

**Conference for Food Protection  
2020 Issue Form**

**Issue: 2020 I-027**

**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 Committee- Review of Food Code in relation to food for animals

**Issue you would like the Conference to consider:**

Since human foodborne illness as a result of food for animals continues to occur, a creation of a committee should be considered. This committee would examine if adding food for animals to the Food Code with language to help ensure proper storage and handling at the establishments the Food Code regulates is a viable solution to help prevent or reduce such illnesses. Additionally, this committee would review current research, the Preface, Annexes, and/or the need for guidance documents.

Endorsed by Ernest Julian, current AFDO President

Note: Utilizing the term "food for animals" instead of "animal food" to reduce confusion with the "animal foods" definition in the 2017 Food Code.

**Public Health Significance:**

Problem that needs to be addressed:

Human foodborne illness can be caused by food for animals. Several outbreaks with whole genome sequencing traceback have revealed food for animals as the source for human illness. A recent national human foodborne illness outbreak affecting 34 states with over 154 reported cases and 25 hospitalizations was traced back to pig ear pet treats. Twenty-seven cases were children younger than 5 years old. Examples of nationwide human foodborne illness contributed to contaminated pet food has been associated with both raw and dry pet food products. It is possible food for animals could have been a source for even more outbreaks in the past. Foodborne illness surveys used in epidemiological investigations typically have not addressed exposure to food for animals; therefore, an association may have been missed during previous investigations.

Additionally, food for animals is currently not regulated to prevent human foodborne illness at all levels throughout its entire supply chain. Consistent and collaborative regulation of food for animals may mitigate the associated risks. The same pathogens causing

foodborne illness in humans are present in pet foods. Although the same safety measures apply, they are often overlooked when the products are intended for animals. Often consumers are handling animal pet foods in their own kitchens and simultaneously preparing human foods. Pet owners regularly handle their pet's foods and treats, and thereby unknowingly, or possibly unconsciously, expose themselves to potential foodborne pathogens.

Recalls of pet food for animals have been issued as a precaution as the products contain pathogen strains harmful to both humans and animals. While helpful, precautionary recalls are a reactive response to a problem where preventative measures exist. A unified, one health approach to prevention is necessary.

#### Cause of the problem:

The extent of the human-companion animal bond is undeniable and ever-growing. Humans are now viewing their pets as a member of their family. By default, humans have significantly more exposure to their pets' food. Food for animals can be found in thousands of establishments of varying types such as grocery stores, farmer's markets, and home improvement stores across the country. An explosion of new varieties of food for animals such as refrigerated and frozen pet food, are increasing in popularity and availability. Most animal food regulatory programs do not have the capacity to verify safety measures at even a fraction of these establishments nor do most have the training or tools required for time/temperature control for safety food for animals. A significant misperception may exist among consumers and regulators alike dismissing human foodborne illness caused by contaminated food for animals or how these two outwardly different worlds connect.

#### Why the status quo is not addressing the problem:

As stated above, the exponential expansion of the pet food market into traditional human food establishments has exceeded the resources of animal food regulatory programs. The regulatory focus has generally been at the manufacturing level. This has left less resources for the retail sector. Most animal food regulators are untrained in the requirements for time/temperature control for safety food for animals associated with refrigerated and frozen pet foods. Often they do not have the equipment, such as thermometers, to properly regulate risk factors associated. Science tells us proper cold holding and freezing significantly limits the exponential growth of bacteria. Also, proper handling and storage reduces risk of cross-contamination. Some jurisdictions may have instituted authorities to enforce these prevention measures such as New York State Department of Agriculture and Markets where they recently seized almost 100 pounds of refrigerated raw meat dog food packages for temperature abuse in a chain supermarket or Seattle-King County Public Health that created a Zoonotic Disease Prevention Regulation implementing safety measures in pet food retail businesses. However, these authorities are rare and inconsistent across the country.

The Food Safety Modernization Act (FSMA) was enacted into law in 2011 with the main purpose to prevent adulteration. Most animal food regulatory agencies adopt FSMA regulations and/or AAFCO (Association of American Feed Control Officials) Model Bill and Regulations. Within these laws and regulations, there are very little safety measures existing for the retail sector since neither properly address known retail prevention measures. Furthermore, the Food Code does not address food for animals, even though the federal definition of "food" includes food for other animals since the definition's

inception in 1906 with the Pure Food and Drug Act and food for animals is offered at Food Code establishments.

Another goal of FSMA is to build and maintain an integrated food safety system with mutual reliance, essentially viewing public health through a one-health approach which recognizes that all components are interconnected. In the past, there has been limited collaboration between human food regulators and animal food regulators, resulting in silos and lack of awareness of how each type of food is regulated. Utilizing diverse expertise on both ends of the food spectrum, a unified approach to addressing food for animals in commerce could be enhanced to a level of prevention, mutual reliance, and in integrated food safety system; thus advancing the desired outcomes of FSMA.

Recommended policy solution:

In an effort to reduce or prevent human foodborne illnesses caused by food for animals, a creation of a diverse committee to review the Food Code and potential language updates, provide resolutions, and report back to the 2022 CFP Biennial Meeting is recommended. This committee would review the Food Code to reflect safety measures at the retail level for food for animals, specifically at human food establishments to help reduce or prevent human foodborne illness. Potential language updates have been provided as a starting point for this committee.

Potential consequences with recommendation:

Human food regulatory agencies will have to determine if their laws grant them authority to utilize the federal definition of food (Federal Food, Drug & Cosmetic Act, §321(f)) or if they have an equivalent definition. This would allow these agencies the proper authority if they were to adopt the new Food Code that contained the proposed changes. Otherwise, they would need to modify their law's definition.

