

# Conference for Food Protection

2014

Biennial Meeting

Orlando, Florida

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### **Council III**

Final Issue
Recommendations with
Assembly of Delegates
Action

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### Council III - 2014 Issue Listing

Number	Issue Title	As Submitted	As Amended	No Action	Assembly of Delegates
III-001	Report - Emergency Action Plan (EAP) Committee	Х			Accepted
III-002	EAP 2 - Emergency Action Plan for Retail Food Establishments	Х			Accepted
III-003	EAP 3 - Time/Temperature Chart for Emergency Situations			Х	Accepted
III-004	Report - Time as a Public Health Control (TPHC) Committee	Х			Accepted
III-005	TPHC 2 - Foods Starting at Room Temperature and Held Using TPHC	Х			Accepted
III-006	TPHC 3 - Foods Needing More Research for Using TPHC	Х			Accepted
III-007	Report - Listeria Retail Guidelines Committee	Х			Accepted
III-008	Re-Create - Listeria Retail Guidelines Committee		Х		Accepted
III-009	Report - Hand Hygiene Committee (HHC)	Х			Accepted
III-010	HHC-3 Recommended Foodservice Glove Language Changes to the Food Code			Х	Accepted
III-011	Re-create - Hand Hygiene Committee (HHC)		Χ		Accepted
III-012	Establish a Standard for Handwashing Effectiveness			Χ	Accepted
III-013	Establish Foundational Hand Hygiene Definitions			Χ	Accepted
III-014	Amend the water temperature requirement of handwashing sinks		Χ		Accepted
III-015	Lower Handwash Water Temperature Minimum			Χ	Accepted
III-016	Hand Drying With Disposable Paper Toweling			Χ	Accepted
III-017	Hand Cleanse-Sanitize Protocol Not Requiring Running Water			Χ	Accepted
III-018	Clarify hand washing requirement when donning gloves			Χ	Accepted
III-019	Clarify hand washing requirement switching from raw to ready-to-eat foods			Χ	Accepted
III-020	Double Barrier Gloving Exception			Χ	Accepted
III-021	Reduced Minimum Temperature for Microwave Steam Cooking of Seafood		Χ		Accepted
III-022	When partial cooking is actually incubation		Х		Accepted
III-023	Amend Food Code - Consistency with FSIS Cooking Temperatures			Х	Accepted
III-024	Create Committee for Raw and Undercooked Meat and Poultry Products			Χ	Accepted
III-025	Create Committee for Safe Cooking and Preparation of Rotisserie Chicken			Х	Accepted
III-026	Potable Ice			Х	Accepted
III-027	Chemicals for Treating Fruits and Vegetables			Х	Accepted
III-028	Salmonella as a reportable illness (as opposed to Salmonella Typhi and NTS)		Х		Accepted
III-029	Seasoned Cast Iron			Х	Accepted
III-030	Designating certain cheeses non-time/temperature control for safety foods		X		Accepted
I-018	Amend Food Code - Prevention of Food Allergen Cross-Contact			Χ	Rejected

Issue: 2014 III-001

Council Recommendation:	Accepted as Submitted	X	Accepted as Amended	No Action		
Delegate Action:	Accepted	X	Rejected			
All information above the line	is for conference use	only.				
Title:						
Report - Emergency Action Plan (EAP) Committee						

#### Recommended Solution: The Conference recommends...:

- 1. That the report of the Committee be acknowledged and the Committee members be given a vote of thanks for their committee service and their diligent efforts and dedication to the review and creation of the new *Emergency Action Plan for Retail Food Establishments*, *Second Edition* document; and
- 2. That the Committee be disbanded.

