

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 I-022

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
Delegate Action:	Accepted _____	Rejected _____	

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Issue History:

This is a brand new Issue.

Title:

Amend Food Code to Harmonize the Definition Reusable Container

Issue you would like the Conference to consider:

The language in Food Code 2017 does not provide adequate guidance on allowed practices surrounding several emerging reuse scenarios in food retail. These include but are not limited to the use of customer owned containers in restaurants, markets, temporary food facilities and closed loop schemes.

Of specific concern is the interchangeable use of undefined terms: returnable, reusable, and take-home- in reference to refillable containers in section 3-304.17. The opacity of these terms obscures the intended scope of regulated scenarios.

Public Health Significance:

As the "conscious consumption" movement grows, consumers increasingly demand sustainable ways to process, store, and procure food. Food handling regulations must accommodate these new ways to reduce waste and excess packaging. Reducing uncertainty in the language of the regulation encourages food handling practices that are both safe and sensitive to these emerging values and preferences.

What's more, updates to the Food Code will have strong downstream benefits for state and regional regulatory agencies who rely on federal synthesis of pertinent issues in the retail and food service landscape. Significant time and resources can be saved by agencies and industry alike with the adoption of guidance that is clear and uniformly enforceable. Consensus on comprehensive reusable standards by the Conference is critical for progress, and with a four year interval between Food Code updates, the time to address these scenarios is now.

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting that the most current edition of the Food Code be amended to update the title of section 3-304.17 from "Refilling Returnables" to "Filling

Reusable Containers" and further include a definition of a "Reusable Container" in section 1-2 Definitions.

New language should be based on the following, proposed definition:

Reusable Container means 1) a vessel under the ownership or care of the CONSUMER, which is intended for filling with FOOD or BEVERAGE at the FOOD ESTABLISHMENT. 2) is designed and constructed for reuse in accordance with the requirements specified under Parts 4-1 and 4-2.

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