



Conference for Food Protection

2023

Biennial Meeting

Houston, Texas

Council I –

Laws and

Regulations

***Issue Recommendations
Submitted to the Assembly
of State Delegates***

Thomas McMahan, Chair, Meijer, Grand Rapids, MI
Todd Rossow, Publix Super Markets, Inc., Lakeland,
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Rodney Blanchard, Vice-Chair, Michigan Department of
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Christopher Sparks, Houston Health Department,
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Tim Tewksbury, Ohio Department of Agriculture,
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Brandon Morrill, Washtenaw County Health Department,
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Pieter Sheehan, Fairfax County Health Department,
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Raymond Campa, Island County Public Health,
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Nancy Diersen, Virginia State Health Department,
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Matthew Brandt, Colorado Department of Public Health &
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Michael Otzelberger, Wisconsin Department of
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Industry

Tom Ford, Compass Group, Charlotte, NC
Larry Kohl, Retail Business Services, LLC, Salisbury, NC
Kate Piché, National Restaurant Association, Chicago, IL
Kenesha Williamson, Publix Super Markets, Inc.,
Lakeland, FL
James O'Donnell, Rocket Products, St. Louis, MO
Barry Parsons, Cenza, Inc., Gilbertsville, PA
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Bessie Politis, Starbucks, Arcadia, CA
Jeremy Zenlea, EG America, Westboro, MA

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Rupesh Modi, Hissho Sushi, Charlotte, NC
Laura Morrison, Ohio Restaurant Association, Powell, OH
Angela Nardone, Share-ify, Longwood, FL
James O'Neal, Denny's, Spartanburg, SC
Kritika Shakya, Hissho Sushi, Charlotte, NC
Dave VonFeldt, King Soopers, Firestone, CO
Lily Yang, The Acheson Group, Kalamazoo, MI

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-001

Council Recommendation:	Accepted as Submitted	<input checked="" type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Report – CFP-ISSC JSC Issue #1

Recommended Solution: The Conference recommends...:

1. Acknowledgment of the CFP-ISSC Joint Shellfish Committee Final Report.
2. Thank the committee members for their diligent work on the development of a significant number of best practices and guidance documents to further the joint effort between retail food establishments and regulators to protect public health.
3. Disband the committee; all assigned charges have been completed.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-002

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

CFP-ISSC JSC #2 Approve and Post Guidance and Best Practices Documents

Recommended Solution: The Conference recommends...:

1. Approval of the five retail food establishment best practice documents in English and Spanish

- a. Shellstock Tag Procedures English (see attached PDF)
- b. Shellstock Tag Procedures Spanish (see attached PDF)
- c. Shellstock Tag Procedures Infographic (see attached PDF)
- d. Shellstock Tags English (see attached PDF)
- e. Shellstock Tags Spanish (see attached PDF)

2. Approval of the five guidance documents for state and local food safety inspectors.

- f. Anatomy of Shellstock Tags (see attached PDF)
- g. Molluscan Shellfish the Basics (see attached PDF)
- h. Shellfish Code Language Table (see attached PDF)
- i. Molluscan Shellfish Environmental Investigation Field Worksheet (see attached Word document)
- j. Molluscan Shellfish Investigation Field Checklist (see attached PDF)

3. Post the approved guidance documents on the CFP website with the following changes made:

Item (g) "Molluscan Shellfish the Basics" changes:

- "Oysters, clams, and mussels grow in water that may contain pathogenic bacteria and viruses, such as Vibrio species, hepatitis A virus, or norovirus. Many molluscan shellfish are consumed without a cooking step to kill those pathogens. In addition, some molluscan shellfish may contain toxins from algae in the growing water."
- removed "naturally" and added norovirus
- replace "raw" with "live"

Item (h) "Shellfish Code Language Table" changed

- "Shucked" in upper right corner to read "SHUCKED – Molluscan Shellfish with Both Shells Removed"
- Fix typos/font issue in "3-202.18"

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**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-003

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

All information above the line is for conference use only.

Title:

Gloves Used as a Single-Use Disposable Utensil

Recommended Solution: The Conference recommends...:

That a letter be sent to FDA requesting that the most current edition of the *Food Code Annex 7, Guide 3-B, 8. Hands clean and properly washed*, be amended as follows:

IN/OUT

This item should be marked IN or OUT of compliance. This item is marked IN compliance only when employees are observed using proper handwashing techniques at appropriate times and places. Hands are not required to be washed between each change of gloves, if it is observed that there was no change in the task being performed and no activities which could potentially result in cross contamination. Also, hands are not required to be washed after or between glove changes if gloves are used as a single-use disposable utensil and no activities resulting in hand contamination were observed.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-004

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Amend Food Code 2-301.14 – Allow Donning of Loose-Fitting Gloves

No Action: The issue is adequately addressed in the Food Code 2-301.14

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-005

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Add cross contact definition & codified/Annex language within the Food Code

Recommended Solution: The Conference recommends...:

No Action: Addressed in Issue 2023-II-052

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-006

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Regulating use of "may contain" type advisory labels

Recommended Solution: The Conference recommends...:

No Action: Addressed in issue 2023-I-005

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-007

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No Action	<input type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>			

All information above the line is for conference use only.

