

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 I-011

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 “Utensil” Definition

Issue you would like the Conference to consider:

Recommend the Conference for Food Protection to consider an amendment to the definition of "Utensil" (see page 24 of the 2017 Food Code) provided in 1.201.10 Statement of Application and Listing of Terms. The "Utensil" definition should clarify on the differences between multi-use articles (that normally undergo suitable ware-washing) and single-use or single-service articles (that are normally discarded after one-time use), and should also clearly state the exclusion (from "utensils" definition) for secondary cartons or containers that store packaged foods (where food is not exposed to the environment). Such significant changes should further clarify the associated definition of "Food-contact surface" (see page 8 of the 2017 Food Code) that also includes: - the utensils with which food normally comes into contact, (or) - from which food may drain, drip, or splash into a food ,or, onto a surface normally in contact with food. For more information, see content document attached: *Proposal to Review the Definitions of "Utensil" and "Equipment" provided in the 2017 Food Code and ensuring their relation with the "Food-contact surface" Definition.*

Public Health Significance:

According to the CDC, over 60% of the food-related outbreaks occur in food service establishments such as restaurants, and that contaminated equipment and utensils are one of the top 5 factors contributing to food borne illnesses. Utensils are identified as food-contact surfaces. However, not all utensils undergo ware-washing, since single-service or single-use articles are discarded after one-time use. Hence, only the multi-use utensils that are identified as food-contact surfaces that must be cleaned as specified under Part 4-6 of the 2017 Food Code, and sanitized as specified under Part 4-7 of the Code in order to control cross-contamination of food and to prevent food-borne disease occurrences. For more information, see content document attached: *Proposal to Review the Definitions of "Utensil" and "Equipment" provided in the 2017 Food Code and ensuring their relation with the "Food-contact surface" Definition.*

Recommended Solution: The Conference recommends...:

... that a letter be sent to the FDA requesting the definition for "Utensil" listed under 1-201.10 [see page 24 of the Food Code 2017] be amended as follows (language to be deleted is in strike-through format, new language to be added is underlined):

"Utensil"

(1) means a FOOD-CONTACT implement or container used in the storage, preparation, transportation, dispensing, sale, or service of FOOD, such as KITCHENWARE or TABLEWARE that is multiuse, SINGLE-SERVICE, or SINGLE-USE; gloves used in contact with FOOD; multiuse gloves; temperature sensing probes of FOOD TEMPERATURE MEASURING DEVICES; and probe-type price or identification tags used in contact with FOOD. These multiuse articles normally undergo suitable WAREWASHING.

(2) includes SINGLE-SERVICE, or SINGLE-USE ARTICLES; packaging; and disposable gloves in contact with food. These items are normally for one-time use only, and do not undergo WAREWASHING. However, such items shall be made of SAFE MATERIAL, and are required to be inspected for conformance to proper specifications, prior to their use.

(3) does not include any secondary package, implement or container used for storing large quantities of PACKAGED FOODS.

For more information, see content document attached: *Proposal to Review the Definitions of "Utensil" and "Equipment" provided in the 2017 Food Code and ensuring their relation with the "Food-contact surface" Definition.*

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Content Documents:

- "Proposal to Review the Definitions of "Utensil" and "Equipment""

Supporting Attachments:

- "Key References"

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.