

**Conference for Food Protection
2020 Issue Form**

Issue: 2020 I-030

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 issue was submitted for consideration at a previous biennial meeting, see issue: 2016 I-046; new or additional information has been included or attached and the recommended solution has been revised.

Title:

Removing the Reference to Restricted Use Pesticides in 7-202.12(B)(2)

Issue you would like the Conference to consider:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) governs the classifications of pesticides as general use or restricted use, called Restricted Use Pesticides (RUP).

7-202.12(B)(2) of the latest edition of the Food Code provides basic requirements to prevent contamination from Toxic or Poisonous Materials, which include pesticides, used in food establishments. However, the requirements in subparagraph (B)(2) are limited to Restricted Use Pesticides (RUPs).

Almost no pesticides being used in food establishments are RUPs.

For example, searching the Wisconsin Department of Agriculture, Trade and Consumer Protection pesticide registration site shows that there are no RUPs registered for use in "Restaurants," "Restaurants (residual Crack And Crevice Treatment)," "Restaurants (indoor Edible)," or "Drive in Restaurants (residual Crack And Crevice Treatment)," "Food Serving Areas", "Food Markets", and "Packaged Food (storage Areas)."

Although pesticides labeled for use in food establishments will have use directions that require taking precautions to prevent contamination of food or food contact surfaces, having the requirements in the Food Code directly eliminates the need to document the label use directions in instances where the precautions are not taken.

Public Health Significance:

Limiting the applicability of the listed precautions to Restricted Use Pesticides (RUPs) makes it more difficult to enforce those necessary precautions for all other pesticides, which constitute virtually the entirety of pesticides used in Food Establishments.

Recommended Solution: The Conference recommends...:

The Conference recommends that a letter be sent to FDA recommending that Section 7-202.12 of the Food Code be amended as follows:

7-202.12 Conditions of Use.

POISONOUS OR TOXIC MATERIALS shall be:

(A) Used according to:

(1) LAW and this Code,

(2) Manufacturer's use directions included in labeling, and, for a pesticide, manufacturer's label instructions that state that use is allowed in a FOOD ESTABLISHMENT, ^P

(3) The conditions of certification, if certification is required, for use of the pest control materials, ^P and

(4) Additional conditions that may be established by the REGULATORY AUTHORITY; and

(B) Applied so that:

(1) A HAZARD to EMPLOYEES or other PERSONS is not constituted, ^P and

(2) Contamination including toxic residues due to drip, drain, fog, splash or spray on FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES is prevented, and for a ~~RESTRICTED-USE PESTICIDE~~, pesticide this is achieved by: ^P

(a) Removing the items, ^P

(b) Covering the items with impermeable covers, ^P or

(c) Taking other appropriate preventive actions, ^P and

(d) Cleaning and SANITIZING EQUIPMENT and UTENSILS after the application. ^P

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Supporting Attachments:

- "RUP Search Results"

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.



Search by Multiple Criteria

Search by Multiple Criteria

Enter/select a Site(Crop): [\(open search-window for sites/crops\)](#) and

Enter/select a Pest: [\(open search-window for pests\)](#) and

Enter/select Ingredient: [\(open search-window for AI's\)](#) and

Select Pesticide Type: and

Select Formulation: and

Restricted Use (RUP) Only ?

(you may leave any of the above options blank to leave them out of the search)
(if no results are found, use the 'select' functions to make sure that pest, site and AI are spelled accurately)

Product Name	EPA Reg. No.	Registration Status	Expiration Date
"Bug-X" 100 2.5 Permethrin Concentrate / Repellent	1021-1758-11741	Full/Active	12/31/2019
10 Seconds Shoe Disinfectant & Deodorizer	44446-67-75242	Full/Active	12/31/2019
102 DIS Disinfectant Spray	706-69-527	Full/Active	12/31/2019
128 E-Fecticide	6836-365-5449	Full/Active	12/31/2019
14-0-0 Green Pro .2 Imidacloprid Professional Fertilizer	53883-362-45065	Full/Active	12/31/2019
2,4-D Amine 4	83520-13	Full/Active	12/31/2019
22 Express	1022-596-71581	Full/Active	12/31/2019
90 Years of HTH Perfect Pools Blue Sparkle Skimmer Tabs	1258-1371	Full/Active	12/31/2019
Absorbine Ultra Shield Flea & Tick Collar	1543-3	Discontinued	12/31/2019
Absorbine Ultra Shield Green Gel Natural Fly Repellent	1543-25B	Discontinued	12/31/2019
Absorbine UltraShield Green Natural Fly Repellent for use on all Dogs	1543-25B	Discontinued	12/31/2019
Absorbine UltraShield Green Wool Pouf Flea & Tick Bath Pouf	1543-25B	Discontinued	12/31/2019
Accel Concentrate	74559-4	Full/Active	12/31/2019



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Select Pesticide Type: and

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(if no results are found, use the 'select' functions to make sure that pest, site and AI are spelled accurately)

Product Name	EPA Reg. No.	Registration Status	Expiration Date
No records returned.			

Database Last Updated: 12/22/2019

Search By: [Company Name](#) [Company ID](#) [Product Name](#) [Product EPA ID](#) [Active Ingredient](#) [Pest](#) [Site](#) [Formulation](#) [Pest-Disea](#) [RUP](#) [Multiple Criteria](#)



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 Enter/select Ingredient: [\(open search-window for AI's\)](#) and
 Select Pesticide Type: and
 Select Formulation: and

Restricted Use (RUP) Only ?

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Product Name	EPA Reg. No.	Registration Status	Expiration Date
102 DIS Disinfectant Spray	706-69-527	Full/Active	12/31/2019
105 Task Foaming Disinfectant Cleaner	706-65-527	Full/Active	12/31/2019
22 Multi-Quat Sanitizer	1677-198	Full/Active	12/31/2019
256 Century Q	47371-129-5449	Full/Active	12/31/2019
3M Neutral Quat Disinfectant Cleaner Concentrate	47371-129-10350	Full/Active	12/31/2019
3M Sanitizer Concentrate	47371-147-10350	Full/Active	12/31/2019
4 Quat Sanitizer	10324-81-82882	Full/Active	12/31/2019
4-Quat Sanitizer	10324-81-43497	Full/Active	12/31/2019
64 Millennium Q	1839-95-5449	Full/Active	12/31/2019
7 Select Bleach Regular Concentrate	70271-24-92371	Full/Active	12/31/2019
ABC Extra Wipes	6836-313-86339	Full/Active	12/31/2019
Ace 64 Neutral Disinfectant and Detergent	10324-154-12120	Discontinued	12/31/2019
Acid Sanitizer FP	10324-67-5741	Full/Active	12/31/2019
Acid-Free Neutral Disinfectant Washroom Cleaner	1839-169-70627	Full/Active	12/31/2019
Acidquat 4	10324-67-82882	Full/Active	12/31/2019
Acidquat Multi-Purpose Sanitizer	10324-67-527	Full/Active	12/31/2019



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Product Name	EPA Reg. No.	Registration Status	Expiration Date
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No records returned.

Database Last Updated: 12/22/2019

Search By: [Company Name](#) [Company ID](#) [Product Name](#) [Product EPA ID](#) [Active Ingredient](#) [Pest](#) [Site](#) [Formulation](#) [Pest-Code](#) [RUP](#) [Multiple Criteria](#)