Title:

Bread bakers adding sesame flour to recipe rather than "may contain."

Recommended Solution: The Conference recommends...:

A letter be sent to the FDA requesting the acknowledgment of the practice on the part of the commercial bread industry's addition of sesame and sesame flour into bread and similar products consequence for industry to comply with FDA allergen label. FDA should work with commercial manufacturers towards additional solutions.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-008

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Sesame Update to Section 403(w)(1) of the FD&C Act (21 U.S.C. 343(w)(1))

Recommended Solution: The Conference recommends...:

No Action: Addressed in Issue 2023-I-007

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-009

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Companies adding sesame to products previously safe for sesame-allergic

Recommended Solution: The Conference recommends...:

No Action: Addressed in Issue 2023-I-007.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-010

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Labeling under Food Allergy Safety, Treatment, Education & Research Act

Recommended Solution: The Conference recommends...:

No action: Addressed in Issue in 2023-I-007

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-011

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Manufacturers have begun to add sesame to protect from legal action.

Recommended Solution: The Conference recommends...:

No Action: Addressed in Issue 2023-I-007

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-012

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Establish written procedures for managing food allergy events

Recommended Solution: The Conference recommends...:

No Action: The issue is beyond the authority of the Food Code.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-013

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

PSC14 Re-create Plan Review Committee

No Action: Issue addressed in 2023-1-015

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-014

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Re-Establish Plan Review Committee

Recommended Solution: The Conference recommends...:

No Action: Addressed in Issue 2023-I-015

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-015

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Re-create the Plan Review Committee (PRC)

Recommended Solution: The Conference recommends...:

The PRC be recreated following the 2023 CFP Biennial meeting with the following charges:

1) Review and revise the following documents as needed to address changes in the latest version of the FDA Food Code, as well as latest and popular industry trends.

a) Plan Review for Food Establishments 2016

b) Recommended Guidance for Permanent Outdoor Cooking at Permanent Food Establishment 2014

c) Recommended Guidance for Mobile Food Establishments 2014

d) Temporary Food Establishments 2011

2) Identify newer technologies which may benefit from additional guidance documents.

3) Report back to the next biennial meeting of the Conference for Food Protection

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-016

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Re-creation of the Hand Hygiene committee

Recommended Solution: The Conference recommends...

No action: The issue is adequately addressed in chapters 2 and 3 of the Food Code

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-017

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Amend Food Code 3-301.11 - Double Handwashing and Nail Brush Usage

Recommended Solution: The Conference recommends...:

That a letter be sent to the FDA requesting an interpretation, and inclusion in the Annex, of double handwashing and the use of nail brushes in section 3-301.11 of the most current edition of the Food Code

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-018

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Chemical Sanitizing test strips Expiration Date

Recommended Solution: The Conference recommends...:

That a letter be sent to FDA requesting that Section 4-501.116 be modified as follows (new language is underlined)

4-501.116 Warewashing Equipment, Determining Chemical Sanitizer Concentration.

1. Concentration of the SANITIZING solution shall be accurately determined by using a test kit or other device.
2. Sanitizing test kit shall be used according to manufacturer's label instructions.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-019

Council Recommendation:	Accepted as Submitted	<input checked="" type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Report - Foodborne Illness Investigation Committee

Recommended Solution: The Conference recommends...:

1. Acknowledgement of the Foodborne Illness Investigation Final Report.
2. Thanking the Committee members for their work.
3. Disbanding the committee since all charges have been met.
4. Posting a PDF of the Committee developed "Food Establishment Consumer Purchase Best Practices" guidance document for CFP branding under Conference-Developed Guides and Documents on the CFP website.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-020

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

FBIIC2-Interpret if 2022 FDA Food Code Provides Investigation Authority

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA requesting an interpretation of the Food Code clarifying that Section 8-304.11(H) coupled with Section 8-402.11 and other relevant sections provide sufficient authority for a regulatory authority to conduct a foodborne illness investigation.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-021

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

FBIIC3-Amend 2022 FDA Food Code to Provide Access for FBI Investigation

Recommended Solution: The Conference recommends...:

No Action: Council could not reach consensus on this Issue.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-023

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Amend Food Code to Update Final Cook Temps for Sous Vide under 3-502.12

Recommended Solution: The Conference recommends...:

No Action: Issue is covered under the variance process in Food Code section 3-502.11.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-024

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Amend Food Code - Strike "leaking automatic fire sprinkler heads"

Recommended Solution: The Conference recommends...:

No action: The issue is adequately addressed in Food Code sections 3-305.12, 4-401.11, and 4-903.12.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-027

Council Recommendation:	Accepted as Submitted	_____	Accepted as Amended	_____	<input checked="" type="checkbox"/> No Action	_____
Delegate Action:	Accepted	_____	Rejected	_____		

All information above the line is for conference use only.

