

**Conference for Food Protection 2004-2006
Executive Board Meeting Committee Update – TCS Food Implementation Committee Report**

Date of Committee Report: July 22, 2005

Submitted By: Frank Yiannas, Council 1 Chair / Lee Cornman, Council 1 Vice Chair

Committee Charge:

The Conference recommends that based on discussion and deliberation,

(A) FDA revise the definition of "Potentially Hazardous Food" in subparagraph 1-201.10 (B)(65) of the 2001 Food Code in the following way:

1-201.10 (B)(65) Potentially Hazardous Food.

(a) "**Potentially hazardous food**" means a FOOD that requires time and/or temperature control for safety (TCS) to limit pathogen growth or toxin formation."

(b) "**Potentially hazardous food**" includes:

(i) An animal FOOD (a FOOD of animal origin), including fresh shell EGGS, that is raw or heat-treated; a FOOD of plant origin that is heat-treated or consists of raw seed sprouts; cut melons; and garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support growth as specified under Subparagraph (a) of this definition.

(ii) A FOOD whose pH/a_w interaction is designated as TCS in one of the tables listed in paragraph (d).

(c) "**Potentially hazardous food**" does not include:

*(i) An air-cooled hard-boiled EGG with shell intact, or a shell EGG that is not hard-boiled, but has been treated to destroy all viable **Salmonellae**;*

(ii) A FOOD whose pH/a_w interaction is designated as non-TCS in one of the tables listed in paragraph (d);

(iii) A FOOD, in an unopened HERMETICALLY SEALED CONTAINER, that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution;

(iv) A FOOD for which laboratory evidence demonstrates that time and temperature control for safety is not required, and that may contain a preservative, other barrier to the growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms; or

(v) A FOOD that does not support the growth of microorganisms as specified under Subparagraph (a) of this definition even though the FOOD may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness.

(d) "**Potentially hazardous food**" does not include food that, because of pH, water activity (a_w) or the interaction of pH and a_w is considered non-PHF/non-TCS in Table A or B below.

Table A. Control of spores: Product heat-treated to control vegetative cells and PACKAGED.			
Critical a _w values	Critical pH values		
	4.6 or less	> 4.6 – 5.6	> 5.6
0.92 or less	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS
> 0.92 - .95	non-PHF/non-TCS	non-PHF/non-TCS	PA

> 0.95	non-PHF/non-TCS	PA	PA
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Table B. Control of vegetative cells and spores: Product not heat-treated or heat-treated but not PACKAGED.				
Critical a _w values	Critical pH values			
	< 4.2	4.2 – 4.6	4.6 – 5.0	> 5.0
< 0.88	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS
0.88 – 0.90	non-PHF/non-TCS	non-PHF/non-TCS	non-PHF/non-TCS	PA
> 0.90 – 0.92	non-PHF/non-TCS	non-PHF/non-TCS	PA	PA
> 0.92	non-PHF/non-TCS	PA	PA	PA

PA = Product Assessment Required

(B) And that a PHF Committee be named to work with the FDA on this issue, charged to consider the best implementation strategy for state/local regulations and the food service/food store industry to determine whether a food is PHF or not, based on the IFT Report, to determine whether the term PHF or TCS is preferred and to report back to the Conference for Food Protection Executive Board by the 2004 Fall Board Meeting.

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Progress Report/Committee Activities:

The 2004 -2006 CFP TCS Food Implementation Committee has kept to the monthly conference call schedule since the 1st call on July 22, 2004. The committee has successfully completed part of the committee charge in the development of a document to be included in Annex 3 of the 2005 FDA Model Food Code. This document was accepted by the FDA and will be in the 2005 FDA Model Food Code, soon to be released.

The committee has almost finalized a survey that will be sent to some regulatory jurisdictions, industry trade groups, CFP list serve, etc. to obtain general feedback on expected training needs, clarity of the decision tree and its practicality and ease of use, etc. The timeline for the survey completion is approximately 2 months from the distribution date. The committee is now at work on an expanded and more detailed guide for using the new TCS food definition which will include examples of how to determine if a food is TCS.