Issue: 2014 III-002

Council Recommendation:	Accepted as Submitted X		Accepted as Amended	No Action	
Delegate Action:	Accepted _	X	Rejected	<u>-</u>	
All information above the line	is for conference use	only.			
<b>Title:</b> EAP 2 - Emergency A	ction Plan for Re	etail Foo	d Establishments		
Recommended Solut	ion: The Confe	rence re	ecommends:		
•	•		Food Establishments, Second in both PDF and		

For actual document, see Issue titled: Report-Emergency Action Plan (EAP)

Committee; attachment titled "Emergency Action Plan for Retail Food

Establishments, Second Edition."

and

2. That a letter be sent to the FDA recommending the 2013 Food Code be amended to include reference in Annex 2 to the approved *Emergency Action Plan for Retail Food Establishments, Second Edition*.

Council Accepted as Accepted as Amended No Action X

Delegate Action: Accepted X Rejected

All information above the line is for conference use only.

#### Title:

EAP 3 - Time/Temperature Chart for Emergency Situations

#### Recommended Solution: The Conference recommends...:

No action because the chart was accepted in Issue III-002 and the Issue was withdrawn by the submitter.

Issue: 2014 III-004

Council Recommendation:	Accepted as Submitted	X	Accepted as Amended	No Action			
Delegate Action:	Accepted	X	Rejected				
All information above the line	is for conference us	e only.					
Title:							
Report - Time as a Public Health Control (TPHC) Committee							

### Recommended Solution: The Conference recommends...:

- 1. acknowledgement of the 2012-2014 Time as a Public Health Control Committee report and the completion of all assigned charges; and
- 2. acknowledgement of the 2012-2014 committee members for their diligent work in gathering the required scientific and outbreak information on each of the food and food categories, faithful attendance at our web meetings, productive discussions, and consensus decisions.

Issue: 2014 III-005

Council Recommendation:	Accepted as Submitted	X	Accepted as Amended	No Action			
Delegate Action:	Accepted _	Χ	Rejected				
All information above the line is for conference use only.							

### Title:

TPHC 2 - Foods Starting at Room Temperature and Held Using TPHC

#### Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting that the 2013 Food Code be amended as follows (new language in underline format):

Section 3-501.19 (B)

- (1) The FOOD shall have an initial temperature of 5°C (41°F) or less when removed from cold holding temperature control, or 57°C (135°F) or greater when removed from hot holding temperature control. Tomatoes, cantaloupe, leafy greens, canned tuna, and shelf-stable canned product used as a sole item shall have an initial temperature of 22°C (72°F) or less when rendered time/temperature control for safety by way of cutting, chopping, or opening of a hermetically sealed container.
- (2) The FOOD shall be marked or otherwise identified to indicate the time that is 4 hours past the point in time when the FOOD is removed from temperature control <sup>Pf</sup>, or rendered time/temperature control for safety food by way of cutting, chopping, or opening of a hermetically sealed container;
- (3) The FOOD shall be cooked and served, served at any temperature if READY-TO-EAT, or discarded, within 4 hours from the point in time when the FOOD is removed from temperature control or rendered time/temperature control for safety food by way of cutting, chopping, or opening of a hermetically sealed container; and

Issue: 2014 III-006

Council Recommendation:	Accepted as Submitted	X	Accepted as _	No Action				
Delegate Action:	Accepted	X	Rejected _					
All information above the line is for conference use only.								
Title:								

TPHC 3 - Foods Needing More Research for Using TPHC

#### Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA recommending further evaluation and research to determine if the following products can be held without cooling to 5°C (41°F) prior to using time as a public health control (TPHC):

- 1. Retail prepared chopped garlic and oil mixtures
- 2. Hummus made from non-commercially prepared ingredients
- 3. Opened canned product used as an ingredient in a formulation

Issue: 2014 III-007

Council Recommendation:	Accepted as Submitted	Х	Accepted as Amended	 No Action	
Delegate Action:	Accepted	Χ	Rejected		
All information above the line	is for conference us	e only.			
Title:					
Report - Listeria Reta	il Guidelines Co	mmittee			

### Recommended Solution: The Conference recommends...:

- 1. Acknowledgment of the 2012-14 Listeria Retail Guidelines Committee Report, and
- 2. Thanking the members of the 2012-14 *Listeria* Retail Guidelines Committee for their work.

