

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 I-024

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:

Creation of a Committee - Address Reusable Scenarios in Food Retail

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 consumer-owned containers in restaurants, markets, temporary food facilities and closed loop schemes.

The current code is exception instead of rule-based on this matter, to the extent that the guidance is nearly unreadable. Moreover, the current code does not universally differentiate between consumer-owned and food establishment-owned containers. This leaves significant room for interpretation, with the undesirable consequences of varied enforcement and stakeholder uncertainty.

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 committee be created to address the safe use of reusable containers in restaurants, markets, temporary food facilities and vending. This includes a review of the Food Code, specifically section 3-304.17,

Scenarios for Committee consideration:

- The use of consumer-owned containers for the sale of bulk dry goods, baked goods, and other food categories
- The filling of customer-owned containers for restaurant takeaway (dining & to-go)
- The appropriate handling of Time/Temperature Control for Safety Foods when sold in reusable containers

The Committee charges are:

1. Clarify the scenarios within the scope of regulation.
2. Develop a comprehensive policy proposal for reusables.
3. Draft recommended guidance around those scenarios.
4. Report back to the 2022 Biennial Meeting the committee findings and recommendations.

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