

Conference for Food Protection – Committee Periodic Report

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COMMITTEE NAME: Food Recovery

DATE OF REPORT: Initial fall progress report Spring progress report X Second fall progress report

Date submitted: 6/28/2019

Date amended (if applicable): 7/10/2019

Date accepted by Executive Board: [Click here to enter a date.](#)

COMMITTEE ASSIGNMENT: Council I Council II Council III Executive Board

REPORT SUBMITTED BY: Co-Chairs, Sandra Craig and Mitzi Baum

COMMITTEE CHARGE(S): Food Safety Regulations for Food Donations

Issue # I-24

1. Evaluate existing materials including the AFDO guidance, Comprehensive Resource for Food Recovery, and any other relevant guidances and documents pertaining to donated food; update the CFP guidance as needed; and evaluate opportunities to better disseminate existing guidance.
2. Identify best practices for handling, storage, and labeling of food for donation.
3. Examine existing state regulations that address food safety procedures for donation.
4. Recommend any necessary language changes to the FDA Food Code to ensure the safety of donated food.
5. Report back to the 2020 Biennial Meeting.

COMMITTEE WORK PLAN AND TIMELINE:

We have broken down the committee into subcommittees. Subcommittees 1a, 1b and 1c have completed their specific tasks. The work of the first three subcommittees provided support and insights to subcommittees 2 and 3. The committee has reviewed and is in the process of approving and finalizing the deliverables of the first three subcommittees. One to two-page informational fact sheets have been developed by the task 1 groups. The two additional subcommittees – 2 and 3, are now working toward completion of the assigned charges. The FRC has accomplished the first three charges and is working on completing the 4th charge of recommending any necessary language changes to the FDA Food Code to ensure the safety of donated food by August 1st. The FRC has set a goal to accomplish all charges and writing up the report by October 15th.

Draft versions of the final report will continue to be edited and shared over the summer for acceptance and timely completion by September 1st.

COMMITTEE ACTIVITIES: Dates of committee meetings or conference calls: The whole committee is meeting on the last Thursday of each month at 1:00 CST.

1. Overview of committee activities:

Several calls of the full committee were held. We reviewed the charges and began to review literature.

We have studied many documents that have informed the work of the committee. By reviewing what already exists, the committee can glean learning from existing regulations and information to form opinions and create the final documents to be submitted. The first need that has been identified is the need to uniformly address terms in a manner that the lay person will understand. Can we simplify the terms and yet address the food safety need?

The committee decided that it would be more efficient to break into subcommittees. The first subcommittee groups (1a, 1b & 1c) have completed the work on charge #1, developing ways to better disseminate existing guidance. They are met by phone every 2-3 weeks between full committee calls

Subcommittee 1a – They had multiple conference calls and interacted online. They sent out a survey to this group. This group is dealing more with creating documents for permitted food establishments, so the simplification is not a critical for their documents. They developed tools to help this group sort out donation questions.

Subcommittee 1b – This group used email communications and multiple conference calls. They developed guidance documents for their target audience. They also send a survey to larger group to assist in developing the guidance.

Subcommittee 1c – Multiple meetings (calls) This group is dealt with charitable organizations and how to define them. They sent out a survey to the members of that group and another survey to the larger committee to ensure that all are aligned, and we did not duplicating efforts on the overlapping areas.

Subcommittee 2 has had several conference calls and is sharing drafting of the proposed FDA Food Code revision as members make edits. Subcommittee members have each been assigned a subsection of the proposed Food Code section to develop/improve. This group is reporting back to the full committee on the monthly call.

The work of subcommittee 3 has been re-delegated back to the full committee and will be discussed on the monthly committee calls.

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We identified existing regulations in several states and local jurisdictions. The ones we found and have reviewed are Texas, Vermont, Washington and California.

The full committee was charged with reviewing documents prior to the formation of the subcommittee work groups. The full committee conference calls were and continue to be used to discuss what has been gleaned from review of these documents. It was from this review that the committee felt that the existing guidance documents are sound, provide the appropriate food safety guidance but that due to the size and scope of these documents that they needed to be broken down into manageable, teachable segments, that developing one and two page fact sheets from the materials in the guidance documents would be the best way to provide the goals set out for the committee.

When the full committee meets we go over charges and our timeline to complete the work, where we are on the projects, each subcommittee is reporting on their progress & we discuss how to not duplicate work, what the next steps are. So far, the full committee has reviewed the following documents, and these are the documents that the subcommittees are using to develop the “fact sheet” guidance tools.