Issue: 2014 III-008

Council Recommendation:	Accepted as Submitted		Accepted as Amended	Х	_ No Action	
Delegate Action:	Accepted	X	_ Rejected		<u> </u>	
All information above the line	e is for conference use	e only.				
Title:						
Re-Create - Listeria F	Retail Guidelines	Commit	tee			

### Recommended Solution: The Conference recommends...:

re-creation of the *Listeria* Retail Guidelines Committee. The committee will be charged to revise the "2006 Voluntary Guidelines of Sanitation Practices Standard Operating Procedures and Good Retail Practices to Minimize Contamination and Growth of *Listeria monocytogenes* Within Food Establishments" to include:

- 1) sanitation guidance for equipment and food establishment environments,
- 2) good retail practices on how to prevent contamination and growth of Lm in retail establishments,
- 3) updated outdated links to other documents, and
- 4) information from and references to documents published by credible organizations on the topic of Lm prevention and control in food establishments.

The Conference also recommends that the committee report its recommendations back to the 2016 Biennial Meeting with Issues to address:

- 1) the above charges, and
- recommendations that a letter be sent to FDA requesting that Annex 2 (References, Part 3-Supporting Documents) be amended by adding a reference to the revised voluntary guidelines.

Issue: 2014 III-009

Council Recommendation:	Accepted as Submitted	X	Accepted asAmended	No Action	
Delegate Action:	Accepted _	X	Rejected		
All information above the line	is for conference use	only.			
Title:					
Report - Hand Hygier	ne Committee (H	HC)			
Recommended Solu	ition: The Confe	erence	recommends:		

- 1. acknowledgement of the 2012-2014 Hand Hygiene Committee report, and
- 2. thanking the committee for the effort the members put forth in working on the charges.

Issue: 2014 III-010

Council Recommendation:	Accepted as Submitted		Accepted as	No Action	X			
Delegate Action:  All information above the line	Accepted is for conference use	<b>X</b> e only.	Rejected	_				
Title:								
HHC-3 Recommended	d Foodservice (	Glove Lar	nguage Changes to the	Food Code				
Recommended Solution: The Conference recommends:								
No Action: Too many unresolved questions related to this topic.								

Issue: 2014 III-011

Council Recommendation:	Accepted as Submitted		Accepted as Amended	Х	No Action	
Delegate Action:	Accepted	X	Rejected		<u>-</u>	
All information above the line	is for conference us	e only.				
Title:	iono Committo	· /LILIO)				
Re-create - Hand Hyg	iene Committee	HHC)				

#### Recommended Solution: The Conference recommends...:

- 1. Recreate the Hand Hygiene Committee, working in collaboration with FDA, CDC, and FSIS, to be charged with the following:
  - a. Ascertain if additional definitions are necessary to clarify the hand hygiene procedures listed in the Food Code.
  - b. Use current research including the documents created by the Committee's 2012-2014 work (Hand Contamination Event Hazard Chart; Questions to Consider when Evaluating Studies of Alternative Handwashing Approaches; and Scientific, Regulatory and Behavioral Consideration of Hand Hygiene Regimes) to determine if alternatives to hand hygiene procedures equivalent to those described in the Food Code are available.
  - c. Identify situations where procedures exist to prevent hand soil and contamination.
  - d. Review available research on the efficacy and public health significance of antibacterial soaps, and their impact on hand hygiene procedures in the food industry.
- 2. Report back the Committee's findings, outcomes, and recommendations to the 2016 Biennial Meeting of the Conference for Food Protection.

Council Accepted as Recommendation: Submitted Amended No Action X

Delegate Action: Accepted X Rejected

All information above the line is for conference use only.

Title:

Establish a Standard for Handwashing Effectiveness

Recommended Solution: The Conference recommends...:

No Action

Reason: The scientific foundation of the Food Code should remain in the Annex, not in the code itself.

Council Accepted as Accepted as Amended No Action X

Delegate Action: Accepted X Rejected

All information above the line is for conference use only.

