

FDA Report to CFP Executive Board Meeting
August 26, 2008
Orlando, FL

The following is a summary of the FDA to the Fall 2008 meeting of the Executive Board of the Conference for Food Protection (CFP) provided by Kevin Smith (FDA Representative to the CFP Executive Board).

1. FDA's Food Protection Plan issued in November 2007 continues to provide the focus of FDA's food protection activities, both programmatically and in our request for additional regulatory authority in the areas of prevention, intervention and response. We continue to seek input from all stakeholders on the principles and specifics outlined in the plan. The Federal Docket remains open and numerous comments have been received to date.
 - a. FDA hosted a national meeting of federal, state and local partners in St. Louis on August 12-14, 2008. Meeting was designed to renew the dialog that started with a 50-state meeting in 1998 and get input from regulatory and public health partners on how to best address the challenges we face on a national scale in areas such as recalls, foodborne illness investigations, risk-based inspections, and defining roles and responsibilities of stakeholders. FDA will be considering recommendations emerging from that meeting and plan to have follow-up meetings. Meeting summary will be published in coming weeks.
 - b. FDA recently announced plans for opening offices in China and India. Management, senior technical, and support positions are currently being recruited. This office will oversee ongoing collaborative efforts with those governments and pilot programs developed for the use third party organizations to supplement inspection activities in areas such as seafood and product ingredients exported to the US. Liaison offices also being planned for other overseas locations including the Middle East, Europe and Latin America.
2. There are no significant changes since April to report on the organizational structure at FDA and its Centers. Recently there has been several leadership positions filled permanently at both CFSAN and ORA headquarters. At FDA, Ms. Faye Feldstein was named Director, Office of Food Defense, Communication, and Emergency Response. Ms. Roberta Wagner was named Director, Office of Compliance, and Ms. Camille Brewer was named Director, International Affairs Staff. At ORA, Mr. Michael Chappell was named Associate Commissioner for Regulatory Affairs and Dr. Steven Solomon was named Deputy Associate Commissioner for Regulatory Affairs for Policy. In the Retail Foods area, a new Regional Food Specialist was hired in the Southwest Region. Scott Krause takes the position vacated by April Shaw who left FDA for a position at CDC. The Retail Food Protection Team at CFSAN plans to hire two additional Consumer Safety Officer Positions in coming months. CFSAN is expanding its GIS capabilities and expertise. Dr. Guilan Huang, a staff fellow with GIS expertise was hired in June and will be supporting retail and other program areas.
3. FDA, CDC and State resources continue to be devoted to recent foodborne illness outbreaks involving produce. The most significant is the Salmonella saintpaul outbreak that began in April and reached its peak in June and July. That outbreak has the largest number of confirmed cases involving an FDA regulated product (over 1400 cases, over 280

hospitalized). The epidemiologic and traceback investigation garnered significant attention and the difficulties associated with identifying the specific vehicle or vehicles and their sources created frustration and confusion. Concerns about consumer confidence in food safety has prompted congressional hearings and calls for a hard look at the traceability of produce and the way food safety messages are delivered in the wake of an multi-state outbreak.

