice on the outside of them in the preparation of the packaging itself. Consider the removal of 3-306.13 (A) and changing 3-306.13 (B) to be changed to all food requiring suitable utensils, not just READY-TO-EAT FOODS.

Public Health Significance:

The risk of raw animal products has no higher of a risk than section (2) or (3) of this violation, which are exemptions and allowable:

"(2) Ready-to-cook individual portions for immediate cooking and consumption on the PREMISES such as CONSUMER-cooked MEATS or CONSUMER-selected ingredients for Mongolian barbecue; or (3) Raw, frozen, shell-on shrimp, or lobster. "

In fact, neither (2) or (3) state they must be provided with suitable utensils as (B) only mentions READY-TO-EAT FOODS therefore there is no protection again cross contamination.

Recommended Solution: The Conference recommends...:

A letter be sent to FDA requesting that Section 3-306.13 of the most current edition of the Food Code be amended as follows:

3-306.13 Consumer Self-Service Operations.

~~(A) Raw, unPACKAGED animal FOOD, such as beef, lamb, pork, POULTRY, and FISH may not be offered for CONSUMER self-service. P~~

This paragraph does not apply to:

~~(1) CONSUMER self-service of READY TO EAT FOODS at buffets or salad bars that serve FOODS such as sushi or raw shellfish;~~

~~(2) Ready to cook individual portions for immediate cooking and consumption on the PREMISES such as CONSUMER-cooked MEATS or CONSUMER-selected ingredients for Mongolian barbecue; or~~

~~(3) Raw, frozen, shell-on shrimp, or lobster.~~

(B) CONSUMER self-service operations for READY TO EAT FOODS shall be provided with suitable UTENSILS for effective dispensing methods that protect the FOOD from contamination. Pf

(C) CONSUMER self-service operations such as buffets and salad bars shall be monitored by FOOD EMPLOYEES trained in safe operating procedures. Pf

Submitter Information 1:

Name: Amanda Garvin
Organization: Great Lakes Conference on Food Protection
Address: 705 North Zeeb
City/State/Zip: Ann Arbor, MI 48103
Telephone: 616-265-9985
E-mail: GarvinA1@Michigan.gov

Submitter Information 2:

Name: Brandon Morrill
Organization: Great Lakes Conference on Food Protection
Address: 705 North Zeeb
City/State/Zip: Ann Arbor, MI 48103
Telephone: 7343691062
E-mail: MorrillB@washtenaw.org

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