



# **2014 Fall Board Meeting- Conference For Food Protection**

**FDA Report**

**Kevin Smith**

**CFSAN/Office of Food Safety**

**August 27, 2014**

**College Park, Maryland**

# 2014 CFP Recommendations to FDA

- **Part 1:** CFP recommended FDA Food Code changes - 13 sent to FDA
- FDA likely to concur with 7 of these (in blue text on following slides)
- FDA likely will non-concur or will require further consideration before reaching outcome on 6 of these (in black text on following slides)
- **Part 2:** Other Conference recommendations – 5 sent to FDA - Anticipate FDA Concurrence

# Part 1 - CFP Recommendations for changes to the Food Code

## Council I

- **I-014** Update section 8-201.14 to better agree with NACMCF HACCP definitions
- **I-020** Duties of PIC –Hot and Cold Holding Monitoring
- **I-021** Sore Throat with Fever
- **I-022** Addition of whole raw fish and raw crustacean shellfish to 3-306.11
- **I-030** Equipment and Utensil Cleaning Agent, Availability
- **I-032** Imminent Health Hazard – Modify the definition and enforcement action

# **Part 1 - CFP Recommendations for changes to the Food Code**

## **COUNCIL II**

- **II-003 Align competency of Inspectors (Section 8-402.10) with Standard 2**
- **II-009 Public website posting of inspection reports**

# Part 1 - CFP Recommendations for changes to the Food Code

## Council III

- **III-002**    **Emergency Action Plan for Retail Food Establishments**
- **III-005**    **Foods starting at room temperature and held using TPHC**
- **III-021**    **Reduced Minimum temperature for Microwave Steam Cooking of Seafood**
- **III-028**    **Salmonella as a reportable illness (as opposed to *Salmonella* Typhi and NTS)**
- **III-030**    **Designating certain cheeses non-TCS foods**

## **Part 2 – CFP Recommendations for FDA Action outside of the Food Code**

- **II-002 Re-Create Certification of Food Safety Regulation Professional Work Group**
- **II-010 SDERC 3 – Continued data collection to determine public health scoring**
- **III-006 TPHC 3 – Foods needing more research for using TPHC**
- **III-014 Amend the water temperature requirement for hand washing sinks**
- **III-022 When partial cooking is actually incubation**

# Food Code Reference System

- FDA created the [Food Code Reference System](#) as part of an effort to promote consistent understanding and application of the FDA's Food Code.
- Went Live on April 21, 2014
- A searchable database that answers questions users may have about the Food Code and the application of its model regulations



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## Food Code Reference System

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REFERENCE DOC	PROVISION	DOCUMENT	A-Z
		3comp sink use interp.pdf	08/25/2003



Advanced Search Feature

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Frequently Asked Questions

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REFERENCE DOC	PROVISION	DOCUMENT
2005 Food Code	(FC 3-602.11) FC, Food Labels (FC 2-102.11) FC, Demonstration	<a href="#">Allergen Labeling and Bulk Foods.pdf</a> 06/14/2007 Question: Is a state able to require and enforce the two other allergen-related provisions in the 2005 Food Code in Demonstration of Knowledge by a person in charge and labeling bulk food, without adopting the 2005 Food Code? Discussion and Rationale; If a jurisdiction has not adopted the 2005 Food Code then the provisions of the 2005 Food Code would not apply. However, the Food Allergen Labeling and Consumer Protection Act (FALCPA) will still apply to the labeling of bulk foods subject to t