Title:

Establish Foundational Hand Hygiene Definitions

#### Recommended Solution: The Conference recommends...:

No Action: The 2012-2014 Hand Hygiene Committee found that it was already inherent in the Food Code.

Issue: 2014 III-014

Council Recommendation:	Accepted as Submitted		Accepted as Amended	X	No Action	
Delegate Action:	Accepted	X	Rejected		_	
All information above the line	e is for conference us	se only.				
Title: Amend the water tem	perature require	ement of I	nandwashing s	inks		
Recommended Solu	ition: The Conf	ference r	ecommends	:		
that a letter be sent to 202.12(A), and the 38	•	•	•			

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.

section 2-301.12(B)(1) which requires warm water to clean hands. The FDA shall report their interpretation through a method such as the FDA Food Code Reference System.

Issue: 2014 III-015

Council Recommendation:	Accepted as Submitted		Accepted as Amended		No Action _	Х	
Delegate Action:	Accepted	Х	Rejected _				
All information above the line	is for conference use	e only.					
Title: Lower Handwash Water Temperature Minimum							
Recommended Solut	ion: The Confe	erence re	ecommends:				
No Action							
Reason: Combined wi	th Issue III-014						

Issue: 2014 III-016

Council Recommendation:	Accepted as Submitted		Accepted as Amended	No Action	X		
Delegate Action:	Accepted	X	Rejected	_			
All information above the line	is for conference us	se only.					
Title: Hand Drying With Disposable Paper Toweling							
Recommended Solu	tion: The Conf	erence re	ecommends:				
No Action							
Reason: Insufficient s	cience to suppo	ort remova	al of hand drying device	S.			

Council Accepted as Recommendation: Submitted Amended No Action X

Delegate Action: Accepted X Rejected

All information above the line is for conference use only.

### Title:

Hand Cleanse-Sanitize Protocol Not Requiring Running Water

Recommended Solution: The Conference recommends...:

No Action: Based on additional research needed to show equivalency.

Issue: 2014 III-018

Council Recommendation:	Accepted as Submitted		Accepted as Amended	No Action	X		
Delegate Action:	Accepted	X	Rejected				
All information above the line	is for conference use o	nly.					
Title: Clarify hand washing requirement when donning gloves							
Recommended Solut			ecommends:				
No Action: Addressed	in 2013 Food Cod	de					

Issue: 2014 III-019

Council Recommendation:	Accepted as Submitted		Accepted as Amended		No Action _	Х
Delegate Action:	Accepted	X	Rejected			
All information above the line	is for conference use	e only.				
Title: Clarify hand washing i	requirement swi	itching fro	m raw to read	y-to-eat fo	oods	
Recommended Solution	tion: The Confe	erence re	ecommends	:		
No Action: The wording	g in the issue is	s too broa	d. FDA needs	to give cl	arification of (	(G).
It is the policy of the Con	ference for Food P	rotection to	not accept Issue	s that would	d endorse a brar	nd name

or a commercial proprietary process.

Council Accepted as Recommendation: Submitted Amended No Action X

Delegate Action: Accepted X Rejected

All information above the line is for conference use only.

Title:

Double Barrier Gloving Exception

#### Recommended Solution: The Conference recommends...:

No Action: No consensus on amendment language and much disagreement on the proposal as submitted.

Issue: 2014 III-021

Council Recommendation:	Accepted as Submitted		Accepted as Amended	Х	No Action
Delegate Action:	Accepted _	Х	_ Rejected		<u> </u>
All information above the line	e is for conference use	only.			
Title: Reduced Minimum Te	emperature for M	licrowa	ve Steam Cooki	ng of Se	eafood
Recommended Solu	ıtion: The Confe	rence	recommends	:	
that a letter be sent to	FDA requesting	that th	e 2013 Food Co	de be a	mended as follows to

Section 3-401.15 Alternative Procedure for the Microwave Cooking of Lobster and Shrimp

address the steam cooking of lobster and shrimp using microwaves as the energy source

Raw lobster and shrimp steam cooked in a microwave oven shall be:

(new language underlined):

- (A) Placed within a microwave safe covered container with the addition of a sufficient amount of water to cover the bottom of the pan that maintains a saturated steam environment; and
- (B) Steam heated to a temperature of at least 62.8°C (145°F) for 15 seconds in all parts of the food.