CFP Comprehensive Guidance for Food Recovery
Starbucks Food Safety Management System for Food Donation
California Retail Food Code for Food Donations
Texas Food Establishment Rules
Washington State Department of Health Food Rescue – donation guide for businesses; school food donation guidelines
Washington Retail Food code
Vermont Guidance for Food Donation – businesses
AFDO Model Consumer Commodity Salvage Code
Guidance for Indiana schools
FSIS Directive 7020.1
Guidance and Documents pertaining to donated foods
IFPTI – Kansas legislators’ opinions about food safety regulation of hunger relief organizations
Food Safety Regulations and Guidance for Food Donations – a 50 State Survey of State Practices (Harvard)
Plus many links to food safety and donation resources

In addition to these committee activities, Mitzi Baum of Stop Foodborne Illness (co-chair) and several other CFP members, including Shana Davis of The Kroger Company, and Dr. Ernie Julian of the Rhode Island Department of Health, participated in the session “Reducing Food Waste: Industry and Regulatory Perspectives on Food Recovery Systems.” at the Association of Food and Drug Officials (AFDO) annual educational conference in Atlanta, GA, June 22 – 26, 2019. Mitzi has also presented at the MCAFDO (Mid Continental Association of Food and Drug Officials) conference in February on food waste and recovery. Both of these events are outstanding examples of the MOU established between CFP and AFDO in an effort to work on issues in a mutually collaborative effort and our committee is pleased to play a part in this effort.

2. **Charges COMPLETED and the rationale for each specific recommendation:**

- a. *Evaluate existing materials including the AFDO guidance, Comprehensive Resource for Food Recovery, and any other relevant guidance materials and documents pertaining to donated food; update the CFP guidance as needed; and evaluate opportunities to better disseminate existing guidance. The review has been completed, we did not find a need to update the CFP guidance document as the recommendations in it are sound, science based and relevant. We evaluated the opportunities to better disseminate guidance and came to the conclusion that creating simple, easy to follow one and two page fact sheets on specific food safety topics related to the handling and preparation of donated food would be our focus.*
- b. *Identify best practices for handling, storage, and labeling of food for donation. This review has been completed and we are using this review to create the fact sheets.*
- c. *Examine existing state regulations that address food safety procedures for donation. This review has been completed.*

3. **Status of charges still PENDING and activities yet to be completed:**

- a. *Recommend any necessary language changes to the FDA Food Code to ensure the safety of donated food. This charge is still under way; subcommittee 2 took the proposed FDA Food Code recommendations that were submitted in the 2018 issue and are refining it based on the discussion of the group and the research completed by the committee on existing state or local laws that have been reviewed.*
- b. *Report back to the 2020 Biennial Meeting. Report will be written once all charges are completed.*

Three charges are completed and the fourth is scheduled to be completed on time for submission to Council Chairs for inclusion at the 2020 CFP Conference. Future conference calls are scheduled for 7/25/2019, 8/29/2019, and 9/26/2019.

COMMITTEE REQUESTED ACTION FOR EXECUTIVE BOARD:

Request approval of the revised committee roster as follows:

Approve removing Rolondo Villareal and Aurielle Lowery from the FRC as recommended by the voting members of the committee, and approve the appointment of Wayne Melichar, Vas Hofer, and Lily Yang as voting members of the FRC.

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Background:

Lisa Weddig (voting member), Industry Representative, requested to be removed from the committee on May 30th due to personal and work time restraints were not letting her participate. No replacement has been appointed at this time but the committee co-chairs would like to nominate Wayne Melichar, Industry Representative, as the replacement. He has been an active, contributing committee and subcommittee member.

The FRC voted (20 yes/2 no response) to remove Aurielle Lowery (At-Large non-voting member), Industry Representative, from the committee as she left her place of employment and left no further contact information with the CFP. The FRC recommends that the EB take action to remove her from the committee.

The FRC voted (20 yes/2 no response) to remove Rolondo Villareal (voting member) from the committee. He is no longer with the City of Berkeley and has not provided any other further contact information. The FRC recommends that the EB take action to remove him from the committee as he has not been on a committee call since March. No replacement has been appointed at this time but the committee co-chairs would like to nominate Vas Hofer, at large local regulator, as the replacement. She has been an active, contributing committee and subcommittee member.

Katie Sanderson (voting member), Academia Representative, is requesting to be removed from the committee on August 1st as she is leaving her position with Harvard. No replacement has been appointed at this time but the committee co-chairs would like to nominate Lily Yang at large academia representative, as the replacement. She has been an active, contributing committee and subcommittee chairperson.

Kevin Schneider requested to be removed from the committee as an At-Large committee member.

ATTACHMENTS:

1. Content Documents:

- a. **Committee Member Roster:** See changes noted above under “requested action” No changes to previously approved roster
“Committee Members Template” (Excel) available at: www.foodprotect.org/work/ Committee roster to be submitted as a PDF attachment to this report.
 - i. **Committee Generated Content Documents (OPTIONAL):** No draft content documents submitted at this time
FRC Handout A – How Food Establishments Can Donate Food (DRAFT)
 - ii. **FRC Handout B – How to Transport Donated Food (DRAFT)**
 - iii. **FRC Handout C – How to Serve Donated Food (DRAFT)**
 - iv. **FRC Task 2 Update Survey – FDA Food Code Language**

2. Supporting Attachments (OPTIONAL): Not applicable