Title and summary of response documents

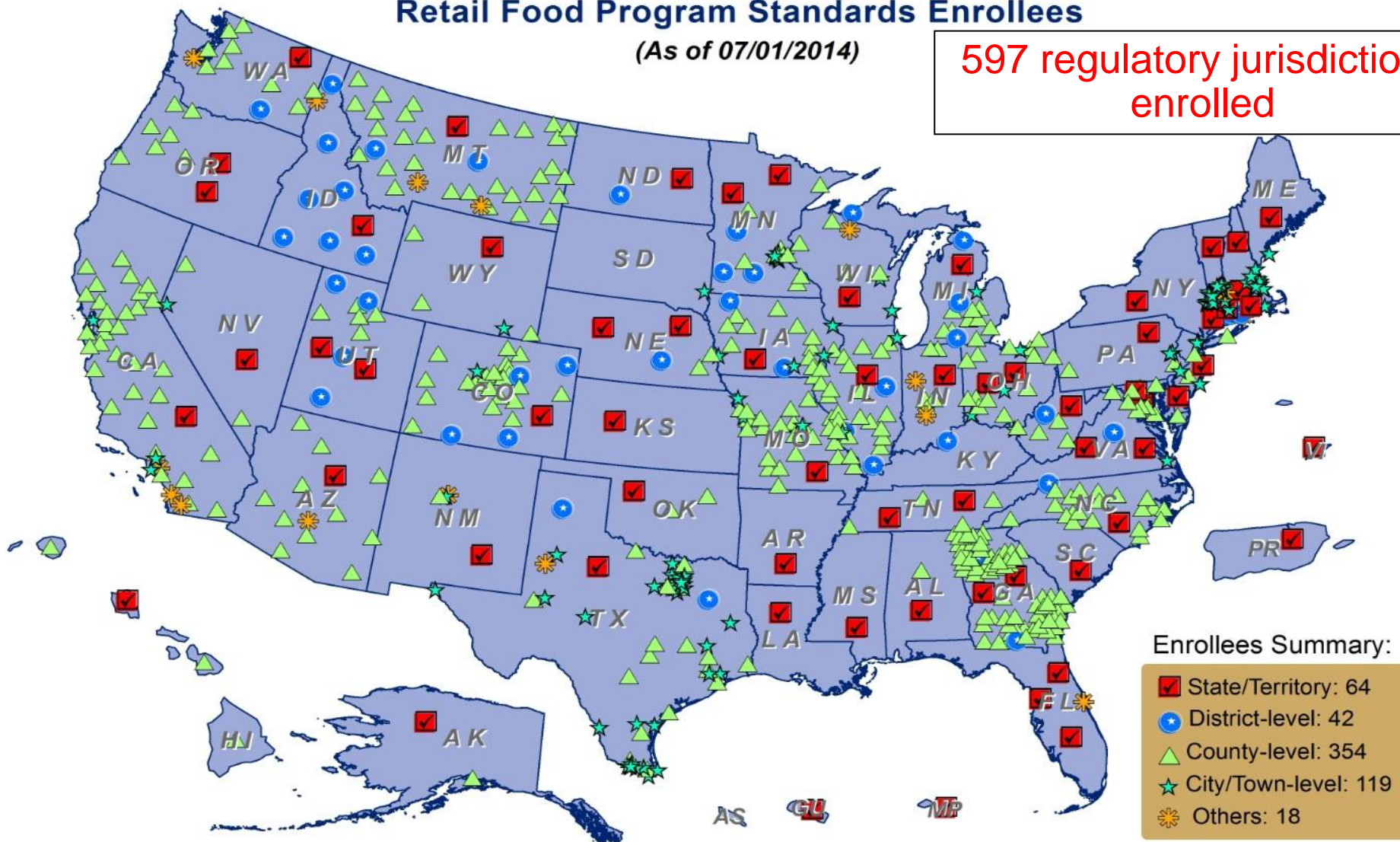
# FDA/CFSAN Food and Cosmetics Information Center

- The inquiry web form link is:  
<http://cfsan.force.com/InquiryPage>

## Retail Food Program Standards Enrollees

(As of 07/01/2014)

597 regulatory jurisdictions  
enrolled



## **Retail Program Standards – More Information and Resources “One Stop Shop”**

[http://www.fda.gov/Food/GuidanceRegulation/  
RetailFoodProtection/ProgramStandards/default.htm](http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/ProgramStandards/default.htm)

Includes:

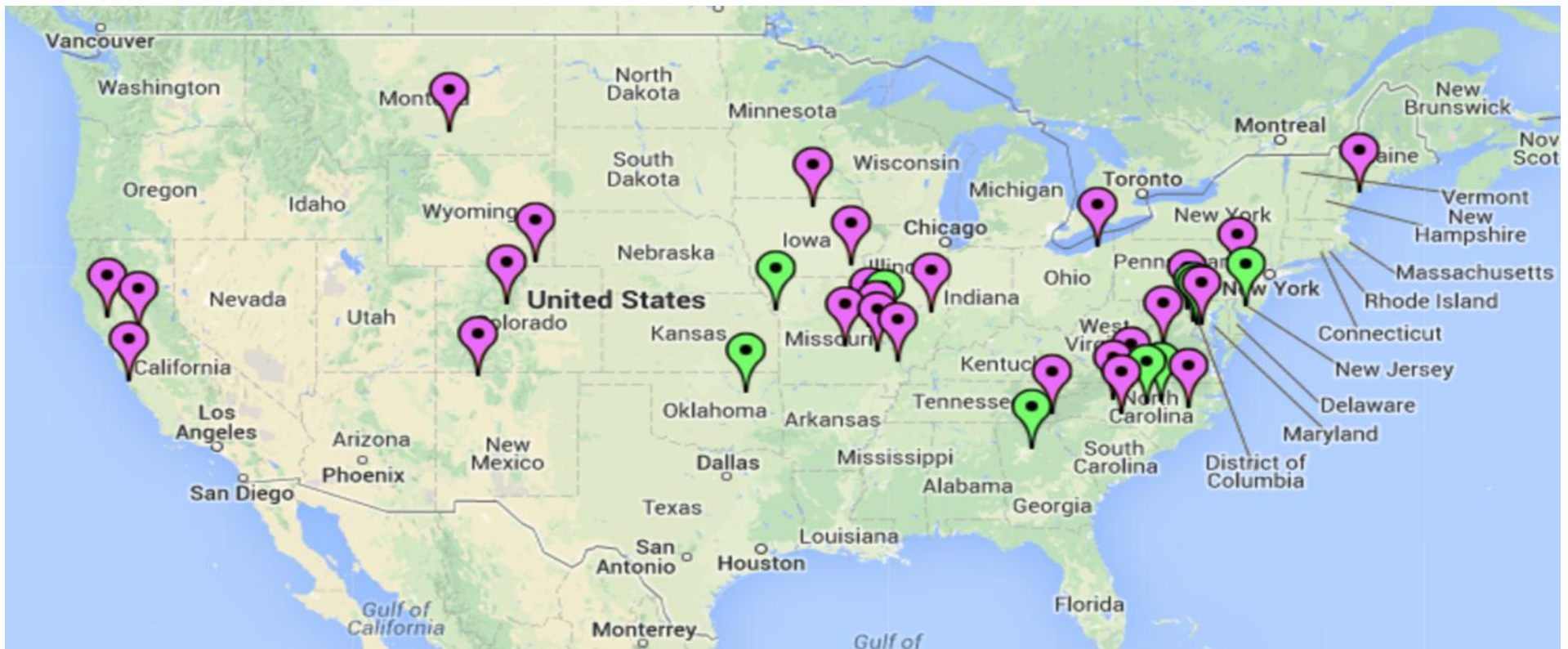
- Upcoming activities/events
- Funding opportunities
- The Retail Program Standards and Forms
- Roster of Regional Retail Food Specialists
- Resource documents
- Links to other National Standards



# **NACCHO Cooperative Agreement**

- **Mentor-Mentee Program (Highlights)**
  - **Cohort 1 (2012)**
  - **Cohort 2 (2013)**
  - **Cohort 3 (2014)**
- **Mentor-Mentee Program (Upcoming)**
  - **Cohort 4 (2015)**

# NACCHO Cooperative Agreement



# **NACCHO Cooperative Agreement**

- **Public Health Accreditation Board (PHAB)**
  - **Standards and Measures**
- **Retail Program Standards**
  - **Standards**
- **Cross-walk**
- **Sharing Sessions (Webinars)**



# **NACCHO Cooperative Agreement**

- **Scoring and Grading**
  - Communication to the Public
  - Impact on food safety practices
- **Estimate national prevalence of food inspection scoring and grading**
- **Opportunities for further analyses**