Title:

Amend Food Code – Packaging Requirements for Vended TCS Foods

Recommended Solution: The Conference recommends...:

Create a Complex Vending Units Committee with the following charges:

1. Gather & review existing technology, standards and certifications of complex vending units (CVU) such as units that prepare and assemble exposed food within the unit.
2. Examine how CVU's are currently regulated.
3. Determine if CVU's should be considered a vending machine, unattended food establishment, or a different category.
 - a. If any changes are needed to the definitions in the Food Code, propose the needed changes.
4. Explore the design, construction & operation of CVU's for food safety (including but not limited to supervision, sanitation, chapter four of the 2022 Food Code, etc.) and determine if changes to the Food Code are needed and, if so, propose the needed changes.
5. Determine if guidance tools are needed for industry and regulatory use. If a need is determined, develop such tools.
6. Report findings at next CFP Biennial Meeting.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-028

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Creation of a Committee - E-Commerce Best Practices

Recommended Solution: The Conference recommends...:

that an E-Commerce Committee be created and charged with the following:

1. Identify best practices and existing guidance that pertain to E-Commerce shopping at retail.
2. Develop a comprehensive guidance document for retail food establishments with best practices specific to E-Commerce shopping to ensure general Food Code recommendations are followed. These recommendations would include proper handling during the shopping process to ensure adequate time/temperature control and prevent cross contamination, construction and equipment requirements for areas where shopped products are held, procedures to address items that were shopped but not picked up by the consumer and any other concerns that may arise during guidance development.
3. Determine appropriate mechanisms for distributing the committee's work.
4. Report the committee's findings and recommendations at the next Biennial Meeting.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-029

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u> x </u>
Delegate Action:	Accepted _____	Rejected _____		

All information above the line is for conference use only.

Title:

Amend the Food Code, Section 8-401.10

Recommended Solution: The Conference recommends...:

No action due to variability in third party audit programs.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-030

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	No Action _____	<u> x </u>
Delegate Action:	Accepted _____	Rejected _____		

All information above the line is for conference use only.

Title:

Creation of a Food Traceability Rule Committee

Recommended Solution: The Conference recommends...:

No Action: Issue is outside of the scope of CFP.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-031

Council Recommendation:	Accepted as Submitted	<input type="checkbox"/>	Accepted as Amended	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
Delegate Action:	Accepted	<input type="checkbox"/>	Rejected	<input type="checkbox"/>		

All information above the line is for conference use only.

Title:

Clarify 7-204.12 (D) to separate EPA and FDA jurisdictions

Recommended Solution: The Conference recommends...:

No Action: Issue is adequately addressed in the current Food Code Section 7-204.12 and further expounded upon in the Annex.

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 I-032

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Reducing Cross Contamination Risk from Use of Reusable Wiping Cloths

Recommended Solution: The Conference recommends...:

A letter be sent to FDA requesting that additional guidance in the form of a fact sheet be created to clarify the difference between cleaning and sanitization and the use of wiping cloths. Also, a letter be sent to FDA requesting to amend FDA Food Code 3-304.14 (Wiping Cloths, Use Limitation) as follows

3-304.14 Wiping Cloths, Use Limitation.

(A)Cloths in-use for wiping FOOD spills from TABLEWARE and carry-out containers that occur as FOOD is being served shall be:

(B)(1) Maintained dry; and

(2) Used for no other purpose(B) Cloths in-use for wiping counters and other EQUIPMENT surfaces shall be:

(1) Held between uses in a chemical sanitizer solution ~~at a concentration~~ meeting the criteria specified under § 4-501.114; and

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.

**Conference for Food Protection
2023 Issue Form**

Issue: 2023 II-052

Reassigned to Council I

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	<input checked="" type="checkbox"/> No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Allergen Committee 4 Re-create the Allergen Committee

Recommended Solution: The Conference recommends...:

Re-creation of the Allergen Committee with the following charges:

1. Provide clarification and guidance on 2022 FDA Food Code Section 3-602.11(B)(5), 3-602.11(C)(2), related to major food allergen labeling in bulk food available for consumer self-dispensing and 3-602.12(C) informing consumers of major food allergens in unpackaged foods via written means.
2. Using existing research and resources to expand upon the "Major Food Allergen Framework" to include:
 - a. If determined to be needed, provide continued guidance on how to control major food allergen cross-contact, including during receiving, storage, holding, preparation (including knowledge of preparation methods), and service.
 - b. Identify and gather existing research and resources to form an "Allergen Control Toolkit", (which could include checklists, infographics, allergen matrix for all products, etc.) that can be used by food workers to better understand allergen control.
 - c. Identify and establish tools (such as SOPs, standardized menus, ingredient lists, quality assurance, etc.) to support the PIC when training food workers around notifying a Consumer about food allergens.
 - d. Update the document "Major Food Allergen Framework" to include the gathered information from steps a - c.
3. Recommend changes to the Food Code that support retail food establishments to operationalize framework to prevent and control food allergic reactions.
4. Examine if allergen cross contact can be defined and if so, propose a definition.
5. Create best practices and consumer messaging for when and how to disclose when major food allergens are used on shared equipment within retail establishments. Include recommendations for

scenarios that include "may contain" or "made in a facility that also processes" statements and potentially addresses tolerance levels.

6. Report back findings and recommendations to the next Biennial Meeting of the Conference for Food Protection.

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.