Human food regulators will likely only have an additional aisle to inspect when in the human food establishments; those that store food for animals. The proposed changes will only be applied to human food regulator's existing inventory. Grocery stores, being the most likely example, are already accustomed to this type of regulation; however, the product companies may not be as familiar with retail regulation. Outreach and inclusion of the animal food industry is needed. To ensure equivalent and consistent regulation on the retail level, language updates will be proposed to AAFCO Model Bills and Regulations Committee for retail animal food establishments.

**Recommended Solution: The Conference recommends...:**

that a committee with all stakeholders be formed with the following charges:

1. Gather and review relevant research on human foodborne illnesses as a result food for animals;
2. Review the need for or the proposed language updates in the Food Code, Annex, or Preface as necessary, provide resolutions;
3. Review the need for relevant guidance documents or other consumer/industry materials; and
4. Report back with findings and recommendations to the 2022 Conference Biennial Meeting.

**Submitter Information:**

Name: Ashlee-Rose Ferguson  
Organization: Washington State Department of Agriculture  
Address: 1111 Washington St SE  
City/State/Zip: Olympia, WA 98504  
Telephone: 3604800498  
E-mail: Aferguson@agr.wa.gov

**Supporting Attachments:**

- "Supporting Attachments"

*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.*

**Supporting Attachments:** (documents submitted to provide background information to Council)

- IFPTI Fellowship Research Paper- “Refrigerated and Frozen Pet Food: Estimating Risk Factors and Analyzing Regulatory Authority”: <https://ifpti.org/fellowship-program/published-works/refrigerated-and-frozen-pet-food-estimating-risk-factors-and-analyzing-regulatory-authority/>
- The definition of “food” in the §321(f) of the Food, Drug, & Cosmetic Act: <https://uscode.house.gov/view.xhtml?path=/prelim@title21/chapter9&edition=prelim>
- The definition of “food” in the §6 of Pure Food & Drug Act of 1906: [https://en.wikisource.org/wiki/Pure\\_Food\\_and\\_Drug\\_Act\\_of\\_1906](https://en.wikisource.org/wiki/Pure_Food_and_Drug_Act_of_1906)
- <https://www.cdc.gov/> to view current and previous human foodborne illness outbreaks that have identified food for animals as a source.
  - 2019- multi-drug resistant *Salmonella* in pig ear pet treats: <https://www.cdc.gov/salmonella/pet-treats-07-19/index.html>
  - 2018- multi-drug resistant *Salmonella* in raw chicken products (including raw pet food): <https://www.cdc.gov/salmonella/infantis-10-18/index.html>
  - 2018- multi-drug resistant *Salmonella* in raw turkey products (including raw pet food): <https://www.cdc.gov/salmonella/reading-07-18/index.html>
  - 2012- *Salmonella* Infantis in dry dog food: <https://www.cdc.gov/salmonella/dog-food-05-12/index.html>
  - 2007- *Salmonella* Schwarzengrund in dry pet food: <https://www.cdc.gov/salmonella/2007/pet-food-9-4-2007.html>
  - 2005- Human Salmonellosis Associated with Animal-Derived Pet Treats, United States and Canada: <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm5525a3.htm>; <https://promedmail.org/promed-post/?id=2208026>
- <https://www.fda.gov/animal-veterinary/news-events/outbreaks-and-advisories> to view current and previous outbreaks and advisories from food for animals
  - 2007-2015 Jerky pet treat investigation: <https://www.fda.gov/animal-veterinary/news-events/fda-investigates-animal-illnesses-linked-jerky-pet-treats>
- <https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts> to view recalls of food for animals contaminated with pathogens that can cause human foodborne illness.
- FDA- “Get the Facts! Raw Pet Food Diets can be Dangerous to You and Your Pet”: <https://www.fda.gov/animal-veterinary/animal-health-literacy/get-facts-raw-pet-food-diets-can-be-dangerous-you-and-your-pet>
- CDC- “Pet Food Safety”: <https://www.cdc.gov/healthypets/publications/pet-food-safety.html>
- Title 8 King County Board of Health Zoonotic Disease Prevention Regulations, §8.03.290 to 8.03.310 (2010). <https://www.kingcounty.gov/depts/health/communicable-diseases/zoonotic/facts-resources/~media/depts/health/board-of-health/documents/code/BOH-Code-Title-8.ashx>
- Rita Finley, Richard Reid-Smith, J. Scott Weese, Frederick J. Angulo, Human Health Implications of Salmonella-Contaminated Natural Pet Treats and Raw Pet Food, *Clinical Infectious Diseases*, Volume 42, Issue 5, 1 March 2006, Pages 686–691, <https://academic.oup.com/cid/article/42/5/686/317224>
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**Supporting Attachments:** (documents submitted to provide background information to Council)

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- Examine the Current Pet Food Recall Special Hearing, 110th Cong. 1-46 (2007) (testimony of Herb Kohl). <https://www.govinfo.gov/content/pkg/CHRG-110shrg37883/html/CHRG-110shrg37883.htm>
- Review of the Impact of Imported Contaminated Food and Feed Ingredients and of Recent Food Safety Emergencies on Food Safety and Animal Health Systems Special Hearing, 110<sup>th</sup> Cong. 1-23 (2007). <https://www.govinfo.gov/content/pkg/CHRG-110hrg41165/html/CHRG-110hrg41165.htm>
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