# Then & Now: Investment in Federal-State Integration

Programs	FY2009 Funding	FY2013 Funding
<b>Contracts (total)</b>	<b>\$15.5M</b>	<b>\$15.2M</b>
<b>Grants (total)</b>	<b>\$16.5M</b>	<b>\$37.4M</b>
Food Protection Task Force	\$118K	\$127K
Food Emergency Response Network	\$8.9M	\$9.7M
Ruminant Feed Ban Support (BSE)	\$2.6M	\$2.3M
Innovative Food Defense	\$225K	\$180K
Small Science Conference	\$150K	\$300K
FSMA Emergency Response+Risk Based Inspections	None	\$3.2M
MFRPS implementation	None	\$8.1M
ISO	None	\$6.1M
RRT	\$4.5M	\$3.3M
Integrated Laboratory System	None	\$750K
Alliances (AFDO and NCSL)	None	\$400K
<b>State Cooperative Programs (total)</b>	<b>\$105K</b>	<b>\$3.4M</b>
Retail Standards/Retail Association Coop Agreements	None	\$3M
Partnership Funds	\$105K	\$108K
Dairy & Shellfish	None	\$336K
<b>Total Funding</b>	<b>\$32.1M</b>	<b>\$56M</b>

## **“Retail Program Standards” Cooperative Agreements – Funding**

### **2012**

- **\$2.6M**
- **38 awards**
  - 34 five-year awards
  - 1 three-year award
  - 3 one-year awards

### **2013 & 2014**

- **\$2.4M**
- **35 jurisdictions continue with their projects**
  - 3 jurisdictions who requested one-year awards have completed their projects



# FY13 Grants & Cooperative Agreements

Programs	# of Awards
Food Protection Task Forces	15
Food Emergency Response Network (FERN)	34
Ruminant Feed Ban Support (BSE)	11
Rapid Response Teams	18
Innovative Food Defense	2
Small Science Conference Grants	12
FSMA Emergency Response & Risk Based Inspections	33
Manufactured Food Regulatory Program Standards	37
ISO 17025:2005 Laboratory Accreditation	30
Voluntary Nat'l Retail Food Regulatory Program Standards	35
Integrated Laboratory System	1
Alliances	2
Retail Association	1
<b>Total Funding</b>	<b>\$37.4M</b>



## Then & Now: Investment in Retail Program Standards

	FY2009	FY2012	FY2013	FY2014
<b><i>Retail Cooperative Agreements (total)</i></b>	<b>\$250K</b>	<b>\$3.24M</b>	<b>\$3.20M</b>	<b>\$3.31M</b>
“Retail Program Standards” Cooperative Agreements	None	\$2.6M	\$2.4M	\$2.4M
Cooperative Agreement with AFDO	None	None	\$600K	\$670K
Cooperative Agreement with NACCHO	None	\$145K	\$202K	\$240K
“Micro Purchase” Funds	\$250K	\$500K	\$0	\$0
<b><i>Enrolled Jurisdictions</i></b>	<b>343*</b>	<b>547*</b>	<b>563*</b>	<b>597**</b>