Issue: 2014 III-022

Council Recommendation:	Accepted as Submitted		Accepted as Amended	Х	No Action
Delegate Action:	Accepted	X	Rejected		
All information above the line	is for conference use c	only.			
Title:					
When partial cooking i	s actually incubat	tion			

#### Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting review and consideration to modify section 3-401.11 of the Food Code to address potential public health concerns (for example, slow come-up times) for preparing and holding partially cooked foods in the danger zone (including concerns about time).

Issue: 2014 III-023

Council Recommendation:	Accepted as Submitted		Accepted as Amended		No Action	Х	
Delegate Action:	Accepted	X	Rejected		_		
All information above the line	is for conference us	se only.					
Title:  Amend Food Code - Consistency with FSIS Cooking Temperatures							
Recommended Solu	tion. The Com	erence re	ecommenus	••			
No Action							
Reason: There is no s	specific request	of CFP a	t this time.				

Council Accepted as Recommendation: Submitted Amended No Action X

Delegate Action: Accepted X Rejected

All information above the line is for conference use only.

Title:

Create Committee for Raw and Undercooked Meat and Poultry Products

Recommended Solution: The Conference recommends...:

No Action

Reason: Better handled through other organizations' expertise. The charges are beyond the scope of the CFP Committee.

Issue: 2014 III-025

Council Recommendation:	Accepted as Submitted		Accepted as Amended		No Action _	X
Delegate Action:	Accepted	Х	Rejected		_	
All information above the line	e is for conference us	e only.				
Title: Create Committee for	J	·			cken	
Recommended Solu	tion: The Conf	erence re	ecommenas	.:		
No Action						
Reason: Based on the	at it is already ic	lentified i	n the Food Co	de.		

Issue: 2014 III-026

Council Recommendation:	Accepted as Submitted		Accepted as Amended	No Action X	
Delegate Action:	Accepted	X	Rejected		
All information above the line	is for conference use	only.			
Title:					
Potable Ice					
Recommended Solut	tion: The Confe	erence re	ecommends:		
No Action					
Reason: Based on tha cleaning of the equipm source.	•			t Food Code through the le water be used as a	

Issue: 2014 III-027

Council Accepted as Accepted as Amended No Action x

Delegate Action: Accepted X Rejected

All information above the line is for conference use only.

Title:

Chemicals for Treating Fruits and Vegetables

No Action

Reason: FDA and EPA are already collaborating to provide information on interpretation and implementation of this section of the Food Code.

Recommended Solution: The Conference recommends...:

Issue: 2014 III-028

Council Recommendation:	Accepted as Submitted		Accepted as Amended	X	No Action
Delegate Action:	Accepted _	Χ	Rejected		
All information above the line	is for conference use	only.			
The final language in t formatting. The change		•			
Edited Version of Co	uncil Recomm	<u>endation</u>			
Issue 2014-III-028					
Title:					
Salmonella as a repor	table illness (as	opposed	I to Salmonella	Typhi ar	id NTS)
Recommended Solu	tion: The Confe	erence re	ecommends:		
that a letter be sent to (language to be remove	•	_		be ame	ended as follows
1. 2-201.11 (A)					
(2) Has an illness diag (a) Norovirus, <sup>P</sup>	nosed by a HEA	LTH PRAC	TITIONER due to:		
(b) Hepatitis A virus, P					
(c) <i>Shigella</i> spp., <sup>P</sup>					
(d) SHIGA TOXIN-PRODU	CING ESCHERICH	HIA COLI, P			
(e) Salmonella Typhi Typhoid Fever (caused by S. Typhi); Por					
(f) <del>nontyphoidal Salmo</del>	<del>nella</del> <u>Salmonell</u>	a (nontyp	hoidal) ; <sup>P</sup>		

The above changes will be made throughout the restriction and exclusion criteria in the Food Code.

