

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 I-013

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:

Adding Utensils and other Food Contact Items to 7-203.11

Issue you would like the Conference to consider:

Section 7-203.11 of the 2017 Food Code prohibits FOOD from being stored or transported in, or dispensed from, "A container previously used to store POISONOUS OR TOXIC MATERIALS...". The same prohibition should also explicitly apply to EQUIPMENT, UTENSILS, LINENS, SINGLE-SERVICE, or SINGLE-USE ARTICLES.

Public Health Significance:

UTENSILS that contact containers previously used with POISONOUS OR TOXIC MATERIALS could pick up residues of the POISONOUS OR TOXIC MATERIALS. The 2017 Food Code prohibits the use of such containers with FOOD but does not explicitly extend that prohibition to EQUIPMENT, UTENSILS, LINENS, SINGLE-SERVICE, or SINGLE-USE ARTICLES. The addition of EQUIPMENT, UTENSILS, LINENS, SINGLE-SERVICE, or SINGLE-USE ARTICLES to 7-203.11 will add clarity and help protect public health by making it clear that EQUIPMENT, UTENSILS, LINENS, SINGLE-SERVICE, or SINGLE-USE ARTICLES could also be contaminated if they contact containers that have previously been used to store POISONOUS OR TOXIC MATERIALS.

Recommended Solution: The Conference recommends...:

The Conference recommends that a letter be sent to the FDA requesting that Section 7-203.11 of the most current edition of the Food Code be amended as follows (new language is underlined; existing language to be deleted is in strikethrough format):

A container previously used to store POISONOUS OR TOXIC MATERIALS may not be used to store, transport, or dispense FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE or SINGLE-USE ARTICLES.^P

Submitter Information 1:

Name: Adam Inman
Organization: Kansas Department of Agriculture
Address: 1320 Research Park Drive
City/State/Zip: Manhattan, KS 66502
Telephone: 785-564-6767
E-mail: adam.inman@ks.gov

Submitter Information 2:

Name: Steve Moris
Organization: Kansas Department of Agriculture
Address: 1320 Research Park Drive
City/State/Zip: Manhattan, KS 66502
Telephone: 7855646767
E-mail: steve.moris@ks.gov

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.