\* As of September 30

\*\* As of July 1, 2014

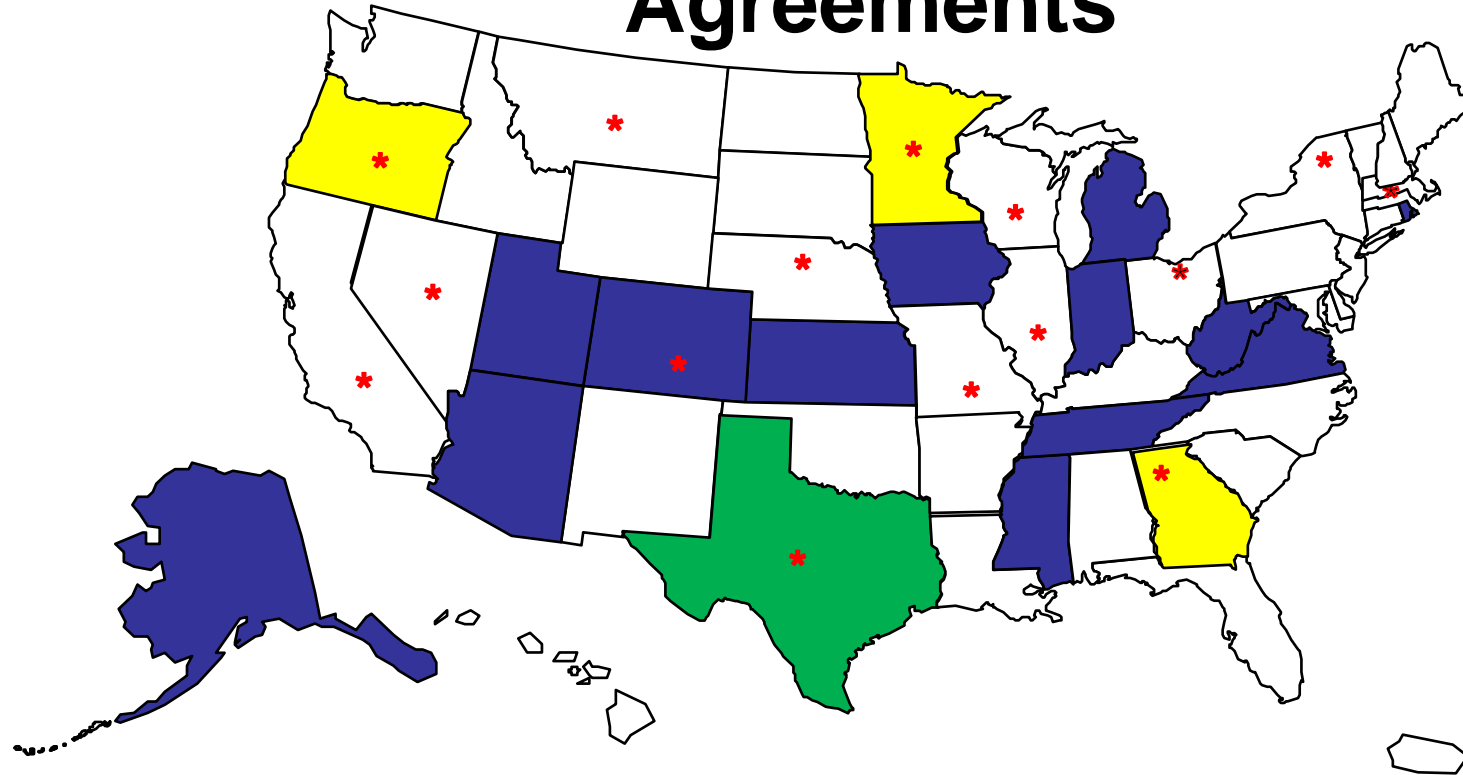
# **Funding Opportunities Supporting the Retail Program Standards**

- **Cooperative agreement versus grant**
- **Funding opportunities supporting the Retail Program Standards:**
  - **“Retail Program Standards” Cooperative Agreements**
  - **Cooperative Agreement with the Association of Food and Drug Officials (AFDO)**
  - **Cooperative Agreement with the National Association of County and City Health Officials (NACCHO)**

# **“Retail Program Standards” Cooperative Agreements**

- **Established in 2012**
- **Direct funding to state, local, territorial, and tribal retail food regulatory programs**
- **Up to \$70,000 per year**
  - **Most are multiyear (up to 5 years)**
- **Program Goals**

# “Retail Program Standards” Cooperative Agreements



**Yellow:** State Department, Department of Agriculture, Health and Human Services that have **1-yr award**.  
**Green:** State Department, Department of Agriculture, Health and Human Services that have **3-yr awards**.  
**Blue:** State Department, Department of Agriculture, Health and Human Services that have **5-yr awards**.  
**Red Star:** Local (County and City) Health Department



# Cooperative Agreement with AFDO

- Established in 2013
- \$450,000 in grants to state, local, tribal, and territorial regulatory programs
- Managed by AFDO
  - FDA/AFDO Joint Advisory Group (JAG) provides oversight
- Simple application and reporting process
- Apply online at AFDO's Retail Program Standards Website at:  
<http://afdo.org/retailstandards>