Also, the Conference recommends that the FDA work with the CDC to simplify the restriction and exclusion criteria to be easily understood by food establishment management staff and base criteria on sound science.

### Original Council Recommendation Considered by Assembly of Delegates

#### Issue 2014-III-028

Title:

Salmonella as a reportable illness (as opposed to Salmonella Typhi and NTS)

### Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting the 2013 Food code be amended as follows (language to be removed is in strikethrough format):

- 1. 2-201.11 (A)
- (2) Has an illness diagnosed by a HEALTH PRACTITIONER due to:
- (a) Norovirus, P
- (b) Hepatitis A virus, P
- (c) Shigella spp., P
- (d) SHIGA TOXIN-PRODUCING ESCHERICHIA COLI,
- (e) Typhi;P or Typhoid Fever (caused by S. Typhi)
- (f) nontyphoidal Salmonella; P Salmonella (nontyphoidal)

The above changes will be made throughout the restriction and exclusion criteria in the Food Code.

Also, the Conference recommends that the FDA work with the CDC to simplify the restriction and exclusion criteria to be easily understood by food establishment anagement staff and base criteria on sound science.

Issue: 2014 III-029

Council Recommendation:	Accepted as Submitted		Accepted as Amended		No Action	X
Delegate Action:	Accepted	Х	Rejected _			
All information above the line	is for conference use	e only.				
Title: Seasoned Cast Iron						
Recommended Solut	ion: The Confe	erence re	commends:	:		
No Action						
Reason: Already ident	ified in the Food	d Code.				

Issue: 2014 III-030

Council Recommendation:	Accepted as Submitted		Accepted as Amended	X	No Action	
Delegate Action:	Accepted	Х				
All information above the line					_	
Title:						
Designating certain c	heeses non-time/	temper	ature control for	safety f	oods	
Recommended Solu	ition: The Confe	rence	recommends:			
that a letter be sent to following food code code		•	•	h the po	essibility of the	
Add (E) in subpart 3-5 language is underline		Public	Health Control to	o read a	s follows (new	
E Natural cheeses made from pasteurized cow's milk, that are: not ripened with mold; not surface-ripened with bacteria; not Swiss, emmentaler and related cheeses produced using propionic acid-producing bacterial cultures; stored for up to a maximum of 15 days at up to a maximum of 77°F when a written procedure in the form of a standard operating procedure (SOP) exists to control for time and temperature; accompanied by a letter of guarantee from the manufacturer; labeled for the consumer with a use by date and the statement 'Refrigerate for quality'; and have pH and % salt- in-moisture phase (SMP) levels meeting one of the following requirements for food safety:						
pH not greater than 4	.60 and % SMP I	not less	than 0.24			
pH not greater than 4	.70 and % SMP I	not less	s than 0.91			

pH not greater than 5.10 and % SMP not less than 3.58

pH not greater than 5.00 and % SMP not less than 2.91

pH not greater than 4.80 and % SMP not less than 1.58

pH not greater than 4.90 and % SMP not less than 2.24

pH not greater than 5.20 and % SMP not less than 4.25

pH not greater than 5.30 and % SMP not less than 4.92

pH not greater than 5.40 and % SMP not less than 5.59

pH not greater than 5.50 and % SMP not less than 6.26

pH not greater than 5.60 and % SMP not less than 6.93

Issue: 2014 I-018

Council Recommendation:	Accepted as Submitted	Accepted as	No Action	X
Delegate Action:	Accepted	_Rejected X		
All information above the line is for conference use only.				
Title: Amend Food Code - Prevention of Food Allergen Cross-Contact				
Recommended Solution: The Conference recommends:				

Reason: Addressing the concern of allergen cross contact in retail will be more appropriate after the final Preventive Controls for Human Food Rules are published. Current activities

within FDA to address the public health risks from allergens are ongoing.

No Action