- a. This week, expect to see a Federal Register Notice requesting comments and scientific data and information that may assist the agency in improving the guidance to industry set forth in the "Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables," issued in 1998. FDA is also considering publishing commodity-specific guidance documents that are aimed at produce safety and are based on the documents previously developed in collaborative effort with produce industry for melons, tomatoes and leafy greens.
 - b. On 8/21/08, FDA announced a final rule amending our Food Additive Regulations to allow for irradiation of fresh iceberg lettuce and fresh spinach.
 - c. FDA is closely monitoring efforts by various states, such as FL, CA, and TN, to implement produce safety guidelines, including good agriculture practices at the farm and packer levels, through various mechanisms such as agriculture marketing agreements.
4. As reported Norovirus illnesses associated with food continues to grow, FDA and our Retail Program continues to take steps to provide information aimed at reducing the hazard.
- a. An Employee Health and Personnel Hygiene Handbook is being completed and should be published in September. The Handbook is designed to describe the requirements contained in Food Code Chapter 2 (excluding ill workers, good had hygiene and eliminating bare hand contact with RTE foods) in a user friendly format.
 - b. The FDA Retail Team is also planning a satellite broadcast and DVD in calendar year 2009 focused on improving employee health and hygiene behaviors in the retail setting.
 - c. CFSAN is developing a Norovirus Risk Profile that will promote understanding of foodborne Norovirus risks and may set the stage for a more formal risk assessment document.
5. FDA has begun preparing for issuance of the 2009 Food Code. The target release is the 2nd quarter of calendar year 2009.
- a. Changes will include many of the recommendations made by the 2008 CFP. FDA is requesting further dialogue with the CFP Executive Board on certain 2008 CFP recommendations before modifying the Food Code. Those issues will be described in the written FDA response and will be discussed at this CFP Exec Board Meeting.
 - b. FDA awaits further recommendations from the newly created CFP Criticality Implementation and Education Committee regarding the terminology FDA has proposed for replacing the "critical" and "non-critical" designations in the Food Code.
 - c. FDA awaits the recommendations of the CFP Executive Board on two issues (2008-I-016 and 2008-III-020) that were extracted and whose Council recommendation of "No Action" was rejected by the Assembly of Delegates. These issues speak to issues that may affect the 2009 Food Code.

6. FDA is also preparing to issue an updated version of the Voluntary National Retail Food Regulatory Program Standards in 2009 based on changes recommended by the 2008 CFP. The Program Standards initiative continues to progress well.
 - a. Last quarter, 4 more local health departments enrolled, bringing the total number of enrollees up to 317.
 - b. CFSAN has secured funds for state and local inspection programs to promote progress in achieving key program standards milestones (enrollment, self-assessment, improvement plan development, verification audit, etc). The mechanism for getting funds dispersed is being developed.
 - c. FDA has made training CD available to enrolled jurisdictions to assist in conducting self-assessments and verification audits.
7. FDA is working with key organizations in the healthcare arena to develop strategies for improving food safety in hospitals, nursing homes and assisted living facilities. The US Center for Medicare Services recently updated its Interpretative Guidance for Nursing Home Surveyors to incorporate the provisions of the 2005 Food Code.
8. FDA's third Study on the Occurrence of Foodborne Illness Risk Factors is proceeding with the data collection in food establishments throughout the US. Data collection will wrap up this fall and the report will be issued in late 2009.
9. Food defense activities continue to progress.
 - a. CFP ad-hoc committee continues to provide input to next version of the CARVER+Shock tool for firms wishing to conduct vulnerability assessments, which due out this year. This second version will be geared toward foodservice establishments and the farm level.
 - b. Availability of Spanish version of the web-based training module for "ALERT: food Defense Awareness was announced last week. It is available on CFSAN website.
 - c. The follow up to ALERT, the FIRST campaign, is directed at front line workers will be made available next month. It includes a catchy video production designed to increase awareness of food employees using the FIRST acronym: F-follow company procedures, I-inspect work area, R-report things out of ordinary, S-secure food and ingredients, T- tell management if you suspect something.
 - d. Food safety and security assignment continues with the Democratic and Republican National Conventions. FDA, USDA, DOD and DHS working with state and local authorities in Denver and Minneapolis to ensure safety and security of food served there. Follows up on May assignment that should result in a template that can be used for future special security events.
10. FDA Regional Retail Seminars hosted this month in Pacific Region (August 12-14 in Seattle) and Northeast Region (August 19-21 in Albany). Other regional seminars as follows:
 - Southeast Region: October 6-9 in Asheville, NC
 - Southwest Region: October 20-23 in Oklahoma City, OK
 - Central Region : October 20-23 in Columbus, OH

This year, each seminar includes a facilitated stakeholder session aimed at helping the FDA National Retail Team update its strategic plan for 2010-2020 and to get additional feedback on FDA activities.

11. CFSAN recently issued advice to retailers, foodservice and regulators on how to address molluscan shellfish that is labeled “for cooking only”. This advice was prompted by some states decision to use such labeling as a control measure on product that has elevated risk of contamination by *Vibrio parahaemolyticus*. FDA recommends that retailers and restaurants only purchase product if they intend to fully cook it themselves and not to serve or sell in raw form to the consumer. Advice is available at www.cfsan.fda.gov.