# Cooperative Agreement with AFDO

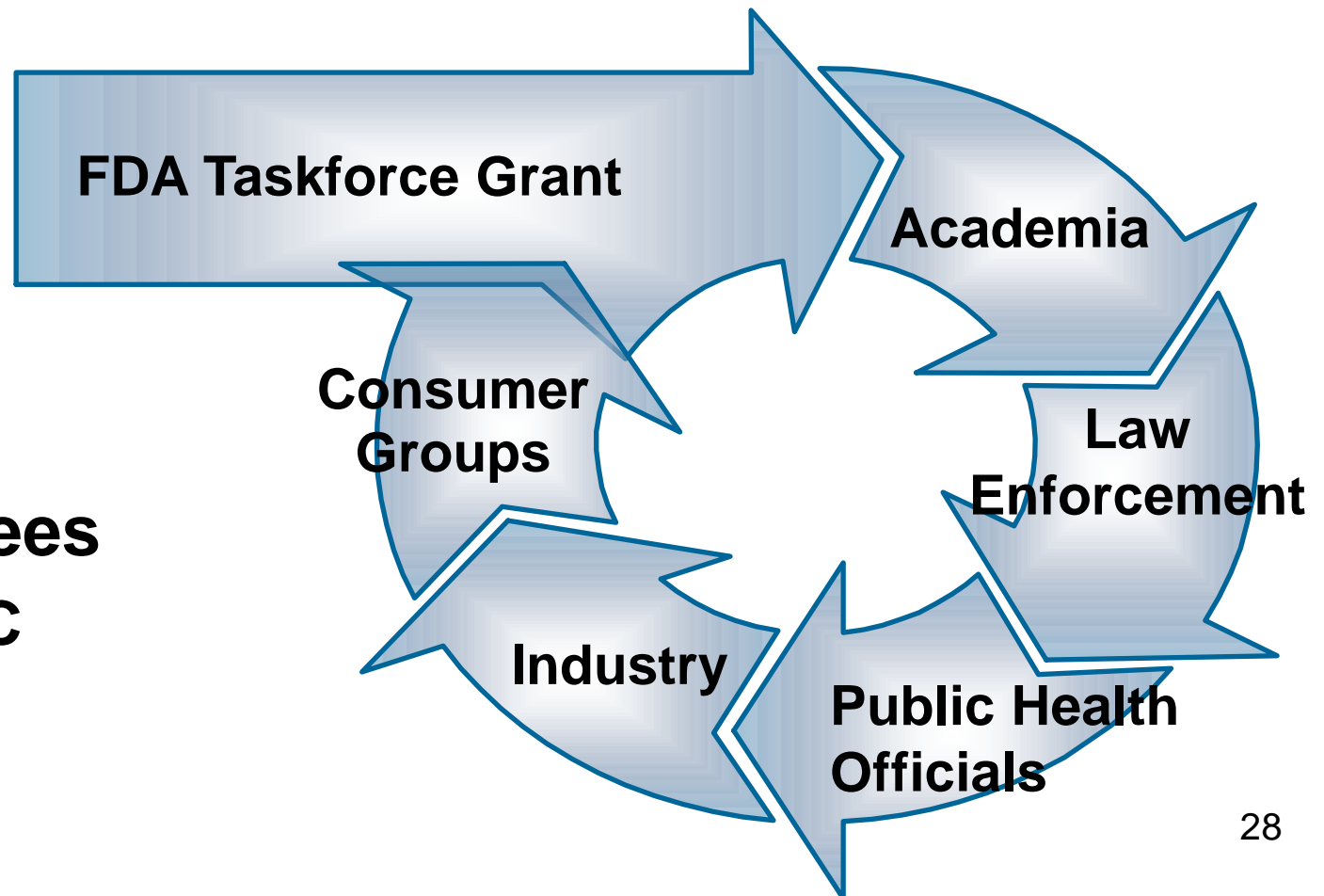
- **Category 1 – Small Projects**
  - **Up to \$3,000**
  
- **Category 2 – Moderate Projects**
  - **\$10,000-\$20,000**
  
- **Category 3 – Training**
  - **Up to \$2,000**

# **Cooperative Agreement with AFDO – Program Requirements**

## **Jurisdictions:**

- **Can apply for up to one grant in each category; total of 3 per calendar year**
- **Should coordinate internally to ensure the maximum number of applications is not exceeded**
- **Submit all required information on applications via online portal**

# Food Protection Task Force Conference Program Grants



## Current Grantees

- 22 States & DC

# Rapid Response Teams (RRT)

- **Multi-year Cooperative Agreement**
  - Awards range from \$150,000 - \$250,000
  - Awards typically 3 years in length
  - 9 began in 2008/2009
  - 9 added in 2012
- **Why RRTs?**
  - White House & Congressional interest in improving response and food safety
- **Purpose:**
  - Improve response by unifying & coordinating partners
  - Develop effective models for response that can be replicated



