

Summary of the FDA Report to the Fall Meeting of the Executive Board of the
Conference for Food Protection

Provided by: Kevin Smith

Date: September 19, 2013

1. The 2013 Food Code is expected to be available on-line and for purchase in late October.
 - FDA will release a Constituent Update that will summarize the purpose of the document and highlight the key changes.
 - A press release is likely and FDA will also host webinars that will provide a description of the changes and provide an opportunity to ask questions.
 - CFSAN staff has been presenting an overview of the planned changes to each of the regional seminars held over the past several weeks, including the Southwest Regional Seminar the week of Sept 17 and the Southeast Seminar the week of Sept 23.
 - FDA recognizes that some states are waiting on the release so that their Code changes can be made.
 - Most of the changes reflect the recommendations of the 2012 CFP meeting. FDA will provide a letter to CFP that summarizes how the CFP recommendations were addressed. Currently, at least one agency in all 50 States has a retail code modeled after the FDA Food Code.
2. 2013 Version of National Retail Food Regulatory Program Standards will issue shortly after the Food Code. Among the more significant changes is the transfer of all requirements related to enrollments, self-assessments and verification audits from Standard 9 to a new Administrative Procedures document that will be an addendum to the Standards themselves.
3. FDA continues to expand funding opportunities for state, local and tribal agencies seeking to improve their programs.
4. A Cooperative Agreement was just awarded to AFDO that will have serve to distribute funding to a number of state, local and tribal jurisdictions in amounts of \$500 to \$3000 to encourage progress in the Program Standards. The CA will also facilitate the distribution some larger sums (up to \$25000) for more ambitious projects, as well as some training scholarships.
5. 35 of the 38 Cooperative Agreements created in 2012 between FDA and State/local agencies to improve retail food programs have been awarded year 2 funds of up to \$70,000 each.
6. The Cooperative Agreement between FDA and NACCHO was renewed for year 3 for \$400,000. This will allow for continuation of a very successful Program Standards Mentorship program. Year 2 of the mentorship program just ended with 5 mentors and 10 mentees all reporting significant progress in their work on the Program Standards. Research efforts designed to better understand the scope

and value of inspection scoring and grading systems will also continue and will include case studies of up to six agencies that have implanted scoring and grading systems.

7. The comment period on 4 important Proposed Rules under the Food Safety Modernization Act (FSMA) remain open until November 19, 2014. In addition to the extending the comment periods for the Preventive Controls Proposed Rule and the Produce Safety Proposed Rule, in July FDA issued proposed rules for 1) Food Supplier Verification Program (FSVP) for Importers and 2) Verification of 3rd Party Auditors/Certification Bodies. Public meetings on these rules took place on September 19 and 20 in DC and will be held in Miami on October 10 and Long Beach, CA on October 22. CFP members are encouraged to provide comment to the Docket. Information available at <http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm247568.htm>
8. FDA hopes to maintain its support for CFP at the 2014 Biennial Meeting by having the FDA National Retail Food Team present. Tighter restrictions on travel funds may make it difficult to get approval for the entire team however. FDA will keep the Executive Director informed.
9. Enrollees in the Retail Program Standards continue to rise. The number of enrollees has surpassed 560 and over 53% of the US population lives in a locality where the local regulatory authority is enrolled in the program Standards.
10. FDA continues to hold meetings of its Restaurant Food Safety Partnership and the Retail Food Store Food Safety Partnership. The Restaurant Partnership last met in June and the Retail Partnership met in May, Both groups will next meet in November. These groups are focused on identifying ways to accomplish the objectives of the FDA Retail Food Safety Initiative.
11. FDA is in the process of Piloting its Data Collection Tool for the next phase of its Retail Risk Factor Study. The follow up to the previous 10-year study will start with the Restaurant sector beginning in 2014. FDA expects to observe food safety practices in over 800 restaurants in 2014 and issue a report in early 2015.
12. Personnel changes at FDA since the last Executive Board meeting include the appointment of Roberta Wagner as the Deputy Director for Regulatory Operations at CFSAN and Dr. Steven Musser as Deputy Director for Scientific Operations at CFSAN. Melinda Plasier was named the Associate Commissioner for Regulatory Affairs at ORA. ORA is in the process of hiring the position of Director, Office of Partnerships.