## Did You Know

9 RRTs are in Public Health Agencies

9 RRTs are in Departments of Agriculture

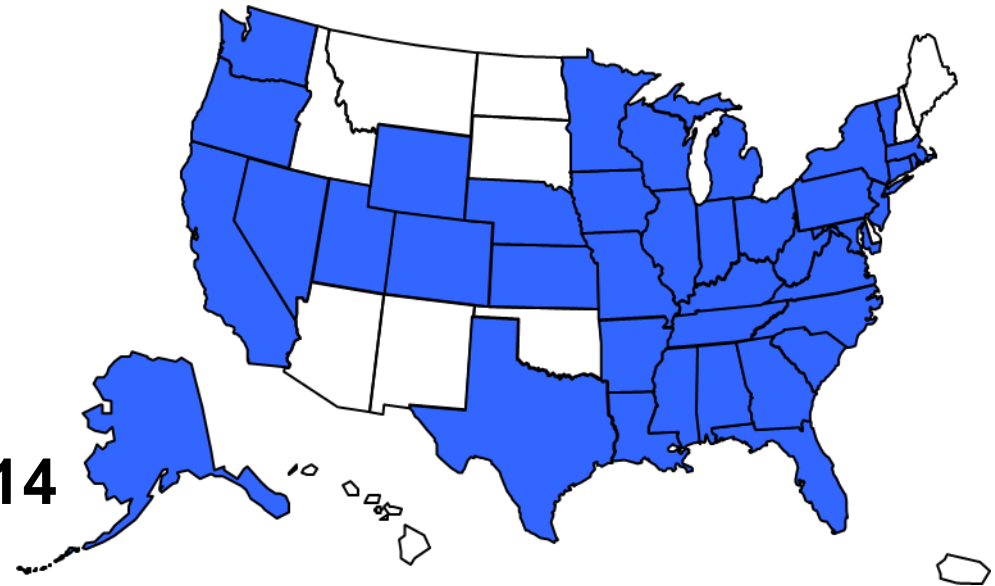
# Manufactured Food Regulatory Program Standards (MFRPS)



- **Uniform foundation for the design and management of state programs responsible for regulating food manufacturers**
- **Institute a comprehensive quality assurance & standardization program**

# Building a Stronger MFRPS Community

- 40 programs in 39 States
- FoodSHIELD: Workgroup & Quarterly Webinar
- MFRP Alliance
  - 3<sup>rd</sup> Annual MFRP Alliance meeting held in March 2014
  - Strengthen: Community, Collaboration, Resources, and Program Advancement



# Integrated Food Safety System (IFSS)



- **Federal, State, local, tribal, & territorial regulatory & public health partners**
- **Working collaboratively across all jurisdictions**
- **To provide comprehensive, coordinated coverage of the food supply from farm-to-table**
- **Outcome: Prevention of foodborne illness in humans and animals**
- **Accomplished, in part, through the Partnership for Food Protection (PFP)**



# Partnership for Food Protection

- Brings together regulatory stakeholders to develop an IFSS
- Strengthened inspection, laboratory, and response capacity
- Biennially-held 50-State Workshops (2008-2014)



<http://www.fda.gov/regulatorypartners>  
Under "Integrated Food Safety System"

# **FDA Retail Food Safety Initiative – Goals and Supporting Activities**

- **Increase the presence of Certified Food Protection Managers**
- **Widespread, uniform, and complete adoption of the *FDA Food Code***
- **Strengthen “active managerial control” at the retail level and ensure better compliance**
- **Create an enhanced local regulatory environment for retail food operations**

# **2013–2024**

## **Foodborne Illness Risk Factor Study - Objectives**

- **The risk factors in most need of attention**
- **Improvement / regression trends of risk factor occurrence over time**
- **Correlations between:**
  - **Various industry operational aspects and control of risk factors**
  - **Various regulatory retail food program elements and control of risk factors**
  - **Industry food safety management systems and control of risk factors**

# 2013–2024 Study Time Line (Revised)

<u>Restaurants</u>	<u>Healthcare Facilities, School (K-12), and Retail Food Stores</u>
2013 – 2014	2015 – 2016
2017 – 2018	2019 – 2020
2021 – 2022	2023 – 2024





# FDA Oral Culture Learner Project - Update

<http://www.fda.gov/foodemployeeetraining>



**Why It's Important to Keep Hot Foods Hot...**

Ground beef is 90°F (32°C)

**DANGER!**

OFF HIGH MED LOW

Always Maintain Hot Food at 135°F (57°C) or Above!

Remember: Keep Foods out of the temperature Danger Zone 41°F - 135°F (5°C - 57°C)!

**Debí quedarme en casa**

Me levante sintiéndome muy mal. Tenía diarrea y vómitos a la vez.

Todo lo que quería era regresarme a la cama, pero con tantas cuentas por pagar acumuladas, no me podía dar el lujo de quedarme en casa.

Llegué al trabajo y marqué mi targeta. Estoy seguro de que me veía tan mal como me sentía. Yo sabía que no debía estar aquí.

Las órdenes se estaban acumulando, así que de inmediato empecé a preparar las hamburguesas.

Carlos estaba pasándolo muy bien con su familia. Este era su restaurante favorito.

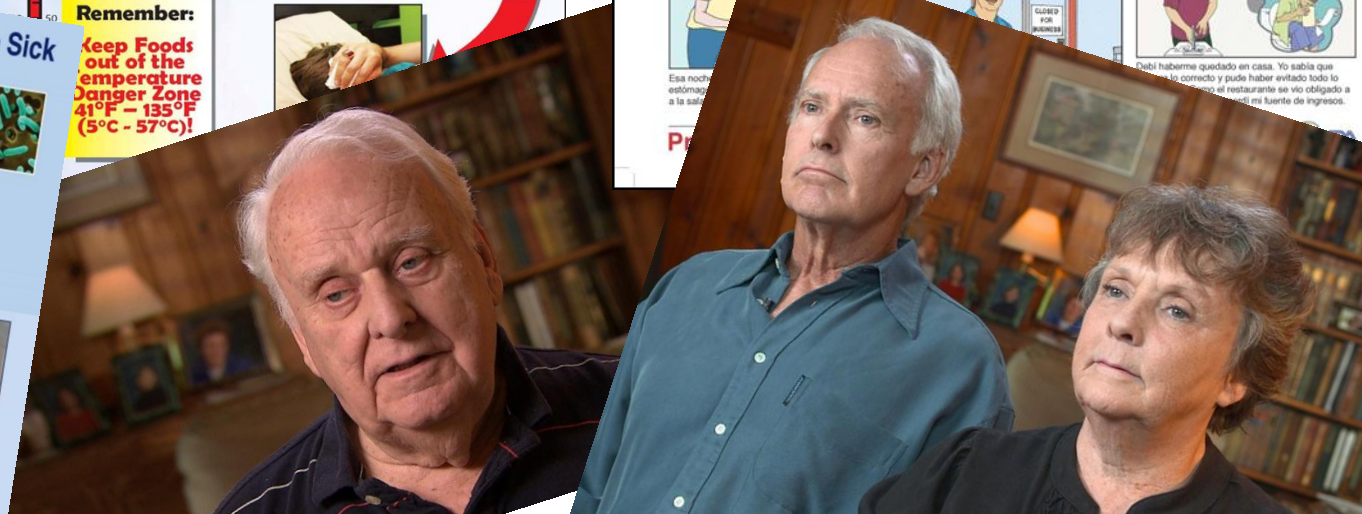
Cuando la comida llegó a la mesa, comenzó a comer de inmediato y ya terminó su hamburguesa y parte de la de su hermana.

Esa noche mi estómago comenzó a doler y me obligaron a ir al baño. Yo sabía que no debía haber venido al trabajo. Debería haberme quedado en casa. Yo sabía que si me quedaba en casa, el restaurante se vio obligado a cerrar y yo perdí mi fuente de ingresos.

Hands Could Have Germs on Them That Could Make Someone Sick



...le Everywhere. You Don't Want to ...  
...oves or Use Utensils ...



## Gluten-Free Food

- Final Rule established requirements for firms that label their food “gluten-free”
- Regulatory definition for “gluten-free”
- Compliance date is August 5<sup>th</sup>, 2014
- Small business compliance guide available

**[www.fda.gov/gluten-free-labeling](http://www.fda.gov/gluten-free-labeling)**

**Send questions to:**

**[GlutenFreeFinalRuleQuestions@fda.hhs.gov](mailto:GlutenFreeFinalRuleQuestions@fda.